

IN THE MATTER

of the Fast-track Approvals Act 2024 ("**FTAA**")

AND

IN THE MATTER

of an application for approvals (Notice of Requirement to Alter Designation 3900: Auckland Prison in the Auckland Unitary Plan, Resource Consent and Outline Plan Waiver) by Department of Corrections on behalf of the Minister of Corrections - Project FTAA-2603-1179 (Auckland Prison Capacity Increase)

**REGULATORY ANNEXURES - MEMORANDUM OF PLANNING MATTERS FOR
AUCKLAND COUNCIL**

Dated: 28 July 2026

- a. Watercare – Amber Taylor (**Annexure 1**)
- b. Auckland Transport – Siva Jegadeeswaran (**Annexure 2**)
- c. Healthy Waters - Hillary Johnston (**Annexure 4**)
- d. Landscape and Visual – Simon Button (**Annexure 5**)
- e. Lighting – Jared Osman (**Annexure 6**)
- f. Parks and Community Facilities – Douglas Sadlier (**Annexure 7**)
- g. Noise and Vibration – Andrew Gordon (**Annexure 8**)
- h. Economist – James Stewart (**Annexure 9**)
- i. Freshwater Ecologist – Antoniette Bootsma (**Annexure 10**)
- j. Terrestrial Ecologist – Luke Stanley (**Annexure 11**)
- k. Archaeologist – Mica Plowman (**Annexure 12**)
- l. Regional Earthworks – Matthew Bryce (**Annexure 13**)
- m. Groundwater – Richard Simond (**Annexure 14**)
- n. Contamination – Fiona Rudsits (**Annexure 15**)
- o. Environmental Monitoring – Cheryl Pai (**Annexure 16**)

Watercare – Amber Taylor (**Annexure 1**)

28th July 2026

Joe Wilson
Principal Project Lead, Auckland Council
[REDACTED]

Dear Joe,

Auckland Prison Capacity Increase Fast Track Application
530 Pāremoremo Road, Pāremoremo, Auckland

Introduction

1. Watercare Services Limited (**Watercare**) welcomes the opportunity to provide comments on the Auckland Prison Capacity Increase Fast-track substantive application (**Application**), made under section 53 of the Fast-track Approvals Act 2024 (**Act**).
2. The Department of Corrections (**Corrections**) proposes to alter the designation conditions and undertake works to enable an increase in prisoner numbers from the current limit of 681 to approximately 1,200 (**the Project**) which is located at 530 Pāremoremo Road (**the Site**).
3. The zoning of the Project Area is Rural – Countryside Living Zone and is designated for “Auckland Prison” purposes under the Auckland Unitary Plan – Operative in Part (**AUP-OP**).
4. Watercare acknowledges that this Application by Corrections is of a very specific nature relating to a designation by the Crown and the solutions represented here do not create a precedent for other Fast Track Applications.
5. Watercare wishes to acknowledge that Corrections has undertaken extensive pre-application engagement with Watercare in relation to this Project, and that engagement is ongoing.
6. Watercare's comments in this letter are based on the Application as at today's date, in particular the following lodged Application documents:
 - Auckland Prison Capacity Increase Substantive Application, Auckland Prison Capacity Increase Substantive Application, Volume 2 – Designation Alteration, dated 1st April 2026.
 - Auckland Prison Capacity Increase Substantive Application, Volume 6 – Proposed Conditions Summary Report, dated 1st April 2026.
 - Auckland Prison Capacity Increase Substantive Application, Volume 2 Appendix 2M Infrastructure and Site Suitability Assessment dated 26th March 2026.
 - Auckland Prison Capacity Increase Substantive Application, Volume 1 – Appendix 1G Consultation Report, dated 1st April 2026.
 - Auckland Prison Capacity Increase Substantive Application, Volume 6 – Appendix 6A Proposed Designation Conditions.
7. Any amendment to the Application will require further review from Watercare.

Watercare's purpose and statutory obligations

8. Watercare is New Zealand's largest provider of water and wastewater services, operating as a substantive council-controlled organisation owned by Auckland Council with the purpose embodied

in the Māori whakatauki "Ki te ora te wai, ka ora te whenua, ka ora te tangata" (When the water is healthy, the land and the people are healthy), reflecting the connection between its services and the wellbeing of the community and local environment.

9. Watercare is required to manage its operations efficiently with a view to keeping overall costs at minimum levels while maintaining long-term asset integrity. These obligations are subject to economic regulation under the Watercare Charter, with oversight by the Commerce Commission as the appointed Crown Monitor. Watercare must give effect to relevant aspects of Council's Long-Term Plan and act consistently with other Council plans and strategies including the Auckland Plan 2050 and Future Development Strategy (**FDS**).
10. Through its annual Statement of Intent responding to Council's Letter of Expectation, Watercare commits to contributing to Auckland Plan 2050 outcomes. This includes working collaboratively with the wider Council group to support areas of growth identified by Council, acting consistently with Council's FDS for major infrastructure development for future urban areas and ensuring alignment of infrastructure projects with other utilities. Watercare also commits to fully recovering growth costs so that growth pays for growth.

Watercare's comments

11. Watercare and Corrections have entered into a Memorandum of Understanding (**MoU**) which provides a framework for engagement during the designation, design, and construction of the proposed upgrade works.

Local Wastewater

12. Wastewater from Auckland Prison currently flows via a gravity pipeline to a screening plant situated on the Site near Iona Ave, within the existing designation. The screening plant is owned and operated by Corrections and consists of a rotating screw screen, which serves as a primary screen to remove solids from the wastewater prior to it being discharged into the Watercare network via the Pāremoremo wastewater pump station on the opposite side of the road at 18 Iona Avenue. From there wastewater is taken via a pressurised public pipeline, through a single barrel siphon under Lucas Creek, discharging to a gravity main in Roland Road.

September 2025 modelling and interim works

13. Based on initial modelling undertaken by Watercare in September 2025, Watercare is able to support a time-limited interim servicing arrangement permitting an additional Peak Dry Weather Flow (**PDWF**) discharge of 1.9 L/s (equivalent to approximately 240 additional prisoners) which is referred to as Stage 1 in the Application. This would increase the facility's theoretical PDWF approved discharge from 7.6 L/s to 9.5 L/s. The associated Peak Wet Weather Flow (**PWWF**) increase of approximately 5 L/s will need to be managed within the existing and/or proposed emergency storage provisions. To support the additional flows a new positive displacement pump, additional storage, and associated realignment of pipework and removal of redundant structures are required and are set out in the conditions and referred to as Stage 1 upgrades.
14. It is important that this interim arrangement is recognised as a short-term measure, not extending beyond five years from the Stage 1 upgrades and the initial increase of up to 921 prisoners as buffer

storage is not typically accepted in lieu of providing sufficient capacity within the network. The existing pumping station, rising main and siphon have significant existing operating challenges which would be exacerbated by the increase in flows. Watercare has agreed to take the increase in risk associated with allowing the stage 1 upgrades and additional 240 prisoners to proceed on the basis that the stage 2 full diversion to the Albany catchment would be completed within 5 years and the increase in risk would be for a limited period. However, if the capacity does not increase beyond the initial 240 prisoners, Watercare has not yet confirmed the preferred permanent solution under this reduced demand scenario.

15. Previous condition assessment work at the time of taking ownership of the wastewater assets (previously constructed and privately owned by Corrections) identified the siphon as being a critical risk due to the lack of resilience and difficulties in repairing it in the event of a blockage or failure. Increasing the demand by the Stage 1 additional 240 prisoners on this asset further increases its criticality and increases the adverse effects in the event of a failure. A project to duplicate the siphon is not programmed by Watercare within the next 10 years. If the Stage 1 upgrades and additional 240 prisoners relied on the existing wastewater network beyond 5 years it may result in the need to duplicate the existing siphon, which could only be delivered at the expense of other planned projects. Watercare notes that the second siphon is for resilience only, and would not support prison growth beyond the 240 prisoners.

May 2026 modelling and risk

16. Subsequent to the initial modelling work which confirmed capacity in the downstream network, detailed network analysis has since been completed to track the performance of transmission assets against Watercare's Wastewater Network Discharge Consent. This analysis, undertaken in May 2026, identified that the Churchouse wastewater pumping station, which receives flows from the Site, has been experiencing an increasing frequency of wastewater overflows. As a result, the wastewater catchments serviced by the Churchouse wastewater pumping station, which includes the Site, may require the implementation of growth control measures should current trends continue. This performance is worse than originally identified in the model in September 2025 and was not considered in the initial support of stage 1 as a viable solution. This further limits Watercare's risk appetite to operate beyond a 5 year period under stage 1 upgrades and the increase in additional flow from the 240 prisoners.

Effects from the initial 240 prisoner increase on the wastewater system

17. Increases in wastewater flows to the Churchouse wastewater pumping station may exacerbate existing capacity issues in the downstream network. This is an emerging risk that was not identified as being of significant concern at the start of the engagement process.
18. In addition, wastewater loads from the proposed stage 1 increase of 240 prisoners directly increases the consequence in the event of a failure of the siphon under Lucas Creek, which would result in an increased volume of untreated wastewater discharging to the environment.
19. Watercare recognises the Project is required to support improvements in public safety. Therefore, in an effort to work with Corrections, Watercare has accepted these risks as a short-term solution only. Should Corrections seek to rely on the Stage 1 upgrades beyond the 5 years stipulated by Watercare, further assessment will be required to confirm the appropriate long-term solution.

Long term solution

20. The long-term wastewater servicing solution, referred to as Stage 2 in the Application, would be the full diversion of flows to the Albany catchment, together with decommissioning of the existing siphon. As agreed by Corrections, the design, construction and commissioning of the Stage 2 upgrade will need to be undertaken at Corrections cost and must be completed and operational to support the full capacity of 1,200 prisoners. Watercare requires this solution to be operational no later than 5 years from completion of the Stage 1 upgrades and the capacity exceeding 681 prisoners.
21. Watercare notes that if the Stage 2 solution is delayed for any reason beyond five years from the initial increase of 240 prisoners, in order for Watercare to support a time limited extension on the continued reliance on the Stage 1 upgrades, it would be expected that Corrections undertake a conditions survey, to the satisfaction of Watercare, of the Pāremoremo Wastewater Pumping Station to determine any further upgrades required to support extended reliance on the initial Stage 1 upgrades.

Local Water Supply

22. Water supply for Auckland Prison is currently provided by Watercare.
23. Watercare confirms that as of today's date the water network has sufficient capacity to support the proposed increase in prisoner numbers. The two existing reservoirs provide two days of potable water storage and are considered to be sufficient to provide for the increased demand from the prison. However, Watercare notes that the fire-fighting flows and associated storage would be required as part of the fire strategy during the detailed design for the prison extension. As set out in the Application, supplementary on-site storage can be provided by Corrections if required.

Local network upgrades

24. All local network upgrades are the responsibility of the developer to design and construct at their cost. All assets to be vested to Watercare must be designed to the Water and Wastewater Code of Practice and Standards.

Comments on proposed conditions

25. Watercare generally supports the proposed conditions however requests the following changes to ensure the Certificate of Acceptance associated with Stage 1 and Stage 2 are provided to Auckland Council prior to the increase in prisoners. This will ensure that Auckland Council is satisfied that Conditions under DES 24 are complied with. We also request that the Stage 2 pipeline is designed to Watercare's Water and Wastewater Code of Practice to support the increase in wastewater flows associated with increase in prisoner numbers to provide flexibility in the condition for the specific diameter and material of the pipe.
26. Watercare can support enabling a pathway through the conditions for the interim solution (Stage 1) extending beyond the 5 year timeframe if the Stage 2 solution is delayed. This would enable the prison to continue to operate at a capacity of up to 921 prisoners while implementing the Stage 2 solution over a defined extended timeframe. Watercare notes that to enable an extension of reliance

on Stage 1 further upgrades to the wastewater network may be required and will need to be determined at the time and agreed by Watercare. Watercare are also proposing a change from the 2031 cut off date in the condition to instead 5 years from the Stage 1 upgrades and the initial increase in prisoners, recognising that this may not happen immediately.

27. If the capacity does not increase beyond the initial 240 prisoners and should Corrections seek to rely on the Stage 1 upgrades beyond the 5 years stipulated by Watercare, further assessment will be required to confirm the appropriate long-term solution. In this scenario, appropriate conditions will need to be proposed by Corrections and agreed by Watercare to enable this. Watercare are currently engaging with Auckland Council and Corrections on the wording for condition DES 24. As of the date of this letter agreement has not been reached but conversations are ongoing.
28. Watercare have been invited to be a part of the Community Liaison Group (CLG) under condition DES-46 however, given the purpose of this is to facilitate a relationship between Auckland Prison and the local community, Watercare does not consider it is necessary to be included. Watercare notes that we have a MoU with Corrections to ensure we are working together and there are other established processes, for example Engineering Plan Approval, where Watercare will be involved. If there are any specific reasons why Corrections thinks it would be beneficial for Watercare to attend the CLG, it would be helpful if Corrections could set these out.

DES 24

Stage 1 Capacity Increase

(a) There shall be a maximum capacity of 681 prisoners accommodated within Auckland Prison Site until such time as the following wastewater infrastructure upgrades at Pāremoremo Wastewater Pumping Station are implemented and operational:

- (i) New positive displacement pump with 20L/s pumping capacity;*
- (ii) Storage tanks with a minimum capacity of 220 kilolitres to accommodate high inflow events and buffer peak discharges; and*
- (iii) Associated realignment of pipework and removal of redundant structures to facilitate the above improvements.*

Except that:

- the Stage 1 wastewater infrastructure upgrades in DES24(a) do not need to be completed for a prisoner capacity increase beyond 681, if the Stage 2 infrastructure in DES24(b) is implemented and operational in advance of an increase in prisoner capacity above 681 prisoners.*
- If Stage 1 wastewater upgrades are completed in advance of Stage 2, the reliance on the Stage 1 wastewater infrastructure (for a capacity of above 681 and up to 921 prisoners) must not extend beyond the 5 years from the Stage 1 Capacity Increase upgrades outlined in (a) and capacity exceeding 681 prisoners when the Stage 2 upgrades must be implemented in full.*

(1b) Prior to increasing the capacity of the Auckland Prison Site above 681 prisoners, the Requiring Authority must submit to Auckland Council the Certificate of Acceptance (COA) of the required upgrades for Stage 1 listed in DES24(1), except if the Stage 2 infrastructure in DES24(2) is implemented and operational in advance of an increase in prisoner capacity above 681 prisoners.

(1b) In the event of prisoner capacity being increased above 681 prisoners (no greater than 921) following the Stage 1 wastewater upgrades and prior to stage 2 upgrades being implemented, the Requiring Authority must confirm to Auckland Council including Watercare Services Limited that the capacity of 681 has been exceeded

and provide an annual update to confirm the progress and status of the stage 2 upgrades in December of years 3 and 4 following the Stage 1 Capacity Increase upgrades and capacity exceeding 681 prisoners. This must confirm the progress and demonstrate the steps being undertaken to achieve completion of the stage 2 upgrades prior to 5 years from the Stage 1 Capacity Increase and capacity of prisoners exceeding 681.

(1c) In the event of the completion of the stage 2 upgrade not being identified as achievable by the end of the 5th year from the Stage 1 Capacity Increase and capacity of prisoners exceeding 681 within these annual updates, to continue with a capacity above 681 prisoners, the Requiring Authority must submit the following and have this approved by the Auckland Council including Watercare Services Limited to support any time limited extension of reliance on the interim stage 1 wastewater upgrades for a prisoner capacity greater than 681 prisoners (no greater than 921) past 5 years from the Stage 1 Capacity Increase and capacity of prisoners exceeding 681.

- Confirmation of the revised completion date of the stage 2 project and information to support this time limited date;
- Proposed new time limited interim date for reliance on stage 1;
- Conditions survey of the Pāremoremo Wastewater Pumping Station including undertaken infrastructure upgrades as required in accordance with Condition 1a;
- Any required additional wastewater infrastructure upgrades identified from the condition survey above and designed in accordance with Wastewater Code of Practice and Standards to support proposed interim extension of reliance on Stage 1.

Advice Note: Plans approved under Outline Plan of Works do not constitute an Engineering Plan Approval (EPA) and must not be relied upon for the purposes of constructing public reticulation works in the absence of that approval. No COA will be issued until any requirements on the EPA are satisfied.

Stage 2 Capacity Increase

(b) There shall be a maximum capacity of 921 prisoners accommodated within Auckland Prison Site until such time as the following wastewater infrastructure is implemented and operational:

(i) A new or upgraded pumping station including:

- Positive displacement pumps with 38 L/s pumping capacity;
- Wet well sized to Watercare Standards;

(ii) Additional screw screen at the wastewater screening facility;

(iii) A new wastewater pipeline (rising and gravity main) along Pāremoremo Road, from Pāremoremo Wastewater Pumping Station to Albany catchment. The new pipeline shall:

- 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 the Prison. ~~Comprise of a Ductile iron or polyethylene pipe with a nominal diameter of 225mm.~~
- Connect to the existing transmission main pipeline at Kell Park, Albany via a new gravity main.

(iv) 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.

Prior to increasing the capacity of the Auckland Prison Site from 921 prisoners if Stage 1 has been implemented or 681 prisoners if Stage 1 has not been implemented, the Requiring Authority must submit to Auckland Council the COA of the required upgrades for Stage 2 listed in DES24(b).

Advice Note: Plans approved under Outline Plan of Works do not constitute an Engineering Plan Approval and must not be relied upon for the purposes of constructing public reticulation works in the absence of that approval.

DES 46

The Requiring Authority shall establish a Community Liaison Group (CLG) within 12 months of [date the designation alteration is confirmed].

The purpose of the CLG is to facilitate a relationship between Auckland Prison and the local community.

The CLG shall include:

- (a) Representatives from Auckland Prison, including an officer whose responsibilities include the CLG.*
- (b) Up to 4 representatives from community groups representing the Pāremoremo Residents. In addition to the representatives identified above, the CLG may include representatives from:*
- (c) Auckland Council, including Auckland Transport (or Auckland Council road controlling authority) ~~and~~ Watercare.*
- (d) New Zealand Police*
- (e) Fire and Emergency New Zealand*
- (f) Ridgeview School.*

The Requiring Authority shall:

- (a) Facilitate a meeting of the CLG at least every six months, or more or less frequently if requested by the majority of members.*
- (b) provide reasonable administrative support to facilitate the functioning of the CLG, including venue, meeting coordination, and distribution of materials.*
- (c) prepare a record of the actions agreed at each meeting.*
- (d) review the effectiveness and relevance of the CLG annually, with feedback from members.*

Conclusion

- 29. Watercare confirms there is sufficient potable water capacity for the proposed increase in prison capacity. However, Corrections will need to provide additional on-site storage to meet firefighting water supply requirements.
- 30. For wastewater, Watercare confirms that, subject to agreement on the designation conditions, the proposed staged increase in prison capacity can be supported by the public wastewater network.
- 31. Discussions on the conditions with Auckland Council and Corrections are ongoing.

Yours faithfully,



Amber Taylor
Development Planning Team Lead
Watercare Services Limited

Auckland Transport – Siva Jegadeeswaran
(**Annexure 2**)

Specialist Response Template – Fast-track Approvals Act 2024 Substantive Application

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name:

Auckland Prison Capacity Increase

Fast-Track application number:

FTAA-2603-1179 (FTAA Number)

- BUN60464166–Bundled reference number for administrative purposes relating to proposed consents, OPW waiver and NoR amendment.
- LUC60464167 – Land Use Consent Reference.
- LUS60464168 – Stream Works and Reclamation Reference.
- DIS60464169 – Stormwater Diversion and Discharge Reference.
- WAT60464230 – Water Permit Reference.

2.0 Technical Specialist Memo - Siva Jegadeeswaran (Transport Planning)

To:

Jo Hart – Lead Policy Planner & Joe Wilson – Principal Project Lead

From:

Siva Jegadeeswaran – Senior Development Planner (Auckland Transport)

Qualifications & Relevant Experience:

I hold the qualification of Bachelor of Engineering (Hons) and have 8 years of experience in transport planning and development engineering. I am a full member of Engineering New Zealand. I have prepared expert evidence and technical assessments for resource consent applications and fast-track applications.

Preparation in Accordance with the Code of Conduct:

I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses (Code), and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Signature: J. Sivaluxan

Date: 27 July 2026

3.0 Executive Summary / Principal Issues

Auckland Transport (AT) has been extensively engaged in the pre-application process, providing detailed technical feedback and guidance to the applicant. The Fast-Track application now submitted is broadly consistent with the matters discussed during those pre-application meetings, and reflects the direction provided by AT at that stage.

AT acknowledges the constructive and collaborative approach taken by the Department of Corrections throughout the pre-application process. Their willingness to refine the proposal and respond to the issues raised is appreciated.

4.0 Documents Reviewed

The following documents have been reviewed in preparing this memorandum:

- Volume 1 – Appendix 1G (Consultation Report)
- Volume 2 – Designation Alteration Report
- Volume 2 – Appendix 2B – Designation Plans
- Volume 2 – Appendix 2F - Statutory Assessment (sections B3 and E27 assessment)
- Volume 2 – Appendix 2L – Integrated Transport Assessment
- Volume 2 – Appendix 2M - Infrastructure and Site Suitability Assessment
- Volume 3 – Resource Consent Applications and Request for Outline Plan Waiver for Watercourse Works
- Volume 3 – Appendix 3F – Traffic Assessment for Construction Effects and Management of the Watercourse Works
- Volume 3 – Appendix 3G – Engineering Design Report
- Volume 6 – Appendix 6A – Proposed Designation Conditions
- Volume 6 – Appendix 6B – Proposed Resource Consent Conditions

5.0 Specialist Assessment

Summary of the Pre-application

AT provided detailed pre-application advice in relation to the draft proposal, drawing on input from specialist teams including Traffic Engineering and Strategic Development Planning. This advice was issued following a pre-application meeting and subsequent review of the applicant's Integrated Transport Assessment (ITA) and supporting material.

In general, AT was satisfied with the overall methodology adopted within the ITA and considered it appropriate for assessing the transport effects of the proposal. However, AT identified several detailed matters requiring further consideration, refinement, or confirmation. These related primarily to site access arrangements, local road network interfaces, safety considerations, and wider network impacts, including the performance of key intersections such as Dairy Flat Highway / The Avenue.

With respect to site access, AT confirmed no concerns with the main prison gate access to Pāremoremo Road, while providing specific recommendations for the eastern accessway (Operational Access 3), including the provision of give-way controls and a central refuge island to improve safety and speed management. AT did not support the originally proposed upgrades at the Iona Avenue / Sanders Road intersection due to safety concerns associated with limited visibility and increased conflict points. The removal of this access and the reliance on any one of more of the Pāremoremo Road operational accesses was generally supported in principle, subject to further design refinement. AT specifically noted the need for improvements to signage, carriageway tie-ins, and median transitions, and advised that these matters would require resolution through detailed design and Engineering Approval (EA).

AT also raised concerns regarding the modelling of the Dairy Flat Highway / The Avenue intersection, noting inconsistencies with observed conditions and recommending further calibration. AT advised that a business case for signalisation of this intersection is currently underway, with a decision and potential funding confirmation anticipated by mid-2026, and construction potentially commencing in 2027/2028 subject to approvals. The applicant's intention to contribute financially towards this upgrade was acknowledged and an Infrastructure Funding Agreement (IFA) has now been signed. AT Traffic Engineer has advised that the project was presented to the Local Board in June to initiate the consultation process, with community consultation expected to commence on the first week of August.

AT reviewed and generally supported the proposed designation conditions (including DES15, DES16, DES17, DES17A/B, DES19, and DES33), subject to final wording being agreed with the Council planner. Specific emphasis was placed on on-site parking provision, access design standards, and construction traffic management.

Community feedback provided by the applicant was also reviewed by AT. Key issues raised included congestion at the Dairy Flat Highway / The Avenue intersection, safety concerns on Pāremoremo Road (including vehicle speeds, pedestrian safety, and infrastructure), road condition, and the absence of public transport services. AT acknowledged these concerns and provided responses outlining current and future work programmes, including potential safety improvements, maintenance planning, and long-term public transport considerations, noting that no new bus service is currently planned within the Regional Public Transport Plan (RPTP) to 2031.

Review of the Fast track Application

1. Volume 2 – Appendix 2L – Integrated Transport Assessment

A review of the Integrated Transport Assessment (ITA) confirms that the transport assessment and recommended mitigation measures have been developed in consultation with AT and reflect the outcomes of pre-application discussions.

The ITA addresses the key pre-application matters, and AT agrees with the identified outcomes:

- Access arrangements have been revised, with the originally proposed Iona Avenue/Sanders Road access removed from operational use with the Prison relying on any combination of the proposed three operational access from Pāremoremo Road, consistent with AT's safety concerns and recommendations.
- The ITA confirms that the Iona Avenue access will be formally closed (via proposed designation condition DES19), addressing the issues identified by AT at that location.
- The eastern access (Operational Access 3) is to be upgraded to an appropriate standard prior to use, if this access is to be utilised, with this requirement secured through proposed designation conditions, aligning with AT's pre-application advice on improving safety and functionality.
- Any one, or a combination, of the three operational access points onto Pāremoremo Road (Access 1, 2, or 3) may be utilised. This reflects the agreed position confirmed through the pre-application meeting, noting that the modelling appropriately reflects these operational scenarios and that the resulting transport effects and network performance are acceptable.
- In relation to the Dairy Flat Highway / The Avenue intersection, the ITA acknowledges AT's concerns regarding both modelling accuracy and existing capacity constraints. The assessment incorporates updated modelling based on observed traffic data and agreed assumptions and confirms that the intersection is projected to operate at or beyond capacity in future baseline conditions, irrespective of the proposal.
- The ITA aligns with AT's planned upgrade of the intersection by:
 - Assessing a future signalised scenario, and
 - Including a proposed staging condition (DES20) limiting capacity upto 921 prisoners until the upgrade is in place.
- The applicant's commitment to contribute financially toward the intersection upgrade is also recorded.
- The traffic modelling framework has been developed in consultation with AT, including use of SIDRA modelling and adoption of a future 2036 assessment horizon with background growth, ensuring a robust and agreed analytical basis.
- Construction traffic effects have been addressed through the inclusion of a Construction Traffic Management Plan (CTMP)(DES38), which requires management of traffic movements and avoidance of school peak periods, consistent with matters raised during consultation with AT and other stakeholders.

- The ITA incorporates transport-related designation conditions (including DES15, DES16, DES19, DES20 and CTMP requirements), which reflect AT's pre-application feedback regarding parking, access design, access closure, and staging of development.
- The ITA demonstrates that sufficient on-site parking can be provided to fully accommodate the forecasted demand associated with the increased prisoner capacity, including both staff and visitor needs. The proposed designation condition requiring all parking to be contained within the site will ensure that any potential overflow is effectively managed and prevented from occurring on the surrounding public road network. In this context, the combination of adequate on-site supply, flexible parking provision within designated areas, and the enforceable condition DES15 (which requires full provision for all operational, visitor, construction and construction worker parking within the Auckland Prison site, with no parking permitted on the public road) provides a robust mechanism to mitigate any risk of parking spillover. Accordingly, parking effects are considered to be appropriately addressed, and no adverse effects from parking overflow are anticipated.

2. Volume 3 – Appendix 3F – Traffic Assessment for Construction Effects and Management of the Watercourse Works

A review of the submitted Traffic Assessment identifies that construction vehicles will utilise existing access points to Pāremoremo Road and Iona Avenue, with flexibility to use different operational access locations (Operational Access 1, 2 and 3), consistent with the access strategy discussed at pre-application stage.

In particular:

- The report confirms that the Iona Avenue / Sanders Road access will not form part of the long-term operational access arrangement, and will only be used, if required, for temporary construction access, with closure required following completion of works (Proposed Designation Condition DES19).
 - This is consistent with pre-application discussions where concerns were raised regarding the appropriateness of this access for long-term operational use, noting that its short-term use for construction purposes was considered acceptable.
- The assessment relies on proposed designation conditions (including DES15 and DES38) to ensure that:
 - All construction and operational parking is accommodated within the site, avoiding effects on the surrounding road network;
 - A CTMP is prepared, certified, and implemented prior to works commencing.
- The CTMP framework incorporates several measures that respond directly to matters raised by AT and the community, including:
 - Heavy vehicle management and routing via the arterial network (DFH / SH1 and SH16 connections);
 - Avoidance of school peak periods (8:30–9:15am and 2:30–3:15pm), addressing safety concerns near Ridgeview School;

- Restrictions on queuing and parking on public roads, ensuring no adverse effects on Iona Avenue or Pāremoremo Road;
- Temporary traffic management signage and controls, particularly at the Pāremoremo / Iona intersection, to address safety concerns associated with increased heavy vehicle movements.
- The assessment concludes that construction traffic volumes are modest relative to the capacity of the surrounding road network, and that no physical upgrades to the road network are required to accommodate the works.

The proposal therefore reflects the key transport outcomes discussed at pre-application stage, with potential effects appropriately managed through the proposed designation conditions and management plans.

3. Volume 6A – Proposed Designation Conditions

The below proposed designation conditions are relevant to AT:

- DES15 - On-site carparking
- DES16 - Vehicle Accessways and Manoeuvring
- DES17- Operational access 1 (western access)
- DES18 - Operational Access 3 (eastern access)
- DES19 - Closure of Iona Avenue / Sanders Road access
- DES20 - Dairy Flat Highway / The Avenue Intersection signalisation
- DES38 - Construction Traffic Management Plan (CTMP)

AT is broadly supportive of the above proposed designation conditions. Notwithstanding this, conditions DES17, DES18, and DES19 will require the applicant to obtain Engineering Approval (EA) before the associated works can proceed. I recommend that Council include a designation condition to ensure EA is obtained, as outlined in Section 7 condition 1. To incorporate the extend of the works in the road reserve minor changes have been proposed to DES19 as below;

DES19:

Closure of Iona Avenue / Sanders Road access

The Iona Avenue / Sanders Road access:

- a) Shall be closed within two years of [date the designation alteration is confirmed]. The road carriageway at the access point within the Auckland Prison site shall be removed, reinstated with soil and planted with visual screen planting in accordance with Figure C: LMEEP and the redundant Iona Avenue road carriageway at the access outside the Auckland Prison site shall be reinstated to AT TDM standards in general accordance with sketch plan – Sanders Road removal, prepared by Boffa Miskell, dated 10.06.2026 or as otherwise approved by the Auckland Council road controlling authority.
- b) Shall not be used for operational prison traffic for New Prison facilities;
- c) Shall only be used temporarily for construction traffic, if necessary, in accordance with any certified CTMP.

- d) Upon completion of construction activities for New Prison facilities, shall be closed permanently and replanted

AT notes Condition DES46 relating to the Community Liaison Group, currently lists AT as a participating member. AT does not consider participation in the Community Liaison Group to be necessary and requests that AT be removed from this condition.

4. Stormwater – Volume 3 Appendix 3G Engineering Design Report

The following comments have been provided by the stormwater engineer (Sean Pearce from AWA Environmental Limited)

From ATs perspective, the stormwater related scope for this proposal is limited. The applicant proposes to pipe sections of existing watercourses within the Prison property and has provided an assessment of the potential effects on the downstream culvert beneath Iona Avenue. AT had reviewed the previous culvert capacity assessments and had noted that the effects were minor. However, AT has since reviewed the recently updated assessments and notes that the updated assessment within “Volume 3, Appendix 3G – Engineering Design Report Final Part 1” states in section 2.5, subsection 36 that:

“Culvert information is generally unavailable. In absence of other information, the upstream level is estimated from topographical information and assumed to have a longitudinal gradient of 2%”.

As assumptions and estimations were used in place of surveyed data, AT considers that the culvert assessment provided within “Volume 3, Appendix 3G – Engineering Design Report Final Part 1” to be incomplete, and insufficient to accurately assess the culvert under Iona Avenue. It is therefore unclear if the flows that overtop the Iona Avenue Culvert do so in a safe manner as outlined in section 3.4.2, subsection 50 of “Volume 3, Appendix 3G – Engineering Design Report Final Part 1”.

It is expected that the culvert assessment be based on data that has been accurately determined through a topographical survey. This data includes but is not limited to:

1. Culvert invert levels, and therefore culvert gradient;
2. Road elevation; and
3. Channel cross sections.

AT has identified two options:

1. A survey be undertaken, and the culvert assessment be updated to verify the level of effect stated in section 3.4.2, subsection 50 is correct. This is AT’s preferred option.
2. Alternatively, the survey and updated assessment will form the proposed Condition 2 outlined in Section 7.0

As no updated culvert assessment has been provided to date, AT will proceed with the condition pathway. The required survey and updated assessment will therefore be secured through Condition 2 in Section 7.0.

6.0 Recommendation

AT considers that the transport network effects arising from the substantive Fast-Track application are able to be effectively managed through the proposed designation conditions, consistent with the outcomes of the pre-application process.

7.0 Proposed Conditions

Condition 1

Engineering Approval – Transport

- Prior to the commencement of any engineering works (DES17 & DES19), Department of Corrections must submit engineering plans (including engineering calculations and specifications) to the Auckland Council for approval in writing. The engineering plans must include, but not be limited to, the information regarding the detailed design of all roads and road network activities outlined in this Notice of Requirement application.
- As part of the application for Engineering Plan Approval, a registered engineer must:
 - a) Certify that all public roads and associated structures/facilities or access ways have been designed in accordance with Auckland Transport's Transport Design Manual.
 - b) Provide a statement that the proposed infrastructure has been designed for the long-term operation and maintenance of the asset.
 - c) Confirm that all practical measures are included in the design to facilitate safe working conditions in and around the asset.

Advice Notes:

If the Engineering Approval drawings require any permanent traffic or parking restrictions, the Department of Corrections must submit a resolution report for approval by Auckland Transport Traffic Control Committee to legalise these restrictions. The resolutions, prepared by a qualified traffic engineer, will need to be approved so that the changes to the road reserve can be legally implemented and enforced. The resolution process required external consultation to be undertaken in accordance with Auckland Transport's standard procedures. It is the responsibility of the consent holder to prepare and submit a permanent Traffic and Parking Changes report to Auckland Transport Traffic Control Committee for review and approval. A copy of the resolution from Traffic Control Committee must be submitted to Council prior to applying for a certificate under section 224(c) of the RMA.

The engineering plan application forms including fees can be found at the following Auckland Council website:

<https://www.aucklandcouncil.govt.nz/building-and-consents/engineering-approvals/Pages/default.aspx>

Condition 2

- During the EPA stage, the culvert assessment within “Volume 3, Appendix 3G – Engineering Design Report Final Part 1” must be updated using surveyed information for the Iona Avenue culvert. This updated assessment will be used to confirm if the conclusions determined in section 3.4.2, subsection 50 of “Volume 3, Appendix 3G – Engineering Design Report Final Part 1” are correct. However, if the updated assessment identifies that the depth-velocity product is not “low hazard”, details on mitigation measures or design amendments must be provided (this could be limited to measures discussed or at extreme culvert upgrade).

Healthy Waters - Hillary Johnston (**Annexure 4**)

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name:

Auckland Prison Capacity Increase

Fast-Track application number:

FTAA-2603-1179 (FTAA Number)

- BUN60464166 – Bundled reference number relating for administrative purposes relating to proposed consents, OPW waiver and NoR amendment.
- LUC60464167 – Land Use Consent Reference.
- LUS60464168 – Stream Works and Reclamation Reference.
- DIS60464169 – Stormwater diversion and discharge Reference.
- WAT60464230 – Water Permit Reference.

2.0 TECHNICAL SPECIALIST MEMO - HEALTHY WATERS & FLOOD RESILIENCE / SWWWITA

To:

Jo Hart – Lead Policy Planner
Joe Wilson – Principal Project Lead

From:

Hillary Johnston – Healthy Waters Fast Track Lead / Consultant Specialist – Stormwater, Wastewater, & Industrial Trade Activities Team, Specialist Input Unit, Resource Consents Department

Qualifications & Relevant Experience:

I hold the qualification of Bachelor of Science in Environmental Science and Geography and have 12 years of experience in regulatory stormwater assessments.

I am a Certified Environmental Practitioner, a full member of the Environmental Institute of Australia and New Zealand, a member of WaterNZ, and an associate member of Engineering New Zealand. I have prepared expert evidence and technical assessments for resource consent applications, plan changes, notices of requirement for designation, and fast-track applications, and have appeared as an expert witness for Council before consent authorities and the Environment Court on multiple occasions.

Preparation in Accordance with the Code of Conduct:	I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses (Code), and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.
Signature:	<i>H. Johnston</i>
Date:	20 July 2026

3.0 SUMMARY

In reviewing this Application, I represent the interests of both Healthy Waters and Flood Resilience (HWFR) Department from a catchment wide impact perspective and the Stormwater, Wastewater, & Industrial Trade Activities (SWWWITA) Team of the Resource Consents department as a regulatory specialist.

It has been clarified that all internal stormwater network within the designation area will remain private and will not be vested to HWFR. HWFR scope and interest are therefore refined to catchment wide impacts (within the site and surrounding environment), specifically in respect of flooding, in-stream erosion, conveyance and operation of the stormwater network, and water quality. Notwithstanding this, engagement sought by the Applicant has also considered the management of onsite flood risk and the development of condition DES23 and its associated definitions to ensure that flood risk within the designation area is appropriately identified and managed.

It is understood that the Applicants intent is to establish stormwater management parameters and proposed conditions that will guide and manage future development within the designation area, and that no finalised design of new buildings or redevelopment (other than piping of a watercourse) are proposed at this stage. Assessment is provided and the conditions development is informed by an anticipated form of development which is provided by the parameters of the amended designation.

I have reviewed the Application and provide comments on the Application as follows.

4.0 Documents Reviewed

The following documents have been reviewed in preparing this memorandum:

- *Auckland Prison Capacity Increase, Substantive Application, Volume 1 – Overview*, dated 1 April 2026
- *Volume 1 – Appendix 1C Site Plans*, dated 1 April 2026
- *Auckland Prison Capacity Increase, Substantive Application, Volume 2 – Designation Alteration*, dated 1 April 2026
- *Volume 2 – Appendix 2B Designation Plans*, dated 1 April 2026
- *Volume 2 – Appendix 2F Statutory Assessment*, dated 1 April 2026
- *Volume 2 – Appendix 2M, Site Suitability and Infrastructure Assessment* (Revision 6) dated 26 March 2026
- *Auckland Prison Capacity Increase, Substantive Application, Volume 3 – Resource Consent Applications and Request for Outline Plan Waiver for Watercourse Works*, dated 1 April 2026
- *Volume 3 – Appendix 3G, Engineering Design Report* (Revision 2 – Part 1, Part 2, Part 5, Part 6), dated 26 March 2023
- *Volume 3 – Appendix 3I, Statutory Assessment*, dated 1 April 2026
- *Volume 3 – Appendix 3J, Compliance Table*, dated 1 April 2026
- *Auckland Prison Capacity Increase, Volume 6 - Proposed Conditions Summary Report* dated 1 April 2026
- *Volume 6 – Appendix 6A, Proposed Designation Conditions*
- *Volume 6 – Appendix 6B, Proposed Resource Consent Conditions*

5.0 REASONS FOR CONSENT

It is understood that the Applicant is seeking designation amendments via the Fast-Track Approvals process to increase the current designation limit of 681 prisoners to 1,220 prisoners. The existing conditions of the designation are proposed to be replaced. Specific physical redevelopment, or new buildings within the site are not proposed at this stage, however the parameter and proposed designation conditions guide and anticipate the form and arrangement of this future development on the site.

The Application has also sought a single and specific resource consent relating to the proposed piping of two sections of watercourse within the site, which is primarily being reviewed by the Council Streamworks and Earthworks Specialists. The Applicant has identified that as part of these works, the discharge points for Watercourse 1 and Watercourse 2 will change. The reasons for consent outlined in respect of the diversion and discharge of stormwater are agreed with.

It is noted any additional regional consents such as the diversion and discharge of stormwater relating to any future new or redevelopment of impervious areas within the site will sit outside the scope of any future OPW and require review in respect to their Permitted or requirement for consent under the relevant regional rules for such activities.

During pre-application correspondence, HWFR have clarified that as the site is within the *Rural – Countryside Living Zone* any new development within the site will not be able to be authorized by Healthy Waters Region Wide Network Discharge Consent, which is only applicable to urban zoned land.

Private diversion and discharge consent/s will be sought in future for any works that may require them.

6.0 SPECIALIST ASSESSMENT

Stormwater Management Principles – Designation

Stormwater management principles which will guide future development within the designation are outlined within *Volume 2 – Appendix 2M, Site Suitability and Infrastructure Assessment* (Revision 6) dated 26 March 2026. The stormwater management principles have been discussed in detail during preliminary engagement with the Applicant’s Team. The principles outlined within Table 5 of *Site Suitability and Infrastructure Assessment* are in general accordance with best practice stormwater management.

Stormwater Management – Resource Consent

The basis of the Stormwater Management design relating to the watercourse works is outlined within Section 3.2 and 3.3 of *Volume 3 – Appendix 3G, Engineering design Report* (Part 1, Revision 2) dated 26 March 2026. An assessment of the effects of the proposed works, primarily in relation to flooding impacts is provided in Section 3.4 of the Report. These works are considered under *Natural Hazards* below.

Existing Stormwater Management

The site includes an existing stormwater management network, including existing stormwater management ponds which are governed by existing stormwater discharge consents. The relocation, modification, or removal of any existing stormwater pond to facilitate future development within the site is considered a detailed design and implementation matter. Should changes to existing stormwater management, including stormwater management ponds be proposed in the future, it would be expected that the Applicant demonstrate continued compliance with any relevant regional stormwater consent requirements and conditions, and provide sufficient technical assessment to confirm that the amended stormwater management system also complies with the Stormwater Management Principles identified within the designation documentation. Any change to amend the size, area, or location of the existing

ponds if constituting an amendment to a consented arrangement may require a S127 application. On this basis, it is not considered necessary to prescribe the design requirements or outcomes of specific stormwater ponds at this stage, provided that any future changes are supported by appropriate assessment and approval processes.

Natural Hazards

The subject site is located in close proximity to a coastal receiving environment, however existing natural hazards remain within the site, and downstream.

Locations of interest in respect of potential downstream flood impacts were identified as part of extensive pre-application discussions. These were identified as areas where HWFR would like to see specific and more detailed assessment relating to impacts on flood hazards where future development is proposed. These included:

- Iona Road Culvert – Identified public asset, beneath a public road
- Northern Sanders Road Culvert (near the Iona Road intersection) – downstream of Stormwater Pond 1, understood to have blown out following significant weather events of January and February 2023
- Southern Sanders Road Culvert – downstream of Stormwater Pond 3, including but not limited to capacity and condition analysis
- 81 Sanders Road – existing dwelling located near the existing 1% AEP flood plain
- 61 Iona Avenue – aerial imagery indicates that there is a pond within this property
- 12 Iona Road – existing substation within the 1% AEP flood plain

The Iona Road Culvert and Sanders Road Culvert (downstream of Pond 1) specifically have been the subject of detailed discussion and assessment as part of the pre-application engagement with the Applicant's Engineers, in relation to the potential impacts of the proposed piping of sections of Watercourse 1 and Watercourse 2.

The assessments provided within *Volume 3 – Appendix 3G, Engineering Design Report, Part 1* dated 26 March 2026 (which were also discussed as part of pre-application engagement) confirm that while the existing Iona Avenue culvert is undersized and known to overtop during significant rainfall events, this is a pre-existing constraint. Modelling undertaken by the Applicants Engineer demonstrates that the proposed watercourse works upstream of the Sanders Road and Iona Avenue culverts will have a negligible effect on downstream flood levels, flows, and associated hazard (with differences in peak flood levels of less than approximately 20 mm across assessed events).

On this basis, it is agreed with the Applicant's Engineers that an upgrade of the Iona Avenue culvert is not considered necessary as part of the current resource consent sought. However, it is acknowledged that future development of the Auckland Prison site, including increases in impervious area and potential upgrades to the Northern Sanders Road culvert, will require the Iona Avenue culvert to be upgraded to provide sufficient conveyance capacity (anticipated to be at least 2100 mm diameter or equivalent). The timing, sizing, and design of this upgrade will

be confirmed through future design and consenting processes once the extent of development is known, with the objective of conveying up to the 1% AEP event without exacerbating upstream or downstream flood effects. The advice note to condition DES23 signposts this likely need for an upgrade of the Iona Avenue culvert.

More detailed flooding assessments will be required to support any future development within the Prison site. The proposed designation condition DES23, associated developed definitions of natural flood related hazards responding to PC120 provisions, and the requirements of the general standard E8.6.1(3) of the AUP (separate regional consent review of future proposals) collectively provide a robust framework for the assessment and management of flood risk within the site and in the surrounding environment. These provisions will ensure that future development is appropriately designed and managed to address any potential flood effects on people, property, and the surrounding environment.

7.0 SECTION 67 INFORMATION GAP

I have identified that there are no section 67 information gaps.

8.0 RECOMMENDATION

Overall, based on the information provided, HWFR does not raise any objection to the Application.

9.0 PROPOSED CONDITIONS

The Applicant's Agents have put forward proposed conditions of consent within Volume 6 of the Application. Volume 6A includes proposed designation conditions, and Volume 6B includes proposed resource consent conditions.

The conditions put forward have been subject to extensive discussion as part of preapplication engagement with the Applicant and their agents, in particular designation condition DES23. It has also been clarified that any future development within the site will still be subject to the regional rules and requirements of Chapter E8 in addition to the designation conditions.

The conditions relating to the management of stormwater are supported.

Landscape and Visual – Simon Button
(**Annexure 5**)

To: Joe Wilson – Principal Project Lead – Auckland Council **Date:** Thursday, July 23, 2026

From: Simon Button, Isthmus Group Ltd (IGL) **Job No:** 5143

Subject: **Landscape Peer Review of the Fast Track Application by the Department of Corrections for the proposed designation alteration and resource consent at Auckland Prison (BUN6046416).**

Part 1: Introduction and Overview

1. This report provides a peer review of the landscape components of the Fast Track Application by the Department of Corrections to alter the existing designation and undertake works at Watercourses 1 and 2 at Auckland Prison, Pāremoremo, to enable the increase in capacity from 681 to 1,220 prisoners.
2. The author of this review has previously provided an initial review of the landscape matters of the application as part of the pre-application with Auckland Council.
3. The following documents have been reviewed:
 - *Assessment of Landscape, Natural Character and Visual Effects (the Designation Assessment)* – Boffa Miskell, 26 March 2026.
 - *Assessment of Landscape Effects Graphic Supplements - Supporting Maps and Photographs* (Appendix 4, 6 and 7) – Boffa Miskell, March 2026.
 - *Proposed Designation Conditions and appended plans*, including amended conditions DES25 and DES04 following a meeting between the Applicant and Auckland Council
 - *Assessment of Landscape and Natural Character Effects (the Resource Consent Assessment)* – Boffa Miskell, 26 March 2026.
 - *Proposed Resource Consent Conditions*.
4. This review of the Assessment addresses the following matters:
 - a) Review of the Assessments, including identifying any gaps and providing comments on the methodology;
 - b) The findings of the Assessment of Effects conclusions; and
 - c) Any key landscape recommendations, including amendments to the Proposed Conditions.

Part 2: Summary of the Review of the Designation Assessment (including Methodology)

5. I undertook a project briefing and site walkover on 4th September 2025, accompanied by Auckland Council members, representatives of the Department of Corrections and technical specialists who have authored reports to support the Fast Track Application.

6. A **Methodology** is provided at Section 1.3 of the Designation Assessment and supported by a method statement within Appendix 2. The methodology is consistent with Te Tangi a Te Manu and is appropriate, considering the matters relevant to the context and project nature and extent. For reference in this review, and as provided within the Designation Assessment, a comparison between level of effect and RMA equivalent (less than minor, minor and more than minor) is provided below¹.

LESS THAN MINOR			MINOR		MORE THAN MINOR		SIGNIFICANT
VERY LOW	LOW	LOW-MOD	MODERATE	MOD-HIGH	HIGH	VERY HIGH	

7. The Designation Assessment is supported by an **Executive Summary** which is useful in summarising the key matters and findings of the report.
8. The **Introduction** in Section 1 provides a high-level overview of the application and describes the purpose of the report; including an overview of the consultation undertaken with stakeholders at 1.4 and an overview of the cultural landscape (inclusive of an overview of engagement with mana whenua representatives) at 1.5.
9. The description of the **Proposal** in Section 2 is thorough and useful. I note that the Project relates to a Notice of Requirement to alter an existing designation. A NoR provides for an envelope, allowing flexibility to enable future development within the Site, with no layout or design information currently confirmed. In my opinion, the parameters specified within the application are sufficient to inform the Designation Assessment.
10. The proposal also states that future works enabled by the NoR are anticipated to replace some or all of the existing facilities at the Site, apart from the existing (operational) maximum security facility.
11. The description of the proposal is supported by Designation Areas which are referenced throughout the Designation Assessment. This approach is useful, and helps to give an understanding of development parameters across the site, further supported by development parameters (including bulk, height, coverage, lighting, access etc) within Appendix 3 and the Proposed Designation Conditions.
12. To confirm, the development parameters include limitations on maximum building heights above finished ground level (not existing ground level). The Designation Assessment identifies these as being restricted to 12m in Area A, and 7m in Areas B, C and D; provided that the buildings do not exceed the Reduced Levels (RL) illustrated in the RL Heights Plan (Figure 8 - Appendix 4)² which are applied to Areas A and B only. The RL heights have been calculated using an average existing ground level in addition to the proposed building

¹ This 7-point effects scale is also reproduced in Appendix 2 of the Designation Assessment.

² And as illustrated on the visual simulations.

height restrictions within each Designation sub-area. This approach is generally accepted, however I note that as a 'worst case' (taken at the lowest elevation of existing ground within each Designation sub area), the following theoretical developments are possible (as reflected in **Proposed Designation Condition DES05**):

- In Area A (sub-area A1): Theoretical development which has a maximum elevation ranging between approximately **10m – 19m** above existing ground levels (comprising a 12m building and earthworks). A RL of 32m is identified on Figure 8 (Appendix 4) with existing ground levels within sub-area A1 ranging between approximately 13m – 22m above sea level (ASL).
 - In Area A (sub-area A2): Theoretical development which has a maximum elevation ranging between approximately **5m – 22m** above existing ground levels (comprising a 12m building and earthworks). A RL of 37m is identified on Figure 8 (Appendix 4) with existing ground levels within sub-area A2 ranging between approximately 15m – 32m ASL.
 - In Area A (sub-area A3): Theoretical development which has a maximum elevation ranging between approximately **8m – 18m** above existing ground levels (comprising a 12m building and earthworks). A RL of 47m is identified on Figure 8 (Appendix 4) with existing ground levels within sub-area A3 ranging between approximately 29m – 39m ASL.
 - In Area B: Theoretical development which has a maximum elevation ranging between approximately **6m – 16m** above existing ground levels (comprising a 7m building and earthworks). A RL of 27m is identified on Figure 8 (Appendix 4) with existing ground levels within Area B ranging between approximately 11m – 21m ASL.
 - In Areas C & D: Development which is 7m above finished ground level with no maximum development height specified in relation to RL or earthworks / foundations. In my opinion, and whilst it is highly unlikely that substantial earthworks to 'build-up' a development platform will be utilised, the maximum height of development within Designation Areas C & D should be confirmed within the condition set either by imposing a RL or stating that development will be 7m above existing ground levels.
13. Similarly, the maximum height of the security perimeter fence / wall is limited to 6m (assumed to be above finished ground levels within the relevant Designation Area). (as reflected in **Proposed Designation Condition DES06**).
14. It is understood that any future development would be practically sited to respond to existing site conditions and minimise earthworks where possible. It is my understanding that this is also the intent of **Proposed Designation Condition DES28**, notably the DES28(a), (b) and (c) which provide controls on building profiles, integrating urban form and layout, building height and coverage limits and the clustering / separation of buildings. A series of site sections is included within Appendix 4 to the Designation Assessment which illustrate the 'stepping' of maximum building heights across the site.

15. Whilst not explicitly described within Section 2 of the Designation Assessment, the Project includes extensive mitigation planting within Designation Area C. This planting is subject to a Landscape Mitigation and Ecological Enhancement Plan (LMEEP) (Refer **Proposed Designation Condition DES44**), with visual screen planting being implemented within the first two years following the designation being confirmed, and the balance of the planting being implemented progressively, completed no later than ten years after the designation is confirmed.
16. A description of the broader **Landscape Context** is provided at Section 3.1 of the Designation Assessment. I agree with this description, including that the site (and its immediate surrounds) has a somewhat basin like character. I also note that an Outstanding Natural Landscape #ID52 is located to the north and west of the site, extending into the western part of the project area.
17. I broadly agree with the **Site Description** at Section 3.2 of the Designation Assessment. I note that the primary development area (Designation Areas A and B) is crossed by permanent, intermittent and culverted watercourses (which are the focus of the Resource Consent Assessment), and includes two constructed stormwater ponds; with the broader site (Designation Area C) also including permanent, intermittent and culverted watercourses, and constructed stormwater ponds and natural inland wetlands.
18. The existing built form and lighting within the site is well described, with the character of the site itself being that of an established and working prison. I understand that the existing lighting and glare levels within the prison grounds exceeds the proposed lighting levels, with existing lighting including flood lights and lighting directed towards prison walls (contributing to glare).
19. The summary of the existing landscape conditions relating to Designation 3900 is useful.
20. A description of **Landscape Elements** is provided at Section 3.3 of the Designation Assessment which provides a useful overview and description of each Designation Area. It is acknowledged that a recommendation is provided that all existing vegetation outside of Designation Areas A and B is retained which is reflected in the Landscape and Ecology Implementation and Management Plan, and **Proposed Designation Condition DES45**.

Review of the Assessment of Effects

21. The Assessment of Effects is appropriately broken down to consider the potential natural character, landscape character and visual amenity effects of the Project; addressed in turn below.

Natural Character

22. An assessment of **Natural Character** Effects is provided at Section 4.1 of the Designation Assessment. Natural Character is a consideration under Section 6(a) of the Resource Management Act which provides for (emphasis added):

*the preservation of the natural character of the **coastal environment** (including the coastal marine area), **wetlands**, and lakes and rivers³ and their margins, and the protection of them from inappropriate subdivision, use, and development.*

23. It is acknowledged that an assessment of the natural character values of watercourses 1 and 2 (within Designation Areas A and B) is provided within the Resource Consent Assessment.
24. The Designation Assessment primarily focusses on the natural character of the coastal environment, which extends across the western part of the site (across Designation Areas A and C). The Designation Assessment appropriately considers the New Zealand Coastal Policy Statement (2010) (**NZCPS**) in relation to this area, which also includes an Outstanding Natural Landscape (making Policy 15 of the NZCPS relevant).
25. I agree that the proposed mitigation planting within Designation Area C will assist in mitigating potential effects on biophysical natural character values (those relating to biotic and abiotic aspects), with planting supporting biodiversity, landscape patterns and natural ecological processes. However; due to the scale of development sought to be enabled within Area A (sub area A1) which would theoretically allow for a 12m tall building and up to 7m of fill earthworks, in my opinion, effects on the experiential aspects of natural character will be more substantive.
26. I also note that activities sought to be enabled within Area C include the provision of infrastructure and services, stormwater management, cultural buildings, offender employment and energy generation and storage facilities. The restrictions on the placement of development within Area C includes a 40m Coastal Protection Yard under **Proposed Designation Condition DES25** and conditions which ensure that development does not compromise the intent of screen planting and that the combined building coverage does not exceed 5% of the Designation Area.
27. The Designation Assessment concludes that overall, the proposal will lead to an enhancement of the site from an ecological, landscape and natural character perspective. Whilst no specific level of effect is provided, it is assumed that the Designation Assessment concludes positive effects. Overall, in my opinion, the NoR will result in **Low** adverse (short term) effects on the natural character values of the coastal environment, primarily due to the following factors:
 - The scale (height) of theoretical development enabled within Designation sub area A1.
 - The timing of mitigation planting, with development theoretically able to be implemented prior to screen planting and framework planting being established.

³ A river is defined within the RMA as: a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal)

28. I am aware of discussions in relation to the restriction of lighting poles in Designation Area C between the applicant and Council, with the applicant being amenable to amending Designation Conditions DES25 and DES04 to restrict lighting in this area. The Low level of effect that I have assessed is subject to these amends being secured. I recommend that Proposed Designation Condition DES09 are updated to reflect this.
29. I acknowledge that a setback is provided between Designation sub-area A1 and the Coastal Marine Area, and that a 40m Coastal Protection Yard is provided under **Proposed Designation Condition DES25**. In my opinion, this potential effect on natural character values of the coastal environment be **positive** once mitigation planting matures.
30. I note that the assessed and reviewed levels of effect meet the 'avoiding Significant adverse effects' threshold under Policy 13 of the NZCPS.
31. In my opinion, the NoR is consistent with Policy 15 of the NZCPS, with adverse effects on the ONL avoided within the Coastal Environment.
32. As outlined above, the Designation Assessment is focussed on the natural character effects of the coastal environment, with limited consideration of the wetlands and streams (both intermittent and permeant) within the broader Site area (Designation Area C); noting that watercourses within sub-area A are the focus of the Resource Consent Assessment. In my opinion, the proposed mitigation planting in Designation Area C will result in overall positive effects on the natural character values of wetlands and streams, noting that the objectives of the Landscape and Ecological Planting (LMEEP) within **Proposed Designation Condition DES44** includes the enhancement of the natural character and ecological values of the site, which should restrict any development within Designation Area C from being located within the stream or wetland areas.
33. I note that the Assessment of Ecological Effects (Boffa Miskell, 26 March 2026) finds that the stormwater pond within Designation Area A does not qualify as a wetland feature, and therefore in my opinion, it does not meet the criteria for assessment under section 6(a) of the RMA.

Landscape Character

34. An assessment of **Landscape Effects** is provided at Section 4.2 of the Designation Assessment. I broadly agree with the findings of the assessment and note that whilst Designation Area A represents 56% of the total site area, **Proposed Designation Condition DES08** further restricts development to have a maximum building coverage of 30% within this area, with open spaces and separation between buildings also required under **Proposed Designation Condition DES28**.
35. I agree that whilst the Project will alter the existing rural landscape character values of the site, in my opinion, the area is characterised by an existing prison facility and its associated activities / uses.
36. Overall, the Designation Assessment finds that the designation alteration will result in short term **Moderate** effects on the landscape character values of the site, reducing to

Low Moderate once mitigation planting has matured. I broadly agree with these findings, however in my opinion, effects will reduce to **Low** once mitigation planting has fully established and integrates the development into the broader landscape setting.

37. I agree that the proposed designation alteration will **not generate adverse effects** on the identified Outstanding Natural Landscape (ONL#52), with the values and characteristics remaining unchanged.

Visual Amenity

38. An assessment of **Visual Amenity Effects** is provided at Section 4.1 of the Designation Assessment. The Designation Assessment is supported by a Zone of Theoretical Visibility (ZTV) Analysis and a series of site photographs and visual simulations which illustrate the maximum development parameters of the designation alteration (illustrating a 'worst case scenario').
39. The Visual Simulations (bulk and location illustrations) which support the Designation Assessment in Appendix 5 are useful to indicate an overall sense of height of the development parameters, noting however that the illustrations show a 100% building area coverage (and not giving effect to the proposed requirements under Proposed Designation Condition DES28), and do not capture the visual variation / clutter that would be associated with any future development (which would typically include security fencing, signage, lighting, material changes / height changes in built form etc).
40. I agree with the description of potential visibility at section 4.3.2 of the Designation Assessment.
41. The following tables provide a review of the assessment of effects from public and private vantage points respectively. Comments are provided where relevant or where there is a difference of professional opinion on levels of effect.

Assessment of effects from public vantage points

		During Construction	Post Construction	With Established Mitigation
Immediate road network	Assessment	Low to Moderate	Low to Moderate	Low
	Review	Low to Moderate	Low to Moderate	Low
Sanders Reserve	Assessment	Low	Low	Very Low
	Review	Low	Low	Very Low
Pāremoremo Reserve	Assessment	Low	Very Low	Very Low
	Review	Low	Very Low	Very Low
Surrounding road network	Assessment	Low	Low	Very Low
	Review	Low	Low	Low

		Notes: The surrounding road network includes roads which have slightly elevated views across the site and the broader landscape. In my opinion, whilst the mitigation planting and separation between buildings will assist in integrating the development into the landscape over time, slightly elevated views across the site will remain. Furthermore, it is likely that night-time lighting will be visible; seen above mitigation planting. In my opinion, long term effects will be Low.		
Edward Jonkers Reserve and Paremoremo Creek Esplanade Reserve	Assessment	Low	Low	Very Low
	Review	Low	Low	Very Low

Assessment of effects from public vantage points

		During Construction	Post Construction	With Established Mitigation
86 Sanders Road	Assessment	Moderate	Moderate	Low
	Review	Moderate	Moderate	Low
94 Sanders Road	Assessment	Low	Low	Very Low
	Review	Low	Low	Very Low
102 Sanders Road	Assessment	Low	Low	Very Low
	Review	Low	Low	Very Low
81 Sanders Road	Assessment	Low Moderate	Low Moderate	Low
	Review	Low Moderate	Low Moderate	Low
91 Sanders Road	Assessment	Low	Low	Very Low
	Review	Low	Low	Very Low
101 Sanders Road	Assessment	Very Low	Very Low	Very Low
	Review	Very Low	Very Low	Very Low
111 Sanders Road	Assessment	Low	Low	Very Low
	Review	Very Low	Very Low	Very Low
123 Sanders Road	Assessment	Low	Low	Very Low
	Review	Low	Low	Very Low
11, 23, 33, 43 Merewhira Road	Assessment	Moderate	Moderate	Low
	Review	Moderate	Moderate	Low
40 and 44 Attwood Road	Assessment	Low	Low	Very Low
	Review	Low	Low	Very Low

2, 12, Leveloff Road & 41, 45, 43, 31, 23, 19, 7 Attwood Road (Off Paremoremo Road)	Assessment	Low Moderate	Low Moderate	Low
	Review	Low Moderate	Low Moderate	Low
380, 390, 400, 408A, 371 Paremoremo Road	Assessment	Low Moderate	Low Moderate	Low
	Review	Low Moderate	Low Moderate	Low
Paremoremo Prison Village and Ridgeview School	Assessment	Low	Low	Low
	Review	Low	Low	Low
107, 129 and 161 Lloyd Road	Assessment	Low Moderate	Low Moderate	Low
	Review	Low Moderate	Low Moderate	Low
580, 584, 583, 603, 611, 631, 635, 640, 641, 641C, 647, 662, 669, 679, 683, 693, 695, 701, 705, 709 and 741 Ridge Road	Assessment	Low Moderate	Low Moderate	Low
	Review	Low Moderate	Low Moderate	Low
703 A - F Ridge Road	Assessment	Very Low	Very Low	Very Low
	Review	Low	Low	Very Low
		Notes: some direct views available towards the prison site where vegetation cover is reduced (703F), or where residences are located on elevated landform (703A).		
1, 2, 4, 6, 10, 22, 32, 42, 61, 51, 39 Edward Jonkers Drive	Assessment	Low Moderate	Low Moderate	Low
	Review	Low Moderate	Low Moderate	Low
43, 61 and 63 Iona Avenue	Assessment	Low Moderate	Low Moderate	Low
	Review	Low Moderate	Low Moderate	Low
42 Iona Avenue	Assessment	Low	Low	Very Low
	Review	Low	Low	Very Low
18 Iona Avenue	Assessment	Moderate	Moderate	Low
	Review	Moderate	Moderate	Low
10/12 Iona Avenue	Assessment	Low	Low	Low
	Review	Moderate	Moderate	Low
		Notes: Whilst acknowledging that 10/12 Iona Avenue does not include a residential dwelling, in my opinion, effects will remain consistent with that of 18 Iona Avenue. The proposed mitigation planting plan does not include screen planting along the full northern boundary of the prison site, with some oblique views likely remaining from 10/12 Iona		

		Avenue, however I agree that once planting along the remainder of the boundary is mature, that effects will reduce to Low.
--	--	--

Summary of visual effects

42. The Designation Assessment appropriately considers the 'worst case' building parameters enabled by the proposed designation alteration.
43. I broadly agree with the findings of the Designation Assessment of visual amenity effects (from those properties and locations provided), with any difference in professional opinion generally being non-material (except for potential effects from 10/12 Iona Avenue). I agree that once mitigation planting has established (notably the Visual Screen Planting establishing to a height of 8m at circa 10 years), effects will likely reduce to no more than **Low**.
44. It is important to note, that whilst **Moderate** effects have been identified during construction and immediately post construction, these effects represent a worst-case scenario (both in terms of development parameters and with reference to the timing of development). It is acknowledged that screen planting is to be implemented within the first two planting seasons from the date the designation is confirmed. Should construction occur once mitigation planting has been established, in my opinion, potential effects during construction and immediately post construction will reduce.

Part 3: Review of the Recommended Mitigation Measures and Proposed Designation Conditions

45. A list of recommended mitigation measures is provided at Section 5 of the Designation Assessment, which are supported by the Proposed Designation Conditions.
46. In my opinion, the recommendations in the Designation Assessment are reasonable and relate directly to the avoidance and mitigation of any remnant landscape and visual effects from the project. Having reviewed the recommendations and Proposed Designation Conditions, I make the following comments and observations:
 - a) I am generally supportive of the maximum height limits outlined within Proposed Designation Condition DES05 (being 7m-12m high buildings); **however in my opinion a maximum height control should be stated for Designation Areas C & D either by including a RL or stating that the maximum building height is above existing ground levels.**
 - b) I am supportive of the maximum height limit for the secure perimeter fence / wall outlined within Proposed Designation Condition DES06 (being 6m high).
 - c) I am supportive of the wording of Proposed Designation Condition DES07 which relates to heights of support structures; noting that the revised wording of Designation Condition DES25 by the applicant restricts lighting poles in Designation Area C

- d) I am supportive of the wording of Proposed Designation Condition **DES08** which relates to maximum building coverage limits across the site.
- e) I am supportive of the wording of Proposed Designation Condition **DES09** which relates to boundary setbacks.
- f) I am supportive of the wording of Proposed Designation Condition **DES10** which relates to colours and materials of buildings and structures within the site.
- g) I am supportive of the wording of Proposed Designation Condition **DES25** which relates to the Coastal Protection Yard; noting the revised wording of the condition by the applicant which restricts lighting poles in Designation Area C.
- h) I am supportive of the wording of Proposed Designation Condition **DES27** (Outline Plan of Works).
- i) I am supportive of the wording of Proposed Designation Condition **DES28** which relates to the provision of a Landscape and Architectural Design Report.
- j) I am supportive of the wording of Proposed Designation Condition **DES44** which outlines the Landscape and Ecological Planting.
- k) I am supportive of the wording of Proposed Designation Condition **DES45** (Landscape and Ecology Implementation Plan) which seeks to provide detailed information regarding the protection and enhancement of existing ecological features (including wetlands, watercourses and areas of indigenous vegetation).

Part 4: Summary of the Review of the Resource Consent Assessment

- 47. I have reviewed the Resource Consent Assessment in parallel with the Designation Assessment.
- 48. The Resource Consent Application applies a methodology which is consistent with Te Tangi a Te Manu and is appropriate.
- 49. The **Proposed Works** are well described as including the removal of riparian vegetation, extending existing pipe networks (culverting) and riprap works, and associated earthworks on Watercourses 1 and 2. It appears that Figure 1 to the Resource Consent Application is missing from the report, however for the purposes of this review I have relied upon the 'Indicative Extent of Earthworks for Watercourse Works' Plan within Volume 3 Appendix 3A to the application which indicates the extent of proposed piping and areas of works.
- 50. I agree with the description of the **Existing Environment**, which is consistent with the description within the Designation Assessment. I agree that both watercourses and the broader site area are highly modified, however in my opinion and as observed during the site walkover, the parts of Watercourse 1 which are within the area or works includes dense native planting, which provides positive natural qualities.

Review of the Assessment of Effects

51. The Assessment of Effects is appropriately broken down to consider the potential natural character, landscape character and visual amenity effects of the works; addressed in turn below.

Natural Character

52. I agree with the approach to undertake individual assessments of natural character effects for Watercourse 1 and Watercourse 2.

Watercourse 1

53. I agree that the majority of Watercourse 1 (within the prison site) is highly modified, mostly located within piping / culverts and channelised, with a section of Watercourse 1 including native riparian vegetation on the watercourse banks that was planted around 2019 as part of the development of the existing Maximum-Security Facility. I agree that whilst modified, these planted margins contribute to a higher level of perceived naturalness to this section of the waterway.
54. I agree that on balance, Watercourse 1 has a Low level of natural character due to its overall degree of modification. This is also reflected in the Ecological Assessment which identifies Low ecological value.
55. The proposed works at Watercourse 1 includes circa 124 metres of piping and the associated riparian vegetation removal in this area. I agree that the proposed works will result in the further modification of the geomorphology of the waterway and through the removal of planting, however this will be within the context of an already modified environment and will act as an extension to the existing culvert to the south.
56. Overall, I agree that effects on the natural character of Watercourse 1 will be **Low**.

Watercourse 2

57. I agree that Watercourse 2 is highly modified, as a result of channelisation, farming activities, built structures and the dominance of exotic vegetation. In my opinion, Watercourse 2 has a Very Low natural character values. This is also reflected in the Ecological Assessment which identifies Very Low ecological value.
58. I agree that the proposed works will result in **Very Low** adverse effects on the natural character values of Watercourse 2.
59. As part of the Resource Consent package of the Project, extensive mitigation planting is proposed which will offset natural character effects through enhancement planting across the balance of the prison site. I agree that once established, the project is anticipated to result in a positive effect on natural character by enhancing the currently low baseline levels present at the site.

Landscape Character

60. I agree that effects on landscape character values will be minimal and set within the broader designation context, and in my opinion will be no more than **Low** for the reasons outlined within the Resource Consent Assessment.

Visual Amenity

61. I agree that the visibility of the watercourse works will largely be contained within the site, and once mitigation planting associated with the Designation is established, views will be further contained.
62. From the immediate and surrounding road network, I agree that the increase in vehicular and machinery movements will result short term **Low – Very Low** effects on visual amenity values, resulting to **Nil** once works are completed.
63. When considering views from adjacent residences, I agree that the proposed works will have limited visibility, screened by intervening topography and vegetation. The proposed construction activity associated with the works will be noticeable from some residences, however seen within the context of the broader designation. I agree that overall, effects on visual amenity values from residences will be no more than **Very Low**.

Part 5: Review of the Proposed Resource Consent Conditions

64. Having reviewed the Proposed Resource Consent Conditions, I make the following comments and observations:
- a) I am supportive of Proposed Resource Consent Condition **LUC14** which relates to ecological offsetting and compensation planting, aligning with the LMEEP and LEIMP within the Proposed Designation Condition set.
 - b) I am supportive of Proposed Resource Consent Condition **LUC15** which states that offset planting must be implemented before vegetation is removed surrounding Watercourse 1 and 2.
 - c) I am supportive of Proposed Resource Consent Condition **LUS03** which relates to ecological offsetting and compensation planting, aligning with the LMEEP and LEIMP within the Proposed Designation Condition set.
 - d) I am supportive of Proposed Resource Consent Condition **LUS04** which states that offset planting must be implemented before vegetation is removed surrounding Watercourse 1 and 2.

Part 6: Conclusion

65. I am generally in agreement of the findings and conclusions of both the Designation Assessment and Resource Consent Assessment, with only non-material differences of opinion on levels of effect across natural character, landscape character and visual amenity matters relating to the proposed designation.

66. I agree with the drafting of the proposed Resource Consent Conditions as currently worded, however I recommend that the **Proposed Designation Conditions** are amended to include maximum height controls for Designation Areas C and D within Condition **DES05**.
67. Overall, I agree that the proposed designation alteration and resource consent works can be integrated into the Pāremoremo landscape without generating significant residual adverse effects on natural character, landscape (rural) character or visual amenity values.

Yours sincerely,

SIMON BUTTON

Associate Landscape Architect – Isthmus
NZILA TPO – Registered Landscape Architect

Lighting – Jared Osman (**Annexure 6**)

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name:

Auckland Prison Capacity Increase

Fast-Track application number:

FTAA-2603-1179 (FTAA Number)

- BUN60464166 – Bundled reference number for administrative purposes relating to proposed consents, OPW waiver and NoR amendment.
- LUC60464167 – Land Use Consent Reference.
- LUS60464168 - Stream Works and Reclamation Reference.
- DIS60464169 - Stormwater diversion and discharge Reference.
- WAT60464230 – Water Permit Reference.

2.0 Technical Specialist Memo - Lighting

To:

Jo Hart – Lead Policy Planner & Joe Wilson - PPL

From:

Jared Osman, Team Leader - Contamination, Air and Noise

Qualifications
& Relevant
Experience:

I hold the qualification of: Bachelor of Science with Honours (First Class) in Geography and have 18 years experience in consenting and compliance, including 4 years of experience with lighting. Since 2022 I have been involved in reviewing ~280 lighting plans for various residential, commercial, sporting and infrastructure projects. I have prepared expert evidence and technical assessments for resource consent applications, plan changes, notices of requirement for designation and fast-track applications and have appeared as an expert witness before consent authorities and the Environment Court (for air quality) on multiple occasions.

Preparation in
Accordance
with the Code
of Conduct:

I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses ([Code](#)), and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Signature:



Date:

24/07/2026

3.0 Documents Reviewed

The following documents have been reviewed in preparing this memorandum:

- Volume 2 - Appendix 2K – Lighting Assessment (Parts 1 and 2, Kern Consultants, 26 March 2026)
- Volume 3 – Appendix 3D – Lighting Assessment (Watercourse works – Construction Lighting Effects Assessment, Kern Consultants, 26 March 2026)
- Volume 6 – 6A – Proposed Designation Conditions

4.0 Specialist Assessment

4.1 Suitability of the lighting assessment and methodology

I consider that the information submitted in the lighting assessments for the NoR and Watercourse works, as well as the 'parameters approach' undertaken, is sufficiently comprehensive and suitable for the assessment of lighting effects in relation to the provisions of the Auckland Unitary Plan (Operative in Part) (AUP(OP)).

4.2 Consideration of effects associated with lighting (operational and construction)

The applicant has proposed lighting related conditions for the designation – these are relevant to both operational and construction lighting. The proposed watercourse works are to be undertaken (where any night-time works are required) in compliance with the proposed designation conditions. These conditions are factored into my comments below, and discussed further in section 7.

Key aspects of the proposal with regard to lighting:

- Lighting operates 24/7 for security and safety purposes, and is auto-controlled with dimming features to reduce impacts during 'off-peak' hours
- Lighting parameters and limits proposed for the designation are consistent with the permitted activity provisions in the AUP(OP) Chapter E24.6.1 – Lighting.
- Proposed lighting and glare levels for the area covered by existing designation condition 2c (related to Lot 3 DP 64525) will be lower (i.e. 'less bright') than current levels. This condition allows for up to 20 lux at the boundary of an adjacent existing property. The current proposal would allow up to 10 lux.
- Project specific lighting design will be finalised during subsequent design processes, but will be designed to minimise glare, light spill and sky glow;

4.2.1 Proposal compared to the AUP(OP) Permitted Activity standards:

The applicant has discussed the proposal against the AUP(OP) at 5.3 of the lighting assessment. I especially note there are two options to achieve compliance with the AUP(OP) Permitted Activity standard E24.6.1(6) relating to lux levels. In the Rural – Countryside Living zone surrounding the site, this standard requires 1 lux or less at the window of a habitable room in a Category 2 lighting ‘low-brightness’ zone (such as at this location) OR 10 lux or less at a boundary with a dwelling. Meeting either of these standards is sufficient to comply, it is not required to meet both.

The nearest existing dwelling building to a potential light pole location is 63 Iona Road, which has a 30m separation distance when considering separation within this neighbouring site and the set back control of lighting. This 30m separation consists of approximately 10m to the designation boundary from the existing dwelling within their site and an additional 20m buffer from the designation boundary (where no lighting poles are to be constructed).

Based on the vertical illumination decay graphs in Appendix D of the lighting assessment (Part 2), any anticipated lighting placed at this closest ‘potential pole location’ would comply with 10 lux at the boundary, therefore meeting both Condition 14, and the relevant AUP(OP) light spill provisions. In practice this would still be a matter looked at in more detail via a Lighting Design Report required by proposed Condition 27, 30 and 31.

Overall the approach proposed by the application for lighting is reasonable. Lighting that is designed and installed in accordance with the proposed conditions would comply with the relevant permitted activity levels set out in the AUP(OP). Condition 14 sets out criteria which will avoid effects in the Rural – Countryside Living zone, and the balance of the conditions supports this with setback distances and a requirement for a lighting design report at OPW and compliance stage.

4.2.2 Construction lighting

Any lighting necessary for construction is to also comply with the lighting levels set out in the designation. The proposed watercourse works are over 240m from the nearest dwellings, and it is expected most work will occur during daylight hours, in a project anticipated to take up to 3 months. In that context, risk of spill and glare effects is already low.

On the basis of compliance with the proposed designation conditions, including through adherence to a construction lighting management plan (DES41) lighting effects will be suitably controlled. I agree with the applicant that with the required management plan in place, any residual effects arising from construction-related lighting will be negligible.

4.3 Summary

I agree with the applicant that lighting designed in accordance with the designation conditions will not cause glare or light spill effects for neighboring residents, road users or aircraft. I also agree that effects associated with the construction lighting will be negligible. No additional conditions are necessary beyond those proposed (further comment in Section 7 below).

I have identified that there are no section 67 information gaps.

6 Recommendation

I concur with the assessment in the application and support the lighting-related elements of the proposal based on the information available

7 Proposed Conditions

I have reviewed the proposed designation conditions (referred to below with the pre-fix DES) 07, 09, 14, 27, 30, 31 and 41, noting that any construction lighting – including any watercourse related work – is to also comply with these conditions. Below is a summary of these conditions with my comment.

- Conditions DES07 and DES09 relate to height of light poles not to exceed 7m in Area B, and 10.5m in all other areas, and a 20m setback distance from the boundary. The exception to the setback distance is within Area B along the Iona Avenue Boundary which is 5m.
- Condition DES14 proposes lighting standards to be met by any new lighting at the site.
 - The Rural – Countryside Living zone of the site (and neighbouring sites) is classified as category 2 (Low brightness) in the AUP(OP) Table E24.6.1.1.
 - The proposed 500cd Glare Source intensity and 5cd/m² Building Luminance correspond to the PA standard in E24.6.1.
 - The 10 Ev (lux) level at the prison boundary is comparable to the 10 lux horizontal and vertical requirement in the E24.6.1 standards, noting the standards apply at the boundary of a property with a habitable dwelling regardless of zoning. It is notable the proposed standard only relates to vertical illuminance, however this is the metric most associated with light spill (i.e. luminance of a vertical plane like a wall or window).
 - If 10 lux can't be met at the boundary of a property with a dwelling, compliance can also be demonstrated with the AUP(OP) by meeting 1 lux or less vertical illuminance at the windows of any habitable rooms. This level of detail would be considered during the detailed design stage.
- Condition DES27 requires an outline plan to include a lighting design report, noting council can waive this request where the lighting levels set by proposed Condition DES14 will clearly be met / there is no chance of an exceedance.
- Condition DES30 relates to the Lighting Design Report and clarifies what it is to address (specifically compliance with Condition DES14 levels). Condition DES31 requires confirmation of compliance with the Condition 14 standards via submission of a Lighting Design Completion report within 30 days of new lighting being installed.
- Condition DES41 relates to a construction lighting management plan, to ensure compliance with the Condition DES14 levels.

I do not propose any changes to the proposed conditions. I consider the proposed conditions suitable for the purpose of minimising effects arising from lighting and for achieving compliance with the permitted activity standards in E24.6.1 of the AUP(OP).

Parks and Community Facilities – Douglas
Sadler (**Annexure 7**)

1.0 Technical Specialist Memo – Parks & Community Facilities

To:

Joe Wilson – Premium Project Lead
Jo Hart – Senior Planner, Notices of Requirement

From:

Douglas Sadler – Senior Parks Planner, Parks & Community Facilities (PCF)

Qualifications
& Relevant
Experience:

I hold the qualifications of Master of Urban Design (hons); Bachelor of Planning; Bachelor of Arts; and a Post-Graduate Diploma in Business (Quality Management) obtained from the University of Auckland and a Business Diploma in Management from the New Zealand Institute of Management.
I am a full member of the New Zealand Planning Institute. I have prepared expert evidence and technical assessments for resource consent applications, plan changes, notices of requirement for designation and fast-track applications, and have appeared as an expert witness before consent authorities and the Environment Court on multiple occasions.

Preparation in
Accordance
with the Code
of Conduct:

I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses ([Code](#)), and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Signed:



Date:

18 June 2026

For release by:
Hester Gerber -
Parks Agency
Lead

18/06/2026



2.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name:

Auckland Prison Capacity Increase

Fast-Track application number:

FTAA-2603-1179 (FTAA Number)

- BUN60464166 – Bundled reference number relating for administrative purposes relating to proposed consents, OPW waiver and NoR amendment.
- LUC60464167 – Land Use Consent Reference.
- LUS60464168 - Stream Works and Reclamation Reference.
- DIS60464169 - Stormwater diversion and discharge Reference.
- WAT60464230 – Water Permit Reference.

Site address:

Auckland Prison – Paremoremo

257 Dairy Flat Highway / 10 Iona Avenue / 9-11 The Avenue / 540 Paremoremo Road, Paremoremo

3.0 Executive Summary / Principal Issues

Notice of Requirement (NoR) for an Alteration to Designation 3900

The proposal seeks an alteration to Designation 3900: Auckland Prison in the Auckland Unitary Plan (Operative in Part) (AUP (OP)). In summary this includes:

- Increase the current designation maximum capacity of 681 prisoners (Condition 1.a of Designation 3900: Auckland Prison) to a maximum capacity of 1,220 prisoners, with specific and staged infrastructure upgrades linked to these capacity increases.
- Amend the purpose of Designation 3900 from “Auckland Prison” to a more specific purpose of “Construction, operation and maintenance of Prison and ancillary facilities”.
- Remove the ‘Prison Village’ from the designation boundary.
- Within the remaining area of the designation, the amendments propose to establish four defined areas. Of these, area A is the location where new secure facilities of the Prison are limited in the proposed conditions

The proposal also seeks application for resource consents (but no subdivision):

- Removal of riparian vegetation surrounding permanent streams, extending existing pipe networks, and extensive earthworks.

PCF specific consideration in relation to the consents above is in relation to adjacent Auckland Council parks land zoned open space as assessed below in section 5.0 – Specialist Assessment.

4.0 Documents Reviewed

- Volume 1 – Overview Substantive Application
- Volume 1 – Appendix 1C Site Plans
- Volume 1 – Appendix 11 Owners and Occupiers of Adjacent Land
- Volume 2 – Appendix 2B Designation Plans
- Volume 2 – Appendix 2H Landscape, Natural Character and Visual Effects Assessment Part 1
- Volume 2 – Appendix 2H Landscape, Natural Character and Visual Effects Assessment Part 2
- Volume 6 – Proposed Conditions Summary Report

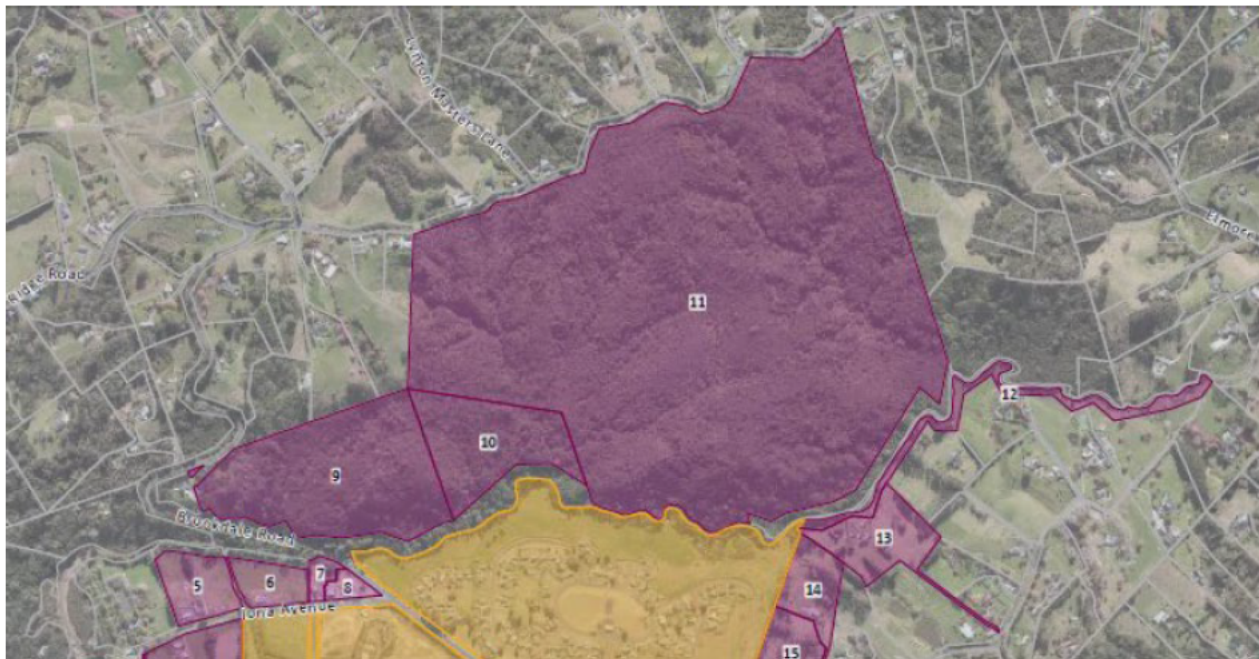
5.0 Specialist Assessment

Auckland Council owner of adjacent open space zoned land as follows:

Note:

Bracketed numbers for the five Council open space zoned sites listed below match the Appendix 11: Owners and Occupiers of land adjacent to the site map, prepared by Boffa Miskell dated October 2025.

Paremoremo Reserve (9, 10, 11) and Esplanade Reserve (363 Ridge Road, Paremoremo) (12)



- Paremoremo Reserve (9) (10) (11) is a large area of open space zoned land directly north of Paremoremo Prison (3900 Designated Area as per the AUP(OP) currently).
- Paremoremo Reserve and Esplanade Reserve (12) are both undulating land, steep in parts, densely vegetated with native bush with not much opportunity for offset mitigation. Boundary edges between Paremoremo Reserve / Esplanade Reserve and designated land area are covered in the flood plain hazard overlay.
- As per the landscape assessment, a walkway track extends approximately 1.6 km, generally following Paremoremo Creek. The walkway track is described as largely enclosed by dense kauri-podocarp-broadleaf forest, featuring an established mid-storey and areas of emerging regeneration, with most of the track runs along low-elevation boardwalks beside the stream, transitioning to steep stairs over natural terrain, with no views of the prison site.
- At occasional elevated points, glimpses of the prison site are possible where vegetation is less dense; however, the landscape architect notes that these views are generally screened or fragmented. Visible areas are mostly limited to Paremoremo Village and the maximum-security facility, with the broader Prison Site obscured. One location, approximately 600m along the

walkway at the stream crossing, offers a slightly more open view, though the wider prison site, including Future Areas A and B, remains largely out of view.

- The landscape architect notes that when seen, any new facilities enabled by the designation alteration will remain a minor component of the view and will not form the primary visual focus.
- People hiking in this area are obviously aware of the existing prison. When new facilities are built, as per this application, if they are readily seen behind existing and new proposed trees and landscaping, it will likely just register visually as the prison, no more no less than current views.
- The AUP(OP) open space underlying zoning will be the key regulatory planning control moving forward.
- Amendment of designation 3900 in this application (see Figure 1 – Volume 1 – Appendix 1C Site Plans snippet below) moves the designation boundary to south of Paremoredemo Road resulting in a buffer of the 'Prison Village' area separating Paremoredemo Reserve from the new designation boundary.
- No Ministry of Justice constructions works are proposed in the 'Prison Village' area and in close proximity to either of these reserve areas.
- No subdivision is proposed in the 'Prison Village' area and in close proximity to these reserve(s).
- No potential for more than minor adverse effects on Paremoredemo Reserve (9)(10), (11) and the Esplanade Reserve (363 Ridge Road) (12).



Designation boundary being amended removing 'Prison Village' area from designation

Esplanade Reserve – 55 Iona Avenue, Paremoredemo (1) (also known as Paremoredemo Creek Esplanade Reserve (R75 Iona Ave)).



- Narrow land parcel (1) that adjoins a small northern portion of the designated Paremoremo Prison (3900 Designated Area as per the AUP(OP) currently and as to be amended).



- Strip of land zoned open space (notated in green above)



- Purple shade of land of designation 3900 area identified as 'Area C' in which Corrections proposes to use for landscape revegetation and tree planting which is in accord with this existing Council esplanade reserve open space zoning.
- No potential for more than minor adverse effects on Esplanade Reserve – 55 Iona Avenue (also known as Paremoremo Creek Esplanade Reserve (R75 Iona Ave)).

Esplanade Reserve – Lot 5 DP 104246 (34) & Recreation Reserve – Lot 23 DP 311670 (39)

- The esplanade reserve (34) is a long esplanade strip of land on the opposite side of the river at least 500m away from the designated 3900 Prison area.
- The recreation reserve (39) is a small portion of land west of land portion 34 also at least 500m away from the designated 3900 Prison area.
- A purple shade of land of designation 3900 area identified as ‘Area C’ in which Corrections proposes to use for landscape revegetation and tree planting which is in accord with this existing Council esplanade reserve open space zoning.



Location of (34) and (39) to designated brown shaded area



Purple shade of land of designation 3900 area identified as ‘Area C’

- No potential for more than minor adverse effects on Esplanade Reserve (34) and Recreation Reserve (39).

6.0 Section 67 Information Gap

I have identified that there are no section 67 information gaps.

7.0 Recommendation

PCF and Land and Property Advisory support the application based on the information submitted.

8.0 Proposed Conditions

No additional resource consent terms or amended resource consent conditions proposed by PCF and Land and Property Advisory.

9.0 Proposed Conditions (Notices of Requirement)

No additional designation terms or amended or additional designation conditions proposed by PCF and Land and Property Advisory.

Noise and Vibration – Andrew Gordon
(**Annexure 8**)

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name:	Auckland Prison Capacity Increase
Fast-Track application number:	FTAA-2603-1179 (FTAA Number) - BUN60464166 – Bundled reference number relating for administrative purposes relating to proposed consents, OPW waiver and NoR amendment. - LUC60464167 – Land Use Consent Reference. - LUS60464168 - Stream Works and Reclamation Reference. - DIS60464169 - Stormwater diversion and discharge Reference. - WAT60464230 – Water Permit Reference.

2.0 Technical Specialist Memo - Noise

To:	Jo Hart – Lead Policy Planner & Joe Wilson - PPL
From:	Andrew Gordon – Senior Specialist (Noise) – Specialist Unit
Qualifications & Relevant Experience:	I hold the qualification(s) of: Bachelor of Science from the University of Auckland (1987), National Diploma in Environmental Health from Wellington Polytechnic (1989) and Certificate in Noise Assessment and Control from University of Western Sydney (extramural 1991) and have twenty years of experience in acoustics. I am a member of the New Zealand Institute of Environmental Health and Affiliate of the New Zealand Acoustical Society. I have prepared expert evidence and technical assessments for resource consent applications, plan changes, notices of requirement for designation and fast-track applications and have appeared as an expert witness before consent authorities and the Environment Court.
Preparation in Accordance with the Code of Conduct:	I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.
Signature:	
Date:	26/06/2026

3.0 Documents Reviewed

The following documents have been reviewed in preparing this memorandum:

- Volume 2 - Appendix 2J Assessment of Noise and Vibration Effects dated 26 March 2026 by Styles Group (Assessment)
- Volume 3 - Appendix 3E Assessment of construction noise and vibration effects dated 26 March 2026 by Styles Group
- Volume 6 - Appendix 6A Proposed Designation Conditions

4.0 Specialist Assessment

Assessment Approach

- 4.1 As the application does not include design details for development enabled by this designation alteration, a set of development parameters have been developed to provide flexibility and as much certainty as practicable to provide the basis for the assessment of noise effects. I confirm the parameters approach has been adequately informed by a comprehensive assessment of prison noise sources, measurement of existing noise levels and, the maximum anticipated envelope of buildings and activities including existing facilities that will remain (i.e. maximum-security facility in Area A).
- 4.2 In my opinion, the level of detail provided in Table 1 (e.g. description of facilities and potential noise sources) and Table 2 (e.g. identifying areas for new buildings or facilities) is satisfactory for assessment purposes including for the development of proposed designation conditions.
- 4.3 I agree the highest predicted noise levels are associated Area B. I confirm the assessment adopts a worst case scenario by modelling noise from traffic utilising Access 1 and future carparks based on the maximum proposed capacity.
- 4.4 Overall, I confirm the acoustic design based on the parameters approach and associated modelling assumptions and methodologies, is satisfactory.
- 4.5 Provision of an Acoustic Design Report (ADR) as part of a future Outline Plan of Works (OPW) will ensure cumulative noise levels from relevant noise sources are appropriately designed, located and managed to ensure compliance with proposed designation conditions. The ADR template for an OPW provided in Appendix F in the Assessment is satisfactory.

Existing Designation Conditions - Noise

- 4.6 I concur that existing conditions are no longer fit for purpose, for example, they refer to outdated noise level descriptors (i.e. L₁₀) and superseded New Zealand noise standards.
- 4.7 Therefore, I support the development of new designation conditions comprising a single set of noise levels to manage noise emissions from the entire site.
- 4.8 I confirm that proposed designation noise (decibel) levels align and are consistent with the relevant Auckland Unitary Plan – Operative In Part, E25 standards (e.g. E25.6.3).

Surrounding Land Use

- 4.9 The Assessment accurately identifies the closest neighbouring sites that are occupied by an “activity sensitive to noise” (or ASN, e.g. existing dwellings) and includes approximate separation distances from key activities in Areas A and B to the closest notional boundaries (i.e. contain existing ASN) or site legal boundaries where the site is not currently occupied by an ASN.
- 4.10 Separation distances are important to inform when acoustic design mitigation may need to be considered for future development to ensure that adverse noise effects are avoided, remediated or mitigated and, to ensure compliance with proposed designation noise levels.

Noise Effects

- 4.11 As noise emissions will vary across the proposed designation, I agree effects should be assessed according to the Area classification (A, B, C or D) and specifically the key Areas A and B.
- 4.12 I concur that existing and future activities in Area A (i.e. Secure and Non-secure facilities) can be located, designed and managed to comply with the proposed noise levels without any practical difficulties.
- 4.13 I concur that activities in Area B (i.e. Non-secure facilities, car park) can be located, designed and managed to comply with the proposed designation noise levels without any practical difficulties. I note this conclusion is informed by predicted noise level contours as shown in Appendix E.
- 4.14 I concur activities in Area C (i.e. balance land activities) can be designed to comply with the proposed designation noise levels without any practical difficulties. Further, the Assessment demonstrates it is unlikely that noise from Area C will give rise to cumulative noise effects when assessed with Areas A and B primarily because predicted noise levels will be relatively low. I note Area C also acts an effective buffer between Areas A and B and the closest neighbouring ASN.
- 4.15 I agree activities in Area D (e.g. community hall and car park) at 505 Paremoremo Road can be designed to comply with the proposed designation noise levels without any practical difficulties. Further, the Assessment demonstrates it is unlikely that noise from Area D will give rise to cumulative noise effects when assessed with Areas A, B or C primarily due to the adequate spatial separation and good noise attenuation over distance.

Noise Mitigation

- 4.16 Given the parameters approach, I confirm specific mitigation does not form part of this application, however, various mitigation measures are available which can be implemented where required.
- 4.17 Based on my experience, the following example generic mitigation measures recommended in the Assessment can be effectively implemented: -
- Adopting good engineering design for external plant and equipment
 - Adopting good building façade construction to contain noise from internal activities
 - Installing purpose-built noise barriers
 - Utilizing new buildings to act as effective noise barriers
 - Maximizing separation distances from key noise sources to the closest ASN
- 4.18 In my opinion, the proposed designation has sufficient land area such that it will be practicable to manage operational noise levels and associated effects to ensure compliance with proposed designation noise levels at all times (i.e. internalization of effects).

Construction Effects

- 4.19 To accommodate the alteration to the designation, construction works are proposed to two watercourses. Construction works essentially comprise removal of vegetation, extending and installing new pipes and associated earthworks.
- 4.20 I confirm the above works in 4.19 are subject to an Outline Plan of Works waiver as noise and vibration effects, among other effects, will be able to be managed and mitigated to an acceptable level as provided for in the Notice of Requirement and Resource Consent applications.
- 4.21 I confirm the proposed construction noise and vibration levels in proposed designation conditions are consistent with the same levels prescribed by Standards E25.6.27 and E25.6.30 (1) of the Auckland Unitary Plan- Operative In Part.
- 4.22 I concur that it will be practicable to manage construction works to comply with proposed designation construction noise and vibration levels when assessed at all occupied buildings outside the proposed designation boundary. Compliance will be demonstrated in a Construction Noise and Vibration Management Plan which will be submitted as part of an OPW.

Engagement

4.23 I confirm my review does not include any engagement with Styles Group.

4.24 I attended the pre-application briefing in the Prison Village on the 4 September 2025 (1pm – 2pm). I did not attend the organised site visit (following the briefing) but I completed a drive around the immediate road network surrounding the proposed designation prior to and following the briefing. Whilst in proximity to the proposed designation site boundaries, the only noticeable noise was from occasional and infrequent private vehicles entering or departing the main entrance off Paremoremo Road.

5.0 Section 67 Information Gap

5.1 My review has identified that there are no section 67 information gaps.

6.0 Recommendation

6.1 In my opinion the assessment adequately assesses potential noise effects from the proposed alteration to the designation, based on the parameters approach.

6.2 As existing designation conditions are outdated, I concur that new and proposed designation conditions are appropriate and relevant.

6.3 Noise effects from the proposed designation alteration will be generally consistent with the existing designation conditions and are consistent with relevant E25 standards.

6.4 I confirm it will be practicable to design and manage activities within the proposed designation to comply with proposed designation conditions without any practical difficulties.

6.5 Compliance with the proposed designation conditions will ensure a good level of acoustic amenity is maintained for the closest neighbouring residents. Effects on rural character will also be maintained.

6.6 Given the above reasons, I support the application.

7.0 Proposed Conditions

7.1 I support proposed conditions set out in Designation 3900, which are comprehensive and consistent with other designation conditions I have reviewed.

7.2 Individual conditions specific to or related to noise are listed below.

7.2..1 Condition DES11 specifies construction noise limits that must be met unless it is not practicable to do so.

7.2..2 Condition DES12 specifies construction vibration limits that must be met.

7.2..3 Condition DES13 specifies operational noise levels that must be met at the notional boundary of any other site. Noise measurement and assessment must be in accordance with NZS 6801:2008 and NZS 6802:2008.

7.2..4 Condition DES27 specifies that an ADR must accompany (where relevant) an OPW.

7.2..5 Condition DES29 specifies the objective of the ADR and the matters which the ADR must address.

7.2..6 Condition DES32 requires the preparation of a Construction Noise and Vibration Management Plan (CNVMP) and includes specific exceptions when a CNVMP is not necessary.

7.2..7 Condition DES33 requires the CNVMP to be certified by Auckland Council and lists the associated certification process details.

- 7.2..8 Conditions DES34, DES35 and DES26 outlines certification requirements to an amended CNVMP and that construction works must be undertaken in accordance with the certified CNVMP.
- 7.2..9 Condition DES39 describes the requirements of a CNVMP.
- 7.2..10 Condition DES40 requires a Schedule to be prepared where infringements are predicted to construction noise levels set out in condition DES11.
- 7.2..11 Condition DES46, DES47, DES48 and DES49 sets out requirements for community liaison, engagement, complaints management and community notification.
- 7.3 The above proposed conditions are acceptable without amendment.
- 7.4 No new conditions are recommended.

Economist – James Stewart (**Annexure 9**)

Specialist Response Template – Fast-track Approvals Act 2024 – Substantive Application Comments

Technical Specialist Memo - Noise

To: Jo Hart – Senior Planner & Joe Wilson - PPL

From: James Johannes Stewart (Economist, Chief Economist Unit, Auckland Council)

Date: 26/05/2026

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name: Auckland Prison (Designation NoR and associated RC)

Pre application number: PRR00042523

Site address: Auckland Prison, 530 Paremoremo Road, Paremoremo

1.0 Documents Reviewed

- Market Economics Limited. (2026, March 26). *Auckland Prison Capacity Increase: Economics Assessment*.
- WSP New Zealand Limited. (2026, March 26). *Auckland Prison Capacity Increase: Social Impact Assessment*.
- Turner, R. (2026, March 19). Statement of Ruth Turner in support of substantive application for the Auckland Prison Capacity Increase listed project (Fast-track Approvals Act 2024). Department of Corrections.
- Lightfoot, J. D. (2026, March 17). Statement of Jeremy Lightfoot in support of substantive application for the Auckland Prison Capacity Increase listed project (Fast-track Approvals Act 2024). Department of Corrections.
- Boffa Miskell Limited. (2026, April 1). *Auckland Prison Capacity Increase: Substantive application (Volume 1 – Overview report)*. Prepared for the Department of Corrections. [section 6 and section 7 only]

2.0 Specialist Assessment

Background and proposal

1. I have been asked to review of a Market Economics Limited report (**the report**) dated 26 March 2026 which is in support of a Fast Track Approvals Act application for a Proposed expansion to Auckland Prison to increase its prisoner capacity.
2. The purpose of this review is to assess whether the statements and assumptions made in the economic report are supported by robust analysis, or whether substantive omissions or weaknesses undermine the conclusions reached.
3. The Proposed Prison Expansion include an almost doubling in total prisoner number capacity limit from 681 prisoners, including up to 260 maximum security prisoners, to 1,220 including up to 260 maximum security prisoners.
4. The remainder of this review is a discussion of major issues identified within the report followed by a section on the negative externalities of proximity within the Social Impact Assessment by WSP, which is referenced in the report (at para 55, page 3).

Major issues

5. The report does not identify a counterfactual. Specification of a counterfactual is fundamental to any credible economic analysis, as it establishes the baseline against which incremental costs and benefits must be assessed. Without a counterfactual, the report provides no defensible basis for evaluating the net impacts of the Proposed Prison Expansion. The absence of any explicit counterfactual means that the report cannot identify incremental gains or losses and therefore cannot substantiate claims of economic benefit or cost arising from the Proposed Prison Expansion.
6. The report makes no attempt to value additional prison capacity. I understand that the reason for the Proposed Prison Expansion is to enable greater prison capacity and facility improvements because of purported constraints in corrections infrastructure and there is some supporting evidence of these constraints provided in the statements of Ms Turner and Mr Lightfoot and in the Substantive Application (full references in Documents Reviewed above). I summarise these purported issues as (i.e., not verbatim):
 - a. Shortfall in capacity to accommodate prisoners (including resilience for shocks)
 - b. Misallocation of prisoners across security classifications
 - c. Geographic misallocation. This has a related issue of network spillovers putting pressure on other parts of the prison network
 - d. Low quality and potentially hazardous assets
7. However, the report does not demonstrate what this constraint is worth to society or whether it is worth addressing (i.e., do the benefits of addressing this constraint outweigh the costs of doing so), given that society has many competing priorities on its scarce resources. This is the fundamental economic question, and it has not been addressed in the report.

8. The report adopts an Economic Impact Analysis or EIA methodology (at section 4, page 9). The report calls this a Multi-Region Input-Output model and Economic Impact Assessment, for consistency I refer to this as 'EIA'. This methodology has recognised and significant limitations that risk the results being interpreted beyond what the approach can validly support. I summarise the problems of EIAs in my expert opinion, including the approach adopted in the report, as:
 - a. EIAs measure “economic activity” not economic benefits. The results cannot be interpreted as a measure of economic benefits because they do not represent incremental resource gains over a counterfactual.
 - b. The measure is a gross measure - effectively adding benefits, costs and transfers together. This means projects with high financial costs generate more economic activity which are erroneously represented as a benefit (as per above point).
 - c. All resources are treated as infinite in quantity and prices unresponsive to changes in demand. This is highly unrealistic in the real world, economic resources are scarce and market actors respond to price signals.
 - d. The relationship between industries is assumed to be constant with no pressure from substitutes, innovations or changing preferences. This is highly unrealistic as relationships between industries change regularly.
 - e. EIAs add costs rather than subtract costs, effectively representing costs as beneficial to society. These risk misleading the scale of benefits (as “economic activity”, as per above) and not acknowledging costs or transfers of resources from competing uses, understating the cost of a proposed use of resources and overstating any benefit.
9. The report adopts this EIA approach using two expenditure streams as inputs: CAPEX from constructing the prison and OPEX from operating the prison. The results of both streams are subject to the same critiques outlined above. A salient framing of the issue is if the proposed prison expansion costs more to construct or costs more to operate, the results from the EIA will suggest more “economic activity” is generated. This leads to the implication that higher costs correspond to greater benefits, an outcome that largely reflects the structure of the methodology adopted, rather than providing a meaningful indication of net economic benefit. In my view, any benefit of having greater prison capacity and the ability to effectively and safely incarcerate offenders must be tied to incremental resource gains from doing so, relative to not doing so, and must be considered alongside the incremental resource losses or costs arising from the intervention.
10. The report discusses the suitability of using an EIA approach (paras 36-44, pages 10-11). I do not agree with the approach adopted, for the reasons outlined above. In my view, there is a material risk that reliance on the EIA results could lead to an incomplete or potentially inaccurate interpretation by the panel.

11. More generally, economic analysis that is not well suited to demonstrating the economic benefits (or costs) of a proposed investment or policy decision should be applied with caution when used to inform such decisions. An EIA framework does not, in my view, provide a measure of economic benefit. Rather, its results are mechanically driven by input financial costs, such that estimated “economic activity” cannot exceed those costs, even though the report appears to characterise this activity as a benefit.
12. For these reasons, no weight should be placed on the EIA results in understanding the scale of economic benefits, in meeting the purpose of the FTAA, or in informing a section 85 weighting exercise. The methodology does not provide a valid basis for assessing economic benefits, and the results are not informative for decision-making in this context. Accordingly, this section of the report should not be relied upon for the purposes for which it is presented, and greater clarity is required to avoid misinterpretation of both the purpose of the FTAA and the implications of the EIA results.
13. While the report acknowledges that there are costs or disbenefits and displacement / transfers associated with the Proposed Prison Expansion it does not sufficiently quantify or weight these in the analysis. This omission represents a significant methodological weakness. In the absence of a systematic assessment of costs, there is a clear risk that any purported benefits are considered in isolation and overstated - particularly where they reflect transfers rather than net welfare gains. In my view, claims of economic benefit are not meaningful unless they are assessed in the context of the full costs incurred to realise them, consistent with accepted principles of economic evaluation.
14. The preferred alternative is a cost-benefit analysis (CBA) closely following the Treasury guidance¹. To contrast with an EIA, a CBA is an economic welfare-based framework used to assess whether a proposal delivers a net improvement in societal wellbeing. It does this by identifying and, where feasible, monetising all relevant benefits and costs so they can be compared on a consistent basis. Costs reflect the opportunity cost of scarce resources, while benefits reflect the value or utility generated, which could include market impacts and non-market impacts e.g., environmental and social outcomes. While I acknowledge that there is no explicit requirement to undertake a CBA within legislation, from an economic perspective, robust analysis is necessarily incremental and counterfactual. It requires that benefits be defined relative to the without-project scenario, and that all inputs and resource uses are valued according to their opportunity cost – these are key elements missing from the report.

Negative externalities of proximity to prisons (comments on WSP Social Impact report)

¹ New Zealand Treasury. (2015). Guide to social cost benefit analysis (July 2015).

15. The WSP Social Impact Assessment identifies potential negative externalities associated with the proximity of the prison to surrounding residents and businesses. While the Proposed Prison Expansion may offer some benefit to society, it also gives rise to disamenity effects that represent a cost to nearby land holders.
16. Although the WSP report states that civil and property rights are not affected (at page 5), it also acknowledges community concerns regarding property values – this is potentially conflicting advice. While property values are not typically considered directly, they can be indicative of disamenity effects and changes in willingness-to-pay. It is reasonable to expect that an increase in prison capacity could amplify disamenity effects relative to the existing facility i.e., there is an economic resource being traded off and this should be acknowledged in an economic analysis.

Summary

17. The Proposed Prison Expansion is plausibly welfare improving (i.e. net beneficial). Society derives value or utility from prisons through the punishment and rehabilitation of offenders, and through maintaining the safety of offenders, staff, and the wider public.
18. There is some evidence that New Zealand's prison network is under capacity pressure: there is a potential shortfall in future prison capacity with existing capacity constraints and anticipated growing demand. Taken at face value, this suggests that some frictions exist that could be alleviated through increased capacity and improvements to facilities at Auckland Prison. This would be beneficial to society when assessed through a welfare framework.
19. However, there are costs associated with expanding and improving and operating an expanded prison which also must be considered.
20. To demonstrate that the Proposed Prison Expansion and improvements is a net benefit (benefits exceed costs) to society, it is necessary to consider all relevant resource trade-offs that arise i.e., do the benefits outweigh the costs?
21. The economic report submitted in support of the Proposed Prison Expansion is unhelpful on these substantive economic issues. The report instead focusses on "economic activity" generated through construction and operation – this is not a measure of economic benefits. A consequence is that the results, and conclusions drawn from them, are not meaningful in understanding whether the project is net beneficial or whether the Proposed Prison Expansion represents a significant regional or national benefit. The results and conclusions drawn from them cannot be relied on in a s85 weighting exercise.
22. Because of the analytical shortcomings of the report, it is not clear that the Proposed Prison Expansion represents a significant regional or national benefit or even a net benefit once the relevant costs have been considered.

23. A robust economic assessment must identify an appropriate counterfactual scenario to compare the Proposed Prison Expansion against i.e., in the absence of the Proposed Prison Expansion. This is missing from the report.
24. A robust economic assessment must identify all incremental resource trade-offs arising from the Proposed Prison Expansion relative to the identified counterfactual. This is missing from the report.
25. In the absence of this information, it is not possible to determine whether the Proposed Prison Expansion delivers a net benefit to society or represents a significant regional or national benefit.

Freshwater Ecologist – Antoniette Bootsma
(Annexure 10)

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name:

Auckland Prison Capacity Increase

Application numbers:

EPA: FTAA-2603-1179

Council: BUN60464166, LUC60464167

2.0 Technical Specialist Memo - Earthworks & Erosion and Sediment Control

To:

Jo Hart – Lead Policy Planner & Joe Wilson – Principal Project Lead

From:

Antoinette Bootsma (Senior Freshwater Specialist, Earth, Streams & Trees Team, Planning & Resource Consents Department)

Qualifications
& Relevant
Experience:

I hold the qualification of: Master of Science in Environmental Science and have 18 years of experience in freshwater ecological assessment. I have prepared expert evidence and technical assessments for resource consent applications, plan changes, notices of requirement for designation and fast-track applications and have appeared as an expert witness before consent authorities and the Environment Court.

Preparation in
Accordance
with the Code
of Conduct:

I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Signature:



Date:

13 July 2026

3.0 Executive Summary / Principal Issues

The following memo assesses the applicant's proposal to alter the designation of Auckland Prison to increase the capacity of prisoners. This proposal seeks to establish parameters, most notably the amendments to areas A and B to provide for this additional capacity. Area C is noted as an area earmarked for ecological planting. Finalised proposals are to be confirmed and brought forward under the requirements of the proposed conditions of the designation, OPWs and if required any regional consent needs triggered. This application includes and has brought forward a proposed watercourse works consent application for two sections of watercourses to allow for the future development of the land above the watercourses to provide for prisoner accommodation and associated facilities to realize the increase in capacity provided by the designation alteration. Relevant to the application for alteration of the designation is the National Policy Statement for Freshwater Management 2020 (Amended 2025) for the reclamation of watercourses 1 and 2 to extend existing pipes to beyond the edge of proposed Area A.

I have reviewed the application against Objective 1 and Policies 1,2,6,7 and 9. I am in general agreement with the applicant's assessment that the designation alternation in respect to the review and classification of hydrological ecological features, the consideration given to this in establishing the parameters and location of future development and ecological enhancement on the Prison site and the proposed designation conditions has considered avoidance of freshwater features and has considered alternatives and other measures to ensure that effects to freshwater habitats are minimized. Specifically, the proposed extent of Area A and B was defined to avoid the location of wetlands and watercourses as far as practicable, and to incorporate areas already highly modified with a low number of trees. Watercourses 1, 2 and 4 are located in Area A, but other watercourses are avoided. Additionally, the parameter for Area A ensures 10 metre setbacks from wetlands to meet the National Environmental Standards for Freshwater regulations

My memo also includes an assessment of the substantive application for resource consent under the Auckland Unitary Plan and National Environmental Standards for Freshwater. I consider that the applicant has demonstrated how, subject to the implementation of pipe design and construction in accordance with recommendations and the Landscape Mitigation and Ecology Enhancement Plan (LMEEP) and Landscape and Ecological Implementation Management Plan (LEIMP), it is considered that adverse ecological effects and effects on freshwater natural character are adequately managed I note that management of effects includes a native fish capture and relocation plan; riparian planting around watercourses and wetlands within the site; upgrades to existing culverts at watercourse 6 to significantly improve fish passage.

I am in general agreement with the management plans, however, I note specifically that proposed remediation of culverts in Watercourse 6 must be detailed in the LEIMP and must comply with the New Zealand Fish Passage Guidelines. The proposal to use rock piles and spat ropes are not supported since rock piles and spat ropes are not stable, long-term solutions to remediating fish passages. I recommend that Conditions DES45 and LUC16 be amended to include reference to culvert works and a requirement that plans are certified by Council prior to remediation works to ensure that reinstatement of fish passage in this stream, and therefore realizing the aquatic offset/compensation outcomes on which this assessment is based, are able to be achieved.

4.0 Documents Reviewed

The following documents have been reviewed in preparing this memorandum include the following in respect to matters relevant to my area of interest and expertise:

- Auckland Prison Capacity Increase, Substantive Application, Volume 1 – Overview, dated 1 April 2026, by Boffa Miskell Limited. (AEE)
- Auckland Prison Capacity Increase, Substantive Application, Volume 2 – Designation Alteration, dated 1 April 2026, by Boffa Miskell Limited. (AEE)
- Auckland Prison Capacity Increase, Substantive Application, Volume 2 – Appendix 2B, Designation Plans, dated 1 April 2026, by Boffa Miskell Limited.
- Auckland Prison Capacity Increase, Substantive Application, Volume 2 – Appendix 2F, Statutory Assessment, dated 1 April 2026, by Boffa Miskell Limited.
- Auckland Prison Capacity Increase, Volume 2 – Appendix 2I, Ecological Effects Assessment, dated 26/3/2026, by Boffa Miskell Limited.
- Auckland Prison Capacity Increase, Volume 2 – Appendix 2O, Ecological Management Plan, dated 26/3/2026, by Boffa Miskell Limited.
- Auckland Prison Capacity Increase, Volume 2 – Appendix 2P, Landscape and Ecology Implementation and Management Plan, dated 26/3/2026, by Boffa Miskell Limited.
- Auckland Prison Capacity Increase, Substantive Application, Volume 3 – Resource Consent Applications and Request for Outline Plan Waiver for Watercourse Works, dated 1 April 2026, by Boffa Miskell Limited. (AEE)
- Auckland Prison Capacity Increase, Substantive Application, Volume 3 – Appendix 3A, Proposed Plans, dated 1 April 2026, by Boffa Miskell Limited.
- Auckland Prison Capacity Increase, Substantive Application, Volume 3 – Appendix 3B, Ecological Assessment, dated 26 March 2026, by Boffa Miskell Limited.
- Auckland Prison Capacity Increase, Volume 3 – Appendix 3G, Engineering Design Report, Part 1, Extension of Pipes at Watercourses, Revision 2, dated 2026-03-26, by Aurecon New Zealand Limited.
- Auckland Prison Capacity Increase, Substantive Application, Volume 3 – Appendix 3I, Statutory Assessment, dated 1 April 2026, by Boffa Miskell Limited.
- Auckland Prison Capacity Increase, Substantive Application, Volume 3 – Appendix 3J, Compliance Table, dated 1 April 2026, by Boffa Miskell Limited.
- Auckland Prison Capacity Increase, Substantive Application, Volume 3 – Appendix 3K, Ecological Management Plan, dated 26 March 2026, by Boffa Miskell Limited.
- Auckland Prison Capacity Increase, Substantive Application, Volume 3 – Appendix 3L, Landscape and Ecology Implementation and Management Plan dated 26 March 2026, by Boffa Miskell Limited.
- Auckland Prison Capacity Increase, Substantive Application, Volume 6 – Appendix 6A, Proposed Designation Conditions, un-dated, by Boffa Miskell Limited.
- Auckland Prison Capacity Increase, Volume 6 – Appendix 6B, Proposed Resource Consent Conditions, un-dated, by Boffa Miskell Limited.

5.0 Additional Reasons for Consent Not included in AEE / Incorrect Reasons for Consent

Separate to the assessment regarding the aspect of the application seeking resource consent for the watercourse works, the applicant has correctly identified the National Policy Statement for Freshwater Management 2020 (Amended 2025) for the reclamation of watercourses 1 and 2 to extend existing pipes to beyond the edge of Area A and has provided an assessment against Objectives and Policies in this statutory document.

Additionally, the applicant has correctly identified reasons for consent for the Substantive Application as follows:

Auckland Unitary Plan

- **Rule E3.4.1(A44)** – Any activities not complying with the general permitted activity standards in E3.6.1.1 or the specific activity standards in E3.6.1.14 to E3.6.1.23 is a **Discretionary** activity.
 - *The proposal does not comply with standard E3.6.1.14(2)(a) as the proposed piping exceeds 30m in length at both Watercourse 1 (124m) and Watercourse 2 (114m).*
 - *The proposal does not comply with standard E3.6.1.14(2)(b) as the riprap outlet at Watercourse 1 is proposed to be 8m in length, which exceeds the permitted 5m erosion and scour management length that is permitted.*
 - *The proposal does not comply with standard E3.6.1.14(3) as fish passage will be impeded in Watercourses 1 and 2.*
- **Rule E3.4.1(A49)** – New reclamation or drainage, including filling over a piped stream is a **Non-Complying** activity.
 - *The proposal involves laying 124m of new pipe at Watercourse 1 and 114m of new pipe at Watercourse 2. Both piped streams are proposed to be filled over.*
- **Rule E7.4.1(A13)** – Diverting surface water not meeting the permitted activity standards or not otherwise listed is a **Discretionary** activity
 - *The temporary diversion of surface water is proposed at both Watercourses 1 and 2 during construction works through the construction of a flow diversion channel. The flow diversion channel will be filled in / removed following completion of earthworks. Temporary diversion during construction is not a listed activity.*

National Environmental Standards for Freshwater

- Regulation 57 Reclamation of the bed of any river is a **Discretionary** activity.
 - *The proposal involves the reclamation of 124m of Watercourse 1 and 114m of Watercourse 2.*
- Regulation 71 – The placement, use, alteration, extension or reconstruction of a culvert in, on, over, or under the bed of any river or connected area is a **Discretionary** activity if it does not comply with any of the conditions in regulation 70(2) as follows:
 - *The proposed pipes will not comply with Regulation 70(2)(a) as it is proposed to permanently impede fish passage at both Watercourses 1 and 2.*
 - *The proposed pipes will not comply with Regulation 70(4)(c) as the mean cross-sectional velocity of both Watercourse 1 and Watercourse 2 (measured downstream of proposed pipes) is significantly less than the estimated velocities of the proposed pipes.*
 - *The proposed pipes will not comply with Regulation 70(4)(d) as the culvert's width where it intersects with the bed of the river or connected area(s) and the width of the bed at that*

location (w), both measured in meters does not compare as set out in the permitted activity standard.

- The proposed pipes will not comply with Regulation 70(4)(e) as the proposed pipe networks are not open bottom or embedded.
- The proposed pipes will not comply with Regulation 70(4)(f) as the proposed pipe networks are not open bottom or embedded.

Permitted Activities

- AUP(OP) Rule E3.4.1 (A23) - Replacement, upgrading or extension of existing structures complying with the standards in E3.6.1.12 is a Permitted activity.
 - The proposal includes compensation works at Watercourse 6 which includes the replacement of an existing culvert to provide for fish passage.
- AUP(OP) Rule E3.4.1(A39) - Stormwater or wastewater outfall complying with the standards in E3.6.1.14 is a Permitted activity.
- NES-F Regulation 38(1) and (2) for Vegetation clearance and earthworks within, or within a 10 m setback from, a natural inland wetland is a permitted activity if it—
 - (a) is for the purpose of natural inland wetland restoration, wetland maintenance, or biosecurity; and
 - (b) complies with the conditions.

6.0 Specialist Assessment

6.1 - Site Description & Existing Environment

Sections 5 of Volume 2 (Appendix 2I) and 3 (Appendix 3B) contain a description of the site and its surrounding area. I am in general agreement with this description. Specifically in respect to the designation component of the application, I am in agreement with the applicants assessment and classification of freshwater ecological features, their extent and their ecological value.

Watercourse 1 and Watercourse 2 (located within the Auckland Prison primarily designation Area A), earmarked for reclamation, flow from a piped network within the prison grounds. The only habitat upstream of Watercourse 1 is a stormwater pond which is connected to the open channel downstream by a 900mm diameter culvert which is approximately 500m long

Furthermore, 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. Both watercourses flow out into the Pāremoremo Creek, a Significant Ecological Area – Marine (SEA-M2-57b).

Watercourse 6 (located within the Auckland Prison designation Area C) is earmarked for offset and compensation works. The riparian margin of this stream includes mature poorly maintained pine trees that are nearing the end of their life. A large culvert at the downstream extent of the proposed offset reach of Watercourse 6 is severely damaged and creates a significant fish passage barrier for movement upstream into the proposed restoration reach of Watercourse 6. A second impassable culvert (eastern

end of Watercourse 6) is situated at Merewhira Road. This culvert also prevents fish passage and is a significant restriction for fish access to the full extent of the catchment upstream. Remedying the fish passage impediments posed by these culverts will enable several native fish species including the At-Risk longfin eel and the migratory freshwater shrimp (*Paratya curvirostris*) that currently have no real access to the upper catchment.

6.2 - Assessment of Effects on the Environment – Freshwater Ecology

Designation

I am in agreement that the parameters of the designation which focus development on Area A and to a lesser degree B, are appropriate and have considered alternatives. The proposed designation alteration will have the least impact on freshwater features since wetlands are avoided. The proposal will enable the focus of Area C on ecological enhancement where it makes sense to do so since this area supports continuity of ecological corridors and adds to cumulative ecological value by creating buffers to stream networks in addition to enhancing instream values.

In my opinion, conditions proposed in Volume 6, Appendix 6A ensure that adverse effects on freshwater ecological habitats will be managed/avoided. I note that management plans do not refer to culvert works to be undertaken as part of stream enhancement as proposed in the Resource Consent component of this application, however, since this is included in the conditions for the Resource Consent, I am satisfied that the effects to freshwater ecological features is adequately managed.

Resource Consent Application

Specifically assessed as part of the substantive application are proposed management for effects on freshwater fauna, temporary effects resulting from streamworks, as well as loss of extent and value of stream habitat. I defer to Council's earthworks specialist, Matt Byrne for his assessment of sediment controls. I include effects of temporary stream diversion as it relates to the passage of fish in waterbodies containing fish with reference to objectives and policies contain in Chapter B7 of the Aup(OP).

In brief, the proposed Ecological Management Plans (EcMP) includes a Native Fish Capture and Relocation Plan which I have reviewed and consider sufficiently comprehensive to ensure that no effect on freshwater fauna will occur during temporary stream diversion, reclamation of the streams or streamworks associated with culvert remediation.

Aquatic offset and compensation for the loss of stream extent and value are detailed in the Landscape Mitigation and Ecological Enhancement Plan (LMEEP). I have reviewed the SEV/ECR calculations which set out the offset/compensation targets and am in agreement with the proposed outcomes. I am also in support of the plans, planting schedules, proposed timing and weed and pest management measures detailed in the LMEEP.

Regarding instream works required to remedy fish passage barriers formed by the two culverts in Watercourse 6, I note that the applicant proposes to upgrade the culvert at the eastern end of Watercourse 6 by stacking rocks at the outlet of this culvert to form a shallow sloping structure. The applicant further proposes that spat ropes may be used to facilitate fish movement through this culvert. I

am not in support of this proposal and recommend that final culvert designs be provided to Council for certification prior to offset/compensation works. The culvert remediation must be in accordance with the New Zealand Fish Passage Guidelines (NIWA 2024) and I note specifically that spat ropes are discussed in this guideline as a temporary remedy and not a permanent remediation for fish passage barriers. Spat ropes are prone to fouling and degrade over time and therefore need regular replacement and intensive monitoring to ensure continued effective fish passage. Furthermore, while they may help some species navigate fish barriers, they are not useful to all species. Also, stacks of rocks at the outlet of the culvert are likely to be problematic as fish are not able to swim through piles of rocks. Drawings for a formal, void-filled structure, designed at the appropriate slope as prescribed in the New Zealand Fish Passage Guidelines must be certified by Council to ensure that this offset/compensation target is able to be achieved. In this regard, I recommend an amendment to Condition LUC16 below.

6.6 – Conclusion

I am in support of the proposed designation alteration since it largely avoids effects on freshwater habitats and, where effects on Streams 1 and 2 are shown to be unavoidable, management plans are provided which adequately manage this effect.

With regard to the proposed streamworks I am in general agreement with the management of potential effects on freshwater ecology and I consider that the proposed implementation of best practice management during the construction phase as well as the aquatic offset and compensation will ensure a good outcome in terms of aquatic ecology. I note that the design of the proposed remediation of the eastern culvert in Watercourse 6 requires review to ensure that fish passage in accordance with the New Zealand Fish Passage guidelines will be achieved and that the current proposal to stack rock at the culvert outlet and to use spat ropes are not supported. I recommend an amendment to Conditions regarding works associated with culverts in Watercourse 6 to be included in the LEIMP and for final culvert designs to be certified by Council prior to offset/compensation works.

7.0 Section 67 Information Gap

Regarding the proposed streamworks, I have identified that there are no section 67 information gaps.

8.0 Recommendation

Based on the information available regarding the proposal's stream reclamation, mitigation, offset and compensation, including effective implementation of the **Ecological Management Plans (EcMP)**, the **Landscape Mitigation and Ecological Enhancement Plan (LMEEP)** and the **Landscape and Ecological Implementation Management Plan (LEIMP)**, I support the application. However, I recommend an amendment to condition LUC16 to require culvert designs to be certified by Council to ensure that fish passage is achieved in accordance with the assessment of effects that underpins this proposal.

9.0 Proposed Conditions

I consider the applicant's streamworks related to the proposed designation conditions to be appropriate. I recommended an amendment to the proposed resource consent condition LUC16 as follows (I show proposed deletion with a strikethrough and amendments are underlined):

LUC16 - Watercourse 6 Culverts

Prior to completion of reclamation of the 124m length of Watercourse 1, the western culvert at watercourse 6 (abutting the land at 43 Merewhira Road and shown on the LMEEP and listed in the LEIMP) shall be upgraded and designed in accordance with Auckland Council Technical Publication 108: Guideline for stormwater runoff modelling in the Auckland Region, April 1999 and to ensure the following matters are addressed:

- a) the total length of the replacement culvert structure will not exceed 10m measured parallel to the direction of water flow
- b) conveyance of stormwater during the 100 year ARI event without significantly increasing flood levels up stream or downstream of the structure
- c) the structure must not prevent the passage of fish upstream and downstream, except that temporary restrictions to fish passage may occur in to enable construction work to be carried out;
- d) the structure must not cause more than minor bed erosion, scouring or undercutting immediately upstream or downstream.

In addition, the outlet of the eastern culvert abutting Merewhira Road (shown on the LMEEP) shall be improved ~~with rocks stacked at the outlet to form a shallow sloping structure and/or spat ropes to~~ provide fish passage. Plans detailing the design of both culverts in Watercourse 6, together with associated remediation structures must be provided to Council for certification prior to commencement of streamworks.

Advice Note:

Culvert improvements should be aligned with New Zealand Fish Passage Guidelines (NIWA 2024).

Terrestrial Ecologist – Luke Stanley (**Annexure 11**)

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name:

Auckland Prison Capacity Increase

Fast-Track application number:

FTAA-2603-1179 (FTAA Number)

- BUN60464166 – Bundled reference number relating for administrative purposes relating to proposed consents, OPW waiver and NoR amendment.
- LUC60464167 – Land Use Consent Reference.
- LUS60464168 - Stream Works and Reclamation Reference.
- DIS60464169 - Stormwater diversion and discharge Reference.
- WAT60464230 – Water Permit Reference.

2.0 Technical Specialist Memo – Terrestrial Ecology

To:

Jo Hart – Lead Policy Planner & Joe Wilson - PPL

From:

C. Luke Stanley

Qualifications
& Relevant
Experience:

I hold the qualification(s) of: Master of Science (First Class Honours) and have two years of experience in ecological assessment, with a previous five years involved in environmental and ecological monitoring.
I am a full member of Environment Institute of Australia and New Zealand. I have prepared expert evidence and technical assessments for resource consent applications, notices of requirement for designation and fast-track applications .

Preparation in
Accordance
with the Code
of Conduct:

I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses ([Code](#)), and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Signature:



Date:

15/07/2026

4.0 Documents Reviewed

The following documents have been reviewed in preparing this memorandum with respect to matters relevant to my area of interest and expertise:

- Auckland Prison Capacity Increase, Substantive Application, Volume 1 – Overview, dated 01/04/2026, prepared by Boffa Miskell Limited. [Vol 1]
- Auckland Prison Capacity Increase Substantive Application Volume 2 – Designation Alteration prepared by Boffa Miskell, dated 01/04/2026.
- Auckland Prison Capacity Increase Substantive Application Volume 2 – Appendix 2B Designation Plans, prepared by Boffa Miskell, dated 01/04/2026.
- Auckland Prison Capacity Increase Substantive Application Volume 2 – Appendix 2F Statutory Assessment, prepared by Boffa Miskell, dated 01/04/2026.
- Auckland Prison Capacity Increase Substantive Application Volume 2 – Appendix 2I Ecological Effects Assessment prepared by Boffa Miskell, dated 26/03/2026. [EcIA for NoR to amend Designation]
- Auckland Prison Capacity Increase Substantive Application Volume 2 – Appendix 2O Ecological Management Plan prepared by Boffa Miskell, dated 26/03/2026. [EcMP for NoR to amend Designation]
- Auckland Prison Capacity Increase Substantive Application Volume 2 – Appendix 2P Landscape and Ecology Implementation and Management Plan prepared by Boffa Miskell, dated 26/03/2026. [LEIMP for NoR to amend Designation]
- Auckland Prison Capacity Increase Substantive Application Volume 3 – Resource Consent Application and OPW Waiver prepared by Boffa Miskell, dated 01/04/2026.
- Auckland Prison Capacity Increase Substantive Application Volume 3 – Appendix 3A Proposal Plans, prepared by Boffa Miskell, dated 01/04/2026.
- Auckland Prison Capacity Increase Substantive Application Volume 3 – Appendix 3I Statutory Assessment, prepared by Boffa Miskell, dated 01/04/2026.
- Auckland Prison Capacity Increase Substantive Application Volume 3 – Appendix 3B Ecological Effects Assessment prepared by Boffa Miskell, dated 26/03/2026. [EcIA for Resource Consent and OPW Waiver]
- Auckland Prison Capacity Increase Substantive Application Volume 3 – Appendix 3K Ecological Management Plan prepared by Boffa Miskell, dated 26/03/2026. [EcMP for Resource Consent and OPW Waiver]

- Auckland Prison Capacity Increase Substantive Application Volume 3 – Appendix 3L Landscape and Ecology Implementation and Management Plan prepared by Boffa Miskell, dated 26/03/2026. [LEIMP for Resource Consent and OPW Waiver]
- Auckland Prison Capacity Increase Substantive Application Volume 4 – Appendix 4B Lizard Management Plan, prepared for the Department of Corrections, prepared by Boffa Miskell, dated 26/03/2026. [LMP]
- Auckland Prison Capacity Increase Substantive Application Volume 4 – Appendix 4C Pest Animal Management Plan, prepared for the Department of Corrections, prepared by Boffa Miskell, dated 26/03/2026. [PAMP]
- Auckland Prison Capacity Increase, Substantive Application, Volume 6 – Appendix 6A, Proposed Designation Conditions, prepared by Boffa Miskell, undated.
- Auckland Prison Capacity Increase, Volume 6 – Appendix 6B, Proposed Resource Consent Conditions, prepared by Boffa Miskell, undated.

5.0 Additional Reasons for Consent Not included in AEE / Incorrect Reasons for Consent

No additional reasons identified.

6.0 Specialist Assessment

6.1. Site Description, Existing Environment and Proposal Description.

Section 5 of Vol 1 contains a description of the site and its surrounding area. I am in general agreement with this description. The ecological effects are described in the EcIA's. I am in general agreement with this description. Pertinent aspects relevant to terrestrial ecology include fauna management relating to vegetation removal, and conservation planting in Area C to manage effects of stream reclamation and vegetation removal.

The extent of Area A was defined to avoid the location of wetlands and watercourses as far as practicable, and to incorporate areas already highly modified with a low number of trees. The parameter for Area A ensures 10m setbacks from wetlands to meet NES-F regulations. Clearly defining Area A allows for areas for targeted mitigation, including ecological planting in Area C. The extent of Area B was defined based on an existing modified area to protect existing Watercourse 1 and the riparian vegetation as far as practicable. Road access points have been proposed near the primary development areas (A and B) to contain vehicle activity within the more developed portions of the Site, thereby avoiding unnecessary potential intrusion into the rest of the Site and potential disturbance of ecological features.

6.2. Proposed Mitigation and Effects Management

Mitigation and management of terrestrial ecological effects are covered in both the proposed designation conditions (DES43A, DES43B, DES44, DES45) and land use consent conditions (LUC12, LUC13, LUC14, LUC15). These conditions refer to several management plans: Fauna management is covered in the EcMP

for birds and bats and in the LMP for lizards. Pest management is covered in the PAMP. Terrestrial vegetation loss is compensated and offset under the LEIMP and LMEEP.

Fauna management is adequately and robustly assessed and managed under the fauna management plans and pest management plan. Native fish management is also covered in the EcMP plan, but I defer to Antoinette Bootsma of Earth Streams and Trees for that assessment. The only issue around fauna management identified is within the LMP, where reporting is provided for to the Department of Conservation (Section 10.1), but not to Council. Results are recommended to also be sent to Auckland Council to assist with lizard information, and to assist with compliance monitoring of conditions, such as the maintenance requirements proposed in the PAMP.

Compensation and Offset planting management is covered in the LEIMP and LMEEP. This includes existing vegetation to be retained and enriched (4.71ha), watercourse compensation planting (1.6ha), watercourse offset planting (1.05ha) and wetland compensation planting (0.28ha). The offset and compensation planting is to manage the loss of watercourses on site proposed to enable the development. I understand that the amount of offsetting and compensation is determined through an offset/compensation calculation, for which I defer to the appropriate specialist- Antoinette Bootsma. With that said, the proposed planting schedule in the LEIMP is considered appropriate for the planting areas, with appropriate species, management, maintenance and monitoring proposed. Reporting back to council once planting is completed is recommended in keeping with standard practice for land use consents to allow for appropriate compliance monitoring.

7.0 Section 67 Information Gap

I have identified that there are no section 67 information gaps relating to terrestrial ecology.

8.0 Recommendation

The proposal is supported on ecological grounds with appropriate and robust management of effects on fauna, pest management and suitable planting and maintenance in planting areas provided for, in keeping with the objectives, policies and assessment criteria of E15 of the Auckland Unitary Plan. Reporting back to Auckland Council is recommended for results of lizard management and planting completion.

9.0 Proposed Conditions

I agree with the proposed conditions DES43A, DES43B, DES44, DES45, LUC12, LUC13, LUC14, LUC15. However, reporting to council on the outcomes of lizard salvage and planting completion is recommended as below in red.

Land Use Condition		Commentary
LUC13	Lizard management: (1) All works shall be undertaken in accordance with the Lizard Management Plan (LMP), prepared by Boffa Miskell, dated 26 March 2026 (or any subsequent LMP prepared by a suitably qualified and experienced ecologist, and certified by Department of Conservation under the Wildlife Approval Condition WAA02). This includes: (a) Lizard capture, handling and relocation must be undertaken between the 1st October and 30 April when lizards are most active. (b) Lizard survey to ascertain the absence/presence of lizard species through a thorough lizard survey of suitable lizard habitat prior to commencement of earthworks or lizard habitat removal. (c) If lizards are detected, prior to disturbance to lizard habitat, the lizards shall be salvaged and released into the lizard release site. (d) Lizard capture and handling must involve only techniques that minimise the risk of infection or injury to the animal; and (e) relocating indigenous lizard species to a suitable release site, provided the release site has been subject to predator control measures for at least 6 months prior to the first transfer and will receive ongoing predator control for three years after the last transfer. (2) A suitably qualified and experienced ecologist/herpetologist shall oversee the implementation of the Lizard Management Plan (LMP) and must certify that the lizard related works have been carried out according to the certified LMP. (3) The LMP may be amended at any time by a suitably qualified and experienced ecologist/herpetologist in accordance with Condition WAA02 of the Wildlife Approval. (4) Within five working days of completion of vegetation clearance, all findings resulting from the search and rescue during vegetation removal must be recorded by the supervising ecologist/herpetologist on an Amphibian/Reptile Distribution Scheme (ARDS) Card (or similar form that provides the same information) and sent to Council. <i>Advice Note:</i> • Department of Conservation, as the administering agency for the Wildlife Authority, has the authority to certify any updated LMP. •	Inclusion of reporting requirement to Council to allow for appropriate compliance monitoring.

	<i>Please note that it is recommended that the lizard salvage and relocation is undertaken in conjunction with the vegetation clearance operations (and contractor) for an integrated approach (on the same day), to enable the physical search for gecko's following felling of trees and shrubs, and to rescue any skinks from ground cover vegetation and terrestrial retreats.</i>	
LUC15	All ecological offset and ecological compensation planting must be completed prior to the loss of vegetation surrounding Watercourse 1 and 2. The replacement plants must be eco-sourced. Following establishment of the required planting, the consent holder must submit a completion report to Council, for certification within 30 working days of the planting works being completed. This report must confirm that all plantings have been completed in accordance with the approved planting plans including evidence of eco-sourcing.	Inclusion of reporting requirement to Council to allow for appropriate compliance monitoring.

Alternatively, the Lizard Management Plan and Landscape and Ecology Implementation Management Plan can be updated to require the reporting to be submitted to council as per the above recommended conditions.

Archaeologist – Mica Plowman (**Annexure 12**)

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name:

Auckland Prison Capacity Increase

Fast-Track application number:

FTAA-2603-1179 (FTAA Number)

- BUN60464166 – Bundled reference number relating for administrative purposes relating to proposed consents, OPW waiver and NoR amendment.
- LUC60464167 – Land Use Consent Reference.
- LUS60464168 - Stream Works and Reclamation Reference.
- DIS60464169 - Stormwater diversion and discharge Reference.
- WAT60464230 – Water Permit Reference.

2.0 Technical Specialist Memo - Technical Specialist Memo - Archaeology/Historic Heritage

To:

Jo Hart – Lead Policy Planner & Joe Wilson - PPL

From:

Mica Plowman - Principal Heritage Advisor

Qualifications
& Relevant
Experience:

I hold the qualification(s) of: Bachelor of Arts (BA) and Master of Arts (MA) in Anthropology (archaeology) and have 30 years of experience in historic heritage and archaeological resource management under the RMA (Part 2, Section 6 e and f matters) and the HNZPT Act (2014).

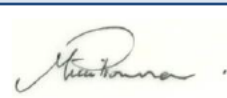
I am a full member of the New Zealand Archaeological Association. I have prepared expert evidence and technical assessments for resource consent applications, plan changes, notices of requirement for designation and fast-track applications, and have appeared as an expert witness before consent authorities and the Environment Court on multiple occasions.

Preparation in
Accordance
with the Code
of Conduct:

I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferences, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and

are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Signature:



Date:

18/6/2026

3.0 Documents Reviewed

The following documents have been reviewed in preparing this memorandum:

- Auckland Prison Capacity Increase Substantive Application; Volume 1 – Overview. Prepared for the Department of Corrections by Boffa Miskell (April 2026).
 - Appendix 1C: Site Plans (Figure 7-
- Auckland Prison Capacity Increase Substantive Application; Volume 2 – Designation Alteration. Prepared for the Department of Corrections by Boffa Miskell (April 2026).
 - Appendix 2A: Site Plans (Figure 7-
 - Appendix 2B: Designation Plans (Figure C)
- Auckland Prison Capacity Increase Substantive Application; Volume 3- Resource Consent Applications and Request for Outline Plan Waiver for Watercourse Works. Prepared for the Department of Corrections by Boffa Miskell (April 2026).
 - Appendix 3A: Proposal Plans (Figure 5-
 - Appendix 3L: Landscape and Ecology Implementation and Management Plan.
 - Appendix 2: Landscape Mitigation and Ecology Enhancement Plan (LMEEP Figure 3: Revision D)
- Auckland Prison Capacity Increase Substantive Application; Volume 5
 - Appendix 5b Archaeological Assessment for Authority. Prepared for Department of Corrections - Ara Poutama Aotearoa by Clough and Associates 26 March 2026.
 - Appendix 5C, Archaeological Management Plan for Auckland Prison Capacity Increase, Site Wide Authority Application. Prepared for Department of Corrections - Ara Poutama Aotearoa by Clough and Associates 26 March 2026.
- Auckland Prison Capacity Increase Substantive Application; Volume 6- Proposed Conditions Summary Report. Prepared for the Department of Corrections by Boffa Miskell (April 2026).
 - Appendix 6A: Proposed Designation Conditions

- Appendix 6B: Proposed Resource Consent Conditions
- Appendix 6D: Proposed Archaeology Authority Conditions
- Appendix 6E: Expert Statements

4.0 Additional Reasons for Consent Not included in AEE / Incorrect Reasons for Consent

The proposed works inclusive of the proposed planting and condition DES21, as described in the FTAA application and supporting documents, do not affect scheduled archaeological sites in Schedule 14.1 (Schedule of Historic Heritage) in the Auckland Unitary Plan operative in part (June 2026) [AUP OIP]. No consents are required under Chapter D17 Historic Heritage [AUP OIP].

5.0 Specialist Assessment

The Archaeological Assessment prepared by Clough and Associates Limited (Ellen Cameron and Jennifer Low; Auckland Prison Capacity Increase Substantive Application; Volume 5, Appendix 5b Archaeological Assessment for Authority), confirms there is one recorded archaeological site within the application area (Site) and an additional 11 sites in the vicinity outside of its boundary (within c.700m). This archaeological site is recorded as a prehistoric Māori occupation terrace and associated midden deposit (R10/831) that is cut into the bank along the western coastal boundary of the Site.

Overall, site R10/831 is considered to have limited to moderate archaeological value based on the criteria discussed, with the moderate value arising from knowledge potential, as it is likely to contain material suitable for radiocarbon dating and environmental analysis which can provide information on local resource procurement and dates of occupation.

The proposed works will not affect the recorded archaeological site R10/831 (shell midden) which is located along the banks of Paremoremo Creek in Area C. The archaeological feature is located within an area of “Existing Indigenous vegetation and native planting to be retained and augmented where required” in the proposed Landscape Mitigation Ecology Enhancement Plan (Auckland Prison Capacity Increase Substantive Application; Vol 2, Appendix 2B Designation Plans, LEEMP, Figure C). Therefore, future planting in this area is not expected to be extensive. Nonetheless, for management and protection, the location of site R10/831 is identified on the LMEEP with a 10-metre setback from the feature to ensure future activities do not disturb or modify the site. This is provided for by condition DES21 which identifies that no land disturbance (other than planting by hand) shall occur within 10 metres of archaeological feature R10/831 identified on Figure C: Landscape Mitigation and Ecology Enhancement Plan and therefore has the understood effect of excluding any other structures or works as provided for in Area C in the designation.

No additional archaeological sites were identified during the surveys for the current application, or previous assessments (in 2013, 2014 and 2025). However, it is considered that the area bordering Paremoremo Creek and also along streams have the potential to contain additional sites associated with Māori occupation and settlement in the form of shell midden. This is based on the type and location of sites recorded in the wider area/vicinity. The remainder of the Site is considered to have low potential for containing archaeological sites based on the topography and evidence of past modifications from prison construction and agriculture.

Based on the research presented in the archaeological assessment, pre-1900 European activities appear to be mainly associated with timber felling and possibly gum digging. There is no evidence of a historic homestead (pre-1900) and the potential for encountering archaeological sites associated with early European settlement is also considered to be low.

No previously recorded or known historic heritage sites are affected by the application.

Proposed Mitigation

As the potential for archaeological remains cannot be completely excluded an Authority to cover works associated with future uses is being sought by the Department of Corrections under the FTAA for risk management purposes as a precaution, although no known sites will be affected and it is unlikely that any undetected sites are present. An archaeological Authority granted under the FTAA has the same force and effect as an Authority granted under the Heritage New Zealand Pouhere Taonga Act 2014 and for purposes of the HNZPTA, must be treated as if it were an authority under that Act (Schedule 7 Section 12A (a) and (b)).

Volume 5 Appendix 5B and Appendix 6D of the application documentation provides nominated conditions of Authority to be reviewed by HNZPT and an Archaeological Management Plan for the Authority being sought; outlining management and mitigation strategies to direct archaeological monitoring, discovery and recording (Auckland Prison Capacity Increase Substantive Application; Volume 5, Appendix 5b Archaeological Assessment for Authority; Appendix 6D Proposed Archaeological).

I agree with and support the Clough and Associates assessment of the risk to previously recorded and potential unidentified archaeological/historic heritage features within the project area. I also agree with the proposed mitigation and support the proposed conditions provided in Appendix 6A: Proposed NoR Designation Conditions DES21 and DES22.

6.0 Section 67 Information Gap

I have identified that there are no section 67 information gaps.

7.0 Recommendation

I have assessed the effects of the proposed Auckland Prison Capacity Increase application on historic heritage resource, the magnitude of these effects, and whether adverse effects are avoided, minimised or mitigated.

There is no National Policy Statement on Historic Heritage to assess this application against.

In reviewing the application documentation, the proposed NoR conditions DES21 and DES22 to protect site R10/831 nominated by the applicant in conjunction with the HNZPT authority conditions and Archaeological Management Plan are sufficient to mitigate the potential risk of archaeological/historic heritage discovery and give effect to s6 (f) of the RMA.

8.0 Proposed Conditions

No amendments or additions to the proposed NoR conditions are necessary.

9.0 Supporting Documents

Regional Earthworks – Matthew Bryce
(Annexure 13)

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name: Auckland Prison Capacity Increase

Application numbers:
EPA: FTAA-2603-1179
Council: BUN60464166, LUC60464167

2.0 Technical Specialist Memo - Earthworks & Erosion and Sediment Control

To: Jo Hart – Lead Policy Planner & Joe Wilson – Principal Project Lead

From: Matthew Byrne – Erosion & Sediment Control Consultant to Earth, Streams and Trees Team

Qualifications & Relevant Experience:

I hold the qualifications of: Bachelor of Environmental Studies and have over 21 years of experience in the field of earthworks and streamworks assessment, and earthworks and streamworks environmental compliance monitoring.

I am a member of the International Erosion and Sediment Control Association (Australasia). I have prepared expert evidence and technical assessments for resource consent applications, plan changes, notices of requirement for designation and fast-track applications, and have appeared as an expert witness before consent authorities and the Environment Court on multiple occasions.

Preparation in Accordance with the Code of Conduct:

I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Signature:



Date: 13 July 2026

3.0 Executive Summary / Principal Issues

The following memorandum assesses the applicant's proposal to undertake approximately 4,680m³ of earthworks over 4,500m² associated with the reclamation of two separate sections of stream channel and the creation of dry, level ground, to enable a capacity increase at the Auckland Prison at 530 Pāremoremo Road, Pāremoremo, Auckland (the Site).

Earthworks at the Site for which regional consent is sought at this point will occur in two separate areas, identified by the applicant as Watercourse 1 and Watercourse 2. The effects of the proposed stream reclamations themselves have been assessed by Council's Freshwater Ecological Expert, Ms. Antoinette Bootsma. The assessment below focuses on the proposal's potential earthworks and sediment related effects.

These earthworks will be completed from downstream to upstream utilising the following methodology:

- the establishment of erosion and sediment control (ESC) measures including the installation of in-stream coffer dams and the temporary diversion of existing watercourses around the respective areas subject to earthworks in order to complete the works "in-the-dry";
- the removal of unsuitable material from the general area where that section of reclamation is proposed, to either a stockpile or directly off-site to a suitable location;
- the construction of stormwater outfalls at each location followed by the installation of the necessary pipework through the area to be reclaimed;
- the placement of backfill material over the pipe to a level generally consistent with the adjacent existing ground levels followed by ground reinstatement such as hydroseeding or similar; and,
- repeating the steps above until the full length of stormwater pipe has been installed and the reclamation of each respective area has been achieved.

Using the methodology above, the reclamation of Watercourse 1 will be completed in four stages, whilst the reclamation of Watercourse 2 will be completed in three stages.

To manage the potential effects of these earthworks, the applicant has provided a draft Erosion and Sediment Control Plan (ESCP) that proposes ESC measures in accordance with Auckland Council guideline document number 5, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016 (GD05) and industry best practice. The assessment concludes that provided the earthworks are undertaken in accordance with the application documents, including provision of a final ESCP ahead of earthworks commencing, and earthworks related conditions of consent, the potential effects associated with all land disturbance will be less than minor.

Overall, I support the applicant's proposal subject to the acceptance of three additional conditions that relate to how construction water from excavations is managed, and to allow for review of the permit over its proposed 15-year duration.

4.0 Documents Reviewed

The following documents have been reviewed in preparing this memorandum:

- Auckland Prison Capacity Increase, Substantive Application, Volume 1 – Overview, dated 1 April 2026, by Boffa Miskell Limited. (AEE)
- Auckland Prison Capacity Increase, Substantive Application, Volume 3 – Appendix 3I, Statutory Assessment, dated 1 April 2026, by Boffa Miskell Limited.
- Auckland Prison Capacity Increase, Volume 3 – Appendix 3B, Ecological Assessment, dated 26/3/2026, by Boffa Miskell Limited.
- Auckland Prison Capacity Increase, Substantive Application, Volume 3 – Appendix 3J, Compliance Table, dated 1 April 2026, by Boffa Miskell Limited.
- Auckland Prison Capacity Increase, Volume 3 – Appendix 3G, Engineering Design Report, Part 1, Extension of Pipes at Watercourses, Revision 2, dated 2026-03-26, by Aurecon New Zealand Limited.
- Auckland Prison Capacity Increase, Volume 3 – Appendix 3G, Engineering Design Report, Part 7, Erosion and Sediment Control Plan & Sequencing, un-dated, by Aurecon New Zealand Limited.
- Auckland Prison Capacity Increase, Volume 3 – Appendix 3H, Earthworks and Contamination Management Plan, Revision D, dated 2026-03-26, by Aurecon New Zealand Limited.
- Auckland Prison Capacity Increase, Substantive Application, Volume 6 – Proposed Conditions Summary Report, dated 1 April 2026, by Boffa Miskell Limited.
- Auckland Prison Capacity Increase, Volume 6 – Appendix 6B, Proposed Resource Consent Conditions, un-dated, by Boffa Miskell Limited.

5.0 Additional Reasons for Consent Not included in AEE / Incorrect Reasons for Consent

The applicant has correctly identified the reasons for consent relating to earthworks under chapter E11 of the Auckland Unitary Plan: Operative in Part (AUP:OP). Consent for a restricted discretionary activity is required under rule E11.4.1 (A9) for earthworks greater than 2,500m² within a sediment control protection area (within 50m of a watercourse).

6.0 Specialist Assessment

6.1 - Site Description & Existing Environment

Section 5 of the applicant's AEE contains a description of the site and its surrounding area. I have accepted and adopted these descriptions when completing my assessment below.

Potential sediment discharges associated with the proposed earthworks will be overland to the respective stream channels which are subject to reclamation. These stream channels are located along the Site's uneven northern boundary with Watercourse 1 being near the Site's northernmost point, whilst Watercourse 2 is located further south and west, but still along the northern boundary. Both watercourses flow in a northern direction before turning west towards the coastal marine area (CMA) of Pāremoremo Creek. Pāremoremo Creek flows north to

south and is adjacent to the Site's western and southwestern boundaries. It is identified as a significant marine ecological area, SEA-M2-57b, under the AUP:OP, and ultimately drains into the inner Waitemata Harbour and ultimately, the Hauraki Gulf.

6.2 - Assessment of Effects on the Environment - Earthworks

The potential environmental effects of the proposed earthworks are primarily associated with erosion of exposed surfaces at the site and the subsequent sedimentation of the receiving environment, being unnamed freshwater tributaries of Pāremoremo Creek and the CMA of Pāremoremo Creek itself, along the site's western and southwestern boundaries.

Sediment can degrade aquatic values such as water quality, smother habitat for aquatic fauna within these receiving environments, and directly impact aquatic fauna by blocking their breathing apparatus. The applicant has stated that the project will utilise erosion and sediment control (ESC) measures, designed in accordance with Auckland Council guideline document number 005, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016 (GD05), to help ensure the earthworks are appropriately managed.

Earthworks in brief:

- Approximately 4,680m³ of cut and fill over approximately 4,500m² are proposed.
- The application documents include an ESCP in general accordance with GD05. The ESCP provides details of the ESC measures proposed and a general construction methodology and earthworks sequencing plan to complete the proposed earthworks required to reclaim two portions of stream channel on the Site.

The ESCP provided is draft only and the applicant has proposed that the nominated contractor will provide a final ESCP ahead of earthworks commencing. This is not uncommon, particularly given the scale and complexity of the wider project. Provision of a final plan ahead of earthworks commencing allows for changes to the draft ESCP, depending on the nominated contractor's final earthworks methodology, and on the availability of equipment and/or resources. It also allows for revision of the ESCP based on minor changes to the earthworks themselves which in turn may require minor changes to the ESCP. Regardless, the draft ESCP included with the application proposes a range of ESC measures in accordance with GD05, and it is the applicant's intention that the final ESCP will be within scope of the draft ESCP. I support the applicant's proposal in this regard.

6.3 – Erosion and Sediment Control Measures

The main method of sediment control proposed during earthworks is the pumping of sediment laden water into a dewatering skip-bin, or to a turkeys nest for treatment prior to its discharge back into the receiving environment. The main method of erosion control is the temporary diversion of live stream flows around each stage of earthworks as new pipes are installed. Cofferdams will be installed upgradient of a given stage of earthworks and a stream diversion channel will be established alongside the earthworks area where live stream flows will be pumped or diverted via gravity, to the channel around that stage of works. This temporary stream diversion will be established for each stage of work as the stream is reclaimed from downgradient to upgradient.

Excavated spoil will be stockpiled outside of the works area and super silt fences will be installed below the stockpiles to manage runoff from this material. Stockpiled material will be left to dewater naturally prior to its removal off site as it is unlikely to be suitable for backfilling. Clean water diversions, upgradient of the uppermost stages of each respective area, have also been proposed.

Based on my knowledge, the applicant's proposed ESC methodology is sound, however, in my experience, a contractor is unlikely to consider that dewatering to a turkeys nest is an appropriate option in this case. Turkeys nests, whilst being a device that is recommended in GD05, are typically used in highly urbanized environments where the volume of water being managed is low. They are a "maintenance-heavy" device that does not deal well with highly turbid water as the filter cloth that functions as the main sediment control measure, gets quickly silted up and the rate at which sediment laden water flows are able to be treated (i.e., the flow rate through the cloth), slows to the point where dewatering activities must pause whilst dirty water is filtered. Given the type of earthworks proposed, being the mullocking out of unsuitable material from the stream bed and stream banks prior to the placement of new pipes; being able to quickly dewater the affected area will be a priority. It is more likely that any dewatering will be to a treatment device that is capable of treating high volumes of water more quickly than a turkeys nest. Turkeys nests also affect the ground upon which they sit as it gets highly saturated and becomes unstable, creating areas that are unsuitable for carrying out construction activities. The applicant's ESCP includes provision to dewater the affected areas to a skip-bin, and I consider this is the more likely option in this case. Dewatering to a skip bin, a portable open top rectangular tank, or a portable settlement tank that utilises baffles, angled plates, or screens to filter sediment laden water before it is discharged to the receiving environment, is a common practice for an earthworks operation of this nature.

Further to the above, GD05 recommends that a clarity of 100mm, measured from the surface of the water vertically, must be achieved before water is discharged from a portable treatment device and GD05 recognises that it is difficult to achieve this clarity without chemical treatment. Typically, a chemical such as poly aluminium chloride (PAC) or an organic chitosen based product, is applied to flows that are pumped from an excavation/sump to a treatment device to increase settlement rates and improve water clarity. It is also important to have regard to the application of chemical in relation to the pumping rate as this helps to ensure proper mixing and therefore better treatment and also prevents overdosing of chemicals.

Given the above, I recommend that preparation, provision, and implementation of a pumping and dewatering management plan (PDMP) and chemical treatment management plan (ChTMP), be included as conditions of consent. This will help ensure that any sediment laden water generated during the mullocking out of the streambed prior to pipe installation is able to be completed quickly and in accordance with best practice and GD05. Further details regarding these recommendations have been provided in Section 9 below.

Other than what has been discussed above, no further structural ESC measures have been proposed, however, it is common for an earthworks project to utilise stabilised construction entrances at the ingress and egress of the earthworks area, and I expect a stabilised construction entrance and stabilised haul roads to be created for this project. However, to ensure this is the case, I have included a recommendation below that such a device is included within the applicant's finalised ESCP. A stabilised construction entrance will help prevent the tracking of sediment onto the adjacent public road network as a result of construction traffic movements.

Lastly, the applicant has proposed that all ESC measures are to be constructed and monitored and maintained in accordance with GD05, and that the earthworks areas are to be progressively stabilised as the works are completed. These measures are considered best practice, and I support the applicant's proposal in this regard.

6.4 – Timing & Seasonal Restriction

The applicant has stated that construction works will take approximately three months to complete with the earthworks taking approximately 2 months to complete. Based on my experience, I consider these timeframes to be reasonable.

The applicant has also stated that the earthworks will be subject to a seasonal restriction, limiting them to the Auckland Council earthworks season, being 1 April – 30 May of any year. I support the applicant's proposal in this regard.

6.5 – Duration and Lapsing

The applicant has requested a 15-year duration for the earthworks permit as the timing of earthworks has not yet been confirmed. A lapsing period of 10-years has been sought.

I consider the applicant's proposed duration and lapsing date timeframes to be appropriate; however, given that a 15-year term is three times longer than the standard 5-year term for an Auckland Council earthworks permit, I have recommended an additional Review Condition to help ensure that the potential effects associated with the proposed earthworks are sufficiently addressed throughout the 15-year duration.

Erosion and sediment control are dynamic in nature and significant improvements have been made in this field over the past 15-years. A condition to this effect will allow the Council to review the permit should it become apparent that the ESC measures proposed in this application, no longer represent best practice. Further details regarding this recommendation have been provided in Section 9 below.

6.6 – Conclusion

With regard to the proposed earthworks, the applicant states that best practice ESC measures will be utilised to ensure the proper management of any potential sediment related effects, and that any resulting effects will be less than minor. An assessment of the technical aspects of the earthworks and sediment control methodology has been undertaken and provided the earthworks are completed in accordance with the application documents and all supporting information, including any additional recommendations noted above, I concur with the applicant's assessment and consider that the potential effects associated with sediment discharge will be appropriately managed.

7.0 Section 67 Information Gap

Regarding the proposed earthworks, I have identified that there are no section 67 information gaps.

8.0 Recommendation

Based on the information available regarding the proposal's earthworks, including erosion and sediment control and general construction water management, I support the application.

9.0 Proposed Conditions

I consider the applicant's earthworks related conditions to be appropriate; however, I have recommended three additional conditions to help ensure that any sediment laden water generated during earthworks is managed in accordance with best practice and GD05, and a third condition which allows for the earthworks permit to be reviewed if necessary, over its 15-year duration.

The two additional earthworks conditions relate to how sediment laden water accumulated within the Sites' earthworks excavations is managed. I have recommended a condition that requires the provision of a Pumping & Dewatering Management Plan (PDMP) ahead of earthworks commencing and that this plan be implemented throughout the duration of earthworks at the Site, and a second condition that requires provision of a Chemical Treatment Management Plan (ChTMP) that must also be provided ahead of earthworks commencing and adhered to throughout the duration of earthworks at the Site. I consider that adherence to these two conditions will help ensure that any sediment laden water generated during earthworks is managed in accordance with best practice and the guidance contained in GD05.

The third condition is a standard earthworks related Review Condition that allows for the earthworks permit to be reviewed should it be determined that the ESC measures proposed in the application documents no longer represent best practice.

The following three additional conditions are recommended:

X. Prior to the commencement of earthworks activity on the subject site, a Pumping & Dewatering Management Plan (PDMP) must be submitted to Council for written certification. The PDMP must include as a minimum:

- a. Dewatering management procedures for any dewatering of sediment laden water accumulated within excavations at the site;
- b. Details to confirm how a clarity of 100mm or greater (GD05 dewatering standards) will be achieved for any accumulated sediment laden runoff that is pumped and dewatered from the site's excavation, prior to its discharge off site; and
- c. Monitoring & maintenance requirements.

All dewatering activities undertaken throughout the duration of earthworks at the Site, must be undertaken in accordance with the certified Pumping & Dewatering Management Plan.

Advice Note: In the event that minor amendments to the PDMP are required, any such amendments must be limited to the scope of this consent. Any amendments which affect the performance of the PDMP may require an application to be made in accordance with section 127 of the RMA. Any minor amendments should be provided to the Council prior to implementation to confirm that they are within the scope of this consent.

XX. Prior to the commencement of earthworks activity at the site, a Chemical Treatment Management Plan (ChTMP) must be submitted for the written certification of the Council. The plan must include as a minimum:

- a) Specific design details of a chemical treatment system based on a pumped and/or batch dosing methodology for any secondary sediment treatment devices utilised throughout the duration of earthworks at the Site;

- b) Monitoring, maintenance (including post storm) and contingency programme (including a record sheet);
- c) Details of optimum dosage (including assumptions);
- d) Results of initial chemical treatment trial;
- e) A spill contingency plan; and
- f) Details of the person or bodies that will hold responsibility for long term operation and maintenance of the chemical treatment system and the organisational structure which will support this system.

All secondary treatment devices utilised throughout the duration of earthworks at the site, must be chemically treated in accordance with the certified Chemical Treatment Management Plan.

Advice Note: In the event that minor amendments to the ChTMP are required, any such amendments should be limited to the scope of this consent. Any amendments which affect the performance of the ChTMP may require an application to be made in accordance with section 127 of the RMA. Any minor amendments should be provided to the Council prior to implementation to confirm that they are within the scope of this consent.

XXX. The Council may, within one month following each anniversary of commencement of this consent, serve notice on the Consent Holder under section 128(1) of the Resource Management Act 1991, of its intention to review the conditions of resource consent LUC60464167 for the following purposes:

- (a) To deal with any significant adverse effects on the environment arising from the exercise of the consent which was not foreseen at the time the application was considered and which is appropriate to deal with at the time of the review.
- (b) To consider the adequacy of conditions which prevent nuisance and adverse effects beyond the boundary of the Site, particularly if regular or frequent complaints have been received and validated by an enforcement officer.
- (c) To consider developments in erosion and sediment control technology and management practices that would enable practical reductions in the discharge of sediment to the receiving environment.

Or, the consent may be reviewed by the Council at any time, if it is found that the information made available to the Council in the application contained inaccuracies which materially influenced the decision and the effects of the exercise of the consent are such that it is necessary to apply more appropriate conditions.

Groundwater – Richard Simond (**Annexure 14**)

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name:

Auckland Prison Capacity Increase

Fast-Track application number:

FTAA-2603-1179 (FTAA Number)

- BUN60464166 – Bundled reference number relating for administrative purposes relating to proposed consents, OPW waiver and NoR amendment.
- LUC60464167 – Land Use Consent Reference.
- LUS60464168 - Stream Works and Reclamation Reference.
- DIS60464169 - Stormwater diversion and discharge Reference.
- WAT60464230 – Water Permit Reference.

2.0 Technical Specialist Memo – Groundwater Diversion and Dewatering

To:

Jo Hart – Lead Policy Planner & Joe Wilson - PPL

From:

Richard Simonds, Principal Engineering Geologist – Geotechnical Engineering, Fraser Thomas Ltd

Qualifications
& Relevant
Experience:

I hold the qualification(s) of: Bachelor of Science in Geology, Master of Science in Engineering Geology, and have 40 years of experience in engineering geology and groundwater assessments. I worked as a Senior Specialist at Auckland Council in the NRSI Team from 2015 to 2019, reviewing applications for dewatering and groundwater diversion. Since 2019, whilst at Fraser Thomas Limited, the majority of my work has been supporting Auckland Council by reviewing applications for dewatering and groundwater diversion.

I am a Chartered Member (PENGEOL) of Engineering New Zealand. I have prepared expert evidence and technical assessments for resource consent and fast-track applications, and have appeared as an expert witness before consent authorities and the Environment Court on multiple occasions.

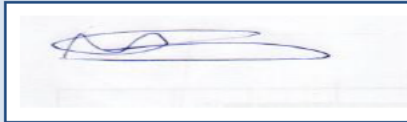
Preparation in
Accordance

I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses ([Code](#)), and have complied with it in the preparation of

with the Code of Conduct:

this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Signature:



Date:

24 July 2026

3.0 Executive Summary / Principal Issues

4.0 Documents Reviewed

The following documents have been reviewed in preparing this memorandum:

- A report titled “Auckland Prison Fast Track Corrections Assistance – Preliminary Geotechnical Assessment Report”, prepared by Aurecon, dated 9 October 2025, rev A ref 528563.
- A report titled “Auckland Prison Capacity Increase Substantive Application - Volume 1 – Overview”, prepared by Boffa Miskell & Peter Hall Planning, dated 1 April 2026.
- Engineering drawings titled “Auckland Prison Increase Watercourses Works – Civil Design - Final Issue for Submission”, prepared by Aurecon, drawings nos. DRG-CC-0100 to DRG-CC-0775 dated 21 January 2026, rev A.

5.0 Additional Reasons for Consent Not included in AEE / Incorrect Reasons for Consent

The applicant assessed the application against permitted activity standards E7.6.1.3 (1) – (4) which relate to Rule E7.4.1 (A14). Rule E7.4.1(A14) pertains to groundwater take **AND use**. As the applicant does not propose to utilise the abstracted groundwater for a specific use following abstraction, this rule (and E7.4.1(A15)) and the associated permitted activity standards are not relevant to this application.

However, the applicant does propose to take groundwater for dewatering purposes, and therefore, their assessment of the proposed works should have been against permitted activity standards E7.6.1.6 (1)-(3) and E7.6.1.10 (1)-(6).

6.0 Specialist Assessment

6.1 Assessment

I have undertaken an assessment of the proposed works against AUP Standards E7.6.1.6 (1 to 3) and E7.6.1.10 (1 to 6) to determine if a Water Permit is required for dewatering and groundwater diversion.

6.2 Observations

Aurecon states :*“The proposed works outline by Boffa Miskell is as follows;*

- *Watercourse 1 – a permanent watercourse; and*
- *Watercourse 2 – an intermittent watercourse*
- *Removal of approximately 3,900m² of riparian vegetation surrounding Watercourse 1 and approximately 960m² of vegetation surrounding Watercourse 2.*
- *Extending the existing pipe network for Watercourse 1 (a permanent stream) and Watercourse 2 (an ephemeral stream), involving*
 - *124 metres of piping and reclamation for Watercourse 1, plus an additional 8m length of riprap outlet.*
 - *114 metres of piping and reclamation for Watercourse 2, plus an additional 4m length of riprap outlet.*
- *Earthworks over an indicative area of approximately 2,000m² and volume of approximately 2,500m³ for Watercourse 1, and an indicative area of 2,500m² and volume of approximately 2,180m³ for Watercourse 2 to fill over the extended pipework.”*

In relation to the proposed construction methodology Aurecon states:

- *“The construction methodology for the watercourse piping and reclamation is expected to involve then following key steps:*
 - *Removal of vegetation.*
 - *Erosion and sediment controls established.*
 - *Temporary stream diversion and/ or surface water dewatering (as necessary).*
 - *Process for the excavation of unsuitable material and the bedding zone for the proposed pipe (includes removal of existing vegetation surrounding the watercourses).*
 - *Process for the installation and compaction of imported material to strengthen subgrade, provide bedding, lay pipe and backfill the barrel of the pipe.*
 - *Install pipe extension (expected to be a 1500mm diameter pipe for Watercourse 1 and a 750mmdiameter pipe for Watercourse 2). Note sizes are to be confirmed with further design development.*
 - *Create new outfall structures and energy dissipation features (likely to include a riprap apron or basin).*
 - *Backfill material over the pipe to a level generally consistent with the adjacent existing ground levels and associated reinstatement (hydroseeding).*
- *It is conservatively estimated that construction will occur over approximately a 2–3-month period with earthworks occurring over approximately a 1–2-month period. During the earthworks period, it is expected that an average of approximately 10-15 truck movements per day (excluding*

Sundays) will be required to cart fill material to site and remove any unsuitable material from site.”

In September 2025 i.e. in early spring, a site-specific geotechnical investigation was undertaken by Aurecon which included 9No. hand auger boreholes (HA01 to HA09) to a maximum depth of 2.2 metres below ground level (m bgl) in the vicinity of the proposed works for Watercourse 1 and 2.

The ground conditions in the vicinity of Watercourse 1 were described as: 0.4 m depth of topsoil overlying “Silty CLAY ” to a depth of 0.9 m bgl overlying ”Sandy SILT with some clay” to 2.2 m bgl.

The ground conditions in the vicinity of Watercourse 2 were described as: 0.4 m depth of topsoil overlying “CLAY with some silt” to a depth of 1.7 m bgl overlying ”Sandy SILT” to 2 m bgl.

Groundwater levels were measured on the day of augering at depths of between approximately 0.4m bgl and 1 m bgl.

The engineering drawing titled “*Cut Fill Plan for Watercourse 1*”, drawing no. DRG-CC-0301, dated 21 January 2026, rev A, indicates that the majority of the watercourse will be infilled (around the new pipe) with only a very localised excavation to a maximum depth of 3.5 mbgl at the northern end if the channel to construct a rip rap apron and headwall.

The engineering drawing titled “*Cut Fill Plan for Watercourse 2*” drawing no. DRG-CC-0301, dated 21 January 2026, rev A, indicates that the majority of the watercourse will be infilled (around the new pipe) with only a localised excavations on the flanks of the watercourse to a maximum depth of 0.5m.

6.3 Conclusions

I consider that it is likely that groundwater will be encountered during the proposed excavation at the northern end of Watercourse 1 and possibly in winter in the excavations on the flanks of Watercourse 2 and dewatering (water take) will be required.

However, I consider that the proposal is a permitted activity and does not require a Water Permit for the following reasons:

- The activity complies with E7.6.1.6 (1) because the works are not in a geothermal area
- The activity complies with E7.6.1.6 (2) because the dewatering / water take during the excavations will not occur for more than 30 days
- The activity complies with E7.6.1.6 (3) because the dewatering / water take will not occur beyond the construction period

The activity is not exempt from assessment against E7.6.1.10 (2 to 6)

- The activity complies with E7.6.1.10 (2a & b) because the excavation is not greater than 1 hectare and not greater than 6 m deep.
- The activity complies with E7.6.1.10 (3) because the natural groundwater level will not be reduced by more than 2 m on the boundary of any adjoining site.
- The activity complies with E7.6.1.10 (4a & b) because there is no structure that remains in place from more than 30 days that impedes the flow of groundwater over a length of more than 20 m and extends more than 2m below the natural groundwater level.
- The activity complies with E7.6.1.10 (5a) because the distance to any building or structure on an adjoining site is greater than the depth of the excavation which extends below natural groundwater. E7.6.1.10 (5b and c) do not apply
- The activity complies with E7.6.1.10 (6a, b & c) because the excavations are greater than 50 m from a Wetland Management Area Overlay, greater than 10 m from a scheduled Historic Heritage Overlay and greater than 10 m from a lawful groundwater take.

7.0 Section 67 Information Gap

I have identified that there are no section 67 information gaps.

8.0 Recommendation

I support the application based on the information available.

9.0 Proposed Conditions

n/a

Contamination – Fiona Rudsits (**Annexure 15**)

Specialist Response Contaminated Land – Fast-track Approvals
Act 2024 Substantive Application

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name:

Auckland Prison Capacity Increase

Fast-Track application number:

FTAA-2603-1179 (FTAA Number)

- BUN60464166 – Bundled reference number relating for administrative purposes relating to proposed consents, OPW waiver and NoR amendment.
- LUC60464167 – Land Use Consent Reference.
- LUS60464168 - Stream Works and Reclamation Reference.
- DIS60464169 - Stormwater diversion and discharge Reference.
- WAT60464230 – Water Permit Reference.

2.0 Technical Specialist Memo – Contaminated Land

To:

Jo Hart – Lead Policy Planner & Joe Wilson - PPL

From:

Fiona Rudsits, Senior Contamination Specialist – Contamination, Air & Noise

Qualifications
& Relevant
Experience:

I hold the qualification(s) of: Bachelor of Science in Environmental Science and have over 20 years of experience in contaminated land management, resource consenting, and consent compliance monitoring, relevant to contaminated land. I am a full member of Australasian Land & Groundwater Association (ALGA). I have prepared expert evidence and technical assessments for resource consent applications, plan changes, notices of requirement for designation and fast-track applications, and have appeared as an expert witness before consent authorities and the Environment Court on multiple occasions.

Preparation in
Accordance
with the Code
of Conduct:

I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses ([Code](#)) and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Signature:

Anna Rudolph

Date:

25 June 2026

3.0 Executive Summary / Principal Issues

This memo reviews contaminated land matters associated with the proposed expansion of Auckland Prison (from 681 to 1,220 prisoners), which requires alteration of the site's existing designation (Designation 3900). Most existing buildings will be progressively demolished and replaced, with development staged over approximately 10 years. Corrections are also applying for resource consents for associated Watercourse Works, which are integral to enabling the future development, alongside the designation alteration under the FTAA.

The purpose of this review was to understand the potential constraints on the proposed designation alteration and future development arising from potential soil and groundwater contamination at the site.

Overall, the information provided is sufficient to understand the scale and significance of potential effects on human health and the environment for the purposes of this assessment. The application concludes that the proposed initial Watercourse Works present a low risk, provided they are undertaken in accordance with the Earthworks and Contamination Management Plan (ECMP).

The proposed designation conditions include defined development and activity controls (e.g. limits on noise, vibration, lighting, building height and coverage, and spatial restrictions on site activities). Contaminated land matters are not specifically addressed within these conditions, as they can be appropriately managed at each stage of development through the resource consenting process.

Aside from restrictions associated with the closed landfill, there are no significant contamination related constraints that would preclude the designation alteration in principle. Any further investigation, remediation, or landfill mitigation measures (if required) can be effectively managed during the development stage through the resource consent process.

4.0 Documents Reviewed

The following documents have been reviewed in preparing this memorandum:

- *Auckland Prison Capacity Increase: Substantive Application*, Volume 1 – Overview (Boffa Miskell, April 2026)
- *Auckland Prison Capacity Increase: Substantive Application*, Volume 2 – Designation Alteration (Boffa Miskell, April 2026)
 - Appendix 2M – Infrastructure and Site Suitability Assessment, Aurecon, 26 March 2026 ('the SSIA')

- *Auckland Prison Capacity Increase: Substantive Application*, Volume 3 – Resource Consent Applications and Request for Outline Plan Waiver for Watercourse Works (Boffa Miskell, April 2026)
 - Appendix 3M – Detailed Site Investigation Report (DSI), Aurecon, 26 March 2026 ('the DSI')
 - Appendix 3H – Earthworks and Contamination Management Plan (ECMP), Aurecon, 26 March 2026 ('the ECMP')
- *Auckland Prison Capacity Increase: Substantive Application*, Volume 6 – Proposed Conditions Summary Report (Boffa Miskell, April 2026)
 - Appendix 6B – Proposed Resource Consent Conditions

5.0 Additional Reasons for Consent Not included in AEE / Incorrect Reasons for Consent

The consents identified in the application are appropriate for contaminated land matters, and no additional contaminated land consents are required at this stage

6.0 Specialist Assessment

6.1 Contaminated land – Regulatory context and assessment approach

This section summarises potential sources of contamination on site, key investigation findings, soil management requirements, and overall conclusions with respect to the *National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011* ([NES:CS](#)) and Chapter E30 of the *Auckland Unitary Plan* (Operative in Part) ([AUP\(OP\)](#)).

The NES:CS and Chapter E30 of the AUP(OP) regulate activities on contaminated land that may pose a risk to human health and/or the environment. Contaminated land is defined in the AUP(OP) as land where soil, groundwater, or surface water quality has been adversely affected by hazardous substances due to human activities.

Under the NES:CS, land is considered actually or potentially contaminated where a Hazardous Activities and Industries List (HAIL) activity is more likely than not to have occurred. The NES:CS primarily manages soil disturbance and land use changes, while Chapter E30 addresses the discharge of contaminants to air, land, or water under the Resource Management Act 1991.

My assessment of the designation alteration has focused on identifying any significant contamination related constraints which would present an impediment to the proposed development proposals. Any other than major constraints, associated with potential contamination can be dealt with at later stages, through the relevant regulatory consenting processes for future construction.

6.2. Site setting contamination risk

The Site Suitability and Infrastructure Assessment (SSIA) addresses contaminated land matters, while the separate Detailed Site Investigation (DSI) report has been prepared specifically for the proposed Watercourse Works.

The SSIA and supporting DSI provide an overview of the ~80 ha site, which comprises or a range of dispersed prison infrastructure within predominantly pastoral land, with streams, wetlands, and vegetated margins.

The site is divided into four development areas (Areas A–D), with potential contamination primarily associated with Areas A and B. Identified potential sources of contamination (HAIL activities) include:

- **HAIL A10** -Former market gardening with the potential for pesticide use (1970–2000);
- **HAIL G3** - Uncontrolled fill and historic landfill disposal (1960–2000), including a closed landfill subject to a monitoring and management under closed landfill discharge consent; and
- **HAIL A17** - Above ground fuel storage tanks (1980s–present), with a recorded pollution incident.

These sources are consistent with the historical activities identified in the SSIA and indicate that some level of contamination is likely to be present across parts of the site. However, the identification of these potential HAIL activities does not represent a significant constraint to redevelopment, as any associated contamination risks can be appropriately characterised and managed through further investigation and standard mitigation measures. The distribution of these activities (as shown in Figure 6-1 of the SSIA, and section 10 below) indicates that contamination is likely to be localised, with the closed landfill representing the most notable constraint requiring site-specific controls. Previous investigations (dating back to 2014) identified landfill gas within the landfill area and, to a lesser extent, beneath the concreted yard platform. Waste materials within the landfill contained elevated boron concentrations, and leachate exceeded environmental criteria for dissolved boron and zinc. Migration of contaminants from the landfill to groundwater and into sub-surface drainage is considered likely.

6.3. Designation Alteration – relevant to contaminated land

The SSIA concludes that contamination risks across the site are generally low and manageable. Effects are addressed through proposed mitigation measures, including the use of management plans during construction. Future development will be subject to NES:CS and AUP(OP) requirements, including:

- Targeted supplementary investigations once development layouts are confirmed
- Preparation of site-specific DSI reports where required
- Implementation of appropriate controls (e.g. restrictions near the closed landfill, managed disposal of excavated material)

No specific designation conditions relating to contamination are required, as these matters are appropriately addressed through the regulatory consenting framework

Overall, no significant contamination constraints have been identified that would preclude the designation alteration.

6.4. Resource Consents – relevant to contaminated land

While a range of potentially contaminating activities were identified across the wider prison site, including a closed landfill, the areas associated with the proposed Watercourse Works show limited contamination

risk. The primary historical land uses of relevance are former horticultural and market gardens (1983–2001 around Watercourse 1 and 1973–2001 around Watercourse2).

For Watercourse 1, the DSI identified:

- Low-level asbestos contamination at approximately 0.5 m below ground level (bgl), exceeding human health criteria; and
- Lead concentrations above environmental criteria at a similar depth along the western embankment, where riparian vegetation stripping is proposed.

The asbestos concentrations are classified as “low level asbestos contamination” in accordance with New Zealand guidelines for assessing and managing asbestos in soil (BRANZ Ltd, (2017, updated 2024). As such, mitigation and control measures will be required during earthworks, particularly during vegetation clearance.

For Watercourse 2, no contamination was identified, with all soil, sediment, and surface water results below the adopted human health (high-density residential and outdoor worker) and ecological criteria.

Resource consents for the Watercourse Works are therefore sought as a restricted discretionary activity under Regulation 10 of the NES-CS (due to asbestos) and as a controlled activity discharge consent under E30.6.2.4 of the AUP(OP) (due to lead) for Watercourse 1 only. An ECMP has been prepared to support these applications.

The ECMP outlines procedures for managing contaminated soils during the Watercourse Works to minimise risks to human health and the environment. Key controls include:

- Erosion, sediment, dust, and odour controls in accordance with the ESCP
- Safe excavation, handling, transport, and disposal of contaminated materials to licensed facilities
- Management of stockpiling and site runoff to prevent contaminant migration
- Surface water and groundwater control, including monitoring where required
- Procedures for unexpected contamination
- Specific asbestos controls, including management of low-level asbestos-contaminated soils through dampening, controlled handling, restricted disturbance, use of PPE, and (where required) engagement of licensed asbestos contractors and site-specific remedial work instructions

7.0 Section 67 Information Gap

The primary area of contamination concern identified on the site is the closed landfill (within Area A). Other potential sources of contamination can generally be managed through site specific earthworks controls, supported by NES:CS and AUP(OP) Chapter E30 consents, where required. However, development in proximity to the landfill will require more detailed consideration and appropriate controls.

As these matters can be addressed at the resource consent stage. I have identified that there are no section 67 information gaps.

8.0 Recommendation

I confirm that the SSIA, DSI, and ECMP have been prepared by a suitably qualified and experienced practitioner (SQEP), Aurecon, and collectively provide a robust and comprehensive assessment of contaminated land conditions across the site.

Overall, the information provided is sufficient to understand the scale and significance of potential effects on human health and the environment for the purposes of this assessment. The proposed Watercourse Works are assessed as presenting a low risk, provided they are undertaken in accordance with the ECMP.

While the resource consents sought are conservative given the limited extent and level of contamination identified within the Watercourse Works project area, I support the SQEP's recommendation to proceed with these consents to ensure appropriate management of contaminated soils during the works.

For the designation alteration, there are no significant contaminated land issues that would prevent the redevelopment of the site. Potential effects will be limited to land disturbance activities and can be appropriately managed through targeted supplementary investigation, site-specific DSI (where required), and standard mitigation measures, including controls in proximity to the closed landfill.

The outcome of any further investigation, remediation, or management measures can be addressed prior to the redevelopment works commencing in accordance with recommendation in the application reports, including applying for and obtaining any necessary resource consents under either the NES:CS and/or the or the relevant contaminated land chapters of AUP (or any replacement provisions).

Overall, contaminated land does not present a fundamental constraint to the proposed designation alteration or the associated works, and effects can be appropriately managed.

9.0 Proposed Conditions

I agree that no specific designation conditions relating to contaminated land are required, as these matters can be appropriately addressed at the redevelopment stage. From a contamination perspective, I support the designation alteration, subject to the implementation of appropriate management measures and the adoption of best practice to avoid, remedy, or mitigate potential adverse effects on human health and the environment during future land disturbance activities.

As future development will be required to comply with Chapter E30 of the AUP(OP) (or any replacement provisions) and the NES:CS, I agree any actual of potential contaminated land risks can be effectively managed through the resource consenting process.

The only conditions directly relevant to contaminated land for the resource consents are LUC11 (NES:CS) and DIS14 (discharge consent), which require works to be undertaken in accordance with the ECMP and standard earthworks controls. Given the low level of risk and the conservative consenting approach adopted, I consider the proposed conditions in Appendix 6B to be generally appropriate and sufficient, subject to the amendments outlined below.

	d) Records of any unexpected contamination encountered during the works and response actions, if applicable; e) Any on-going monitoring and/or management measures required to minimise risks to human health or the environment as a result of the final site contamination profile. f) Reports of any complaints, health and safety incidents related to contamination, and/or contingency events during the remedial works; and g) A statement certifying that all works have been carried out in accordance with the requirements of the consent, otherwise providing details of relevant breaches, if applicable.	
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10.0 Supporting Documents

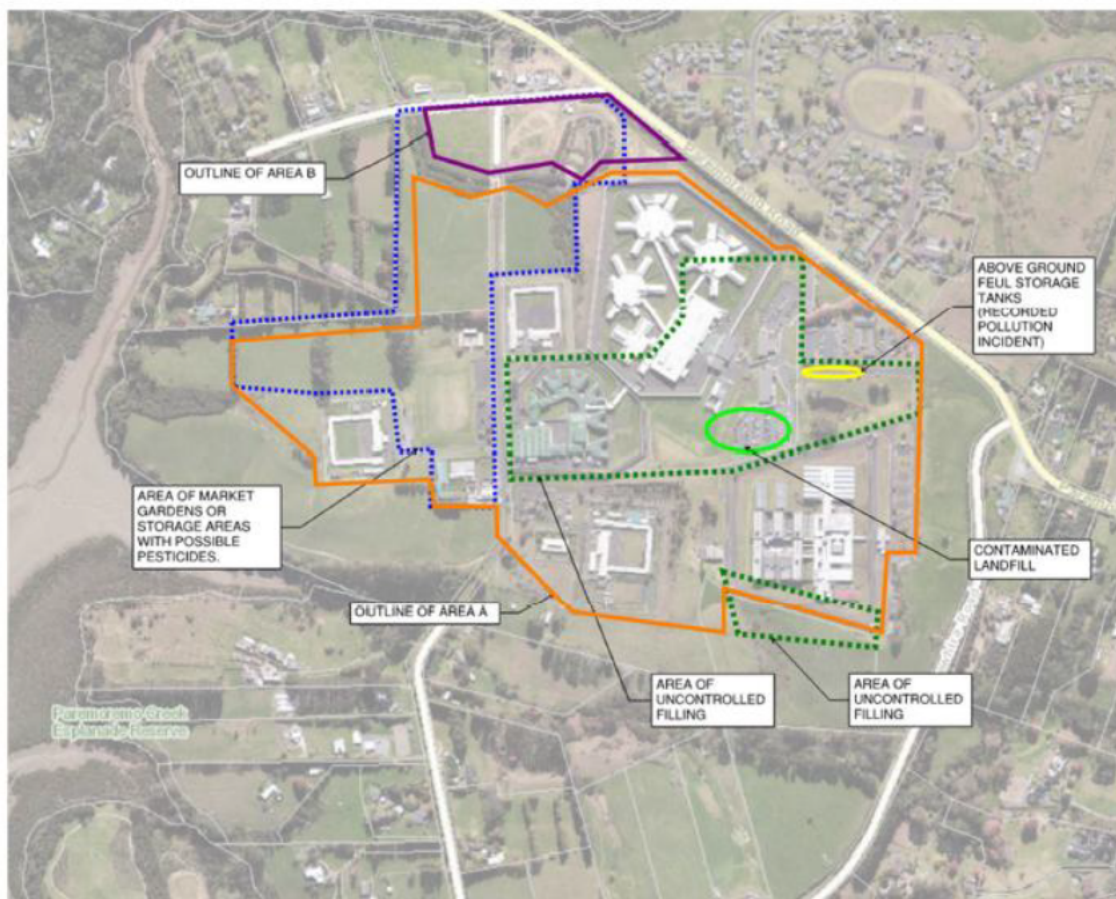


Figure 6-1: Summary of the risk areas identified in the previous PSI (OPUS, 2013)

Environmental Monitoring – Cheryl Pai
(Annexure 16)

Auckland Prison Capacity Increase Fast Track Application

Consent Number:	BUN60464166
Related Applications / Consents:	• LUC – Land use ○ LUC60464167 • LUS – Stream works ○ LUS60464168 • DIS – Stormwater diversion and discharge ○ DIS60464169 • WAT – Water permit ○ WAT60464230
Site Address:	Various including Old North Road and Forestry Road, Riverhead
Proposal:	<i>Notice of Requirement (NoR) for an Alteration to Designation 3900</i> The proposal seeks an alteration to Designation 3900: Auckland Prison in the Auckland Unitary Plan (Operative in Part) (AUP) for site at Pāremoremo Road, Pāremoremo, through a notice of requirement. The proposal includes the following: • Increase the current designation maximum capacity of 681 prisoners (Condition 1.a of Designation 3900: Auckland Prison) to a maximum capacity of 1,220 prisoners, with specific and staged infrastructure upgrades linked to these capacity increases. The conditions propose to limit the maximum security prisoner maximum to 260 persons. No such condition currently exists but this number is based on the purported capacity of the current maximum security facilities at the Prison. • Amend the purpose of Designation 3900 from “Auckland Prison” to a more specific purpose of “Construction, operation and maintenance of Prison and ancillary facilities”. • Remove the existing conditions on Designation 3900 and replace with a comprehensive suite of conditions associated with the development anticipated to enable the increase in prisoner capacity. • Remove the designation boundary from the Prison Village Site (540 Pāremoremo Road, Pāremoremo). • Within the remaining area of the designation, the amendments propose to establish four defined areas. Of these, area A is the location where secure facilities of the Prison are limited in the proposed conditions.

While Designation 3900: Auckland Prison is the operative designation in the AUP, a Notice of Requirement application is not usually given a specific Council reference for processing before incorporating a designation/altered designation into the AUP, subject to the appointed Panel's decision. For administrative purposes therefore Council will use reference BUN60464166 as our internal Council reference during the assessment of this substantive application inclusive of both the Notice of Requirement, Resource Consents and Outline Plan of Works Waiver.

Resource Consents

The proposal includes resource applications for proposed watercourse works to allow two watercourses to be piped. These works are proposed as enabling and necessary to provide for the development anticipated by the designation amendment. Associated works to provide for these watercourse works will involve the following activities:

- Removal of approximately 3,945m² of riparian vegetation surrounding a permanent stream (Watercourse 1) and approximately 2,179m² of vegetation surrounding an intermittent stream (Watercourse 2)
- Extending the existing pipe networks (including relocating the existing discharge points) involving:
 - 124m of piping and reclamation for Watercourse 1, plus an additional 8m length of riprap pipe outlet
 - 114m of piping and reclamation for Watercourse 2, plus an additional 4m length of riprap outlet.
- Earthworks over an indicative area of approximately 2,000m² and volume of approximately 2,500m³ for Watercourse 1, and an indicative area of approximately 2,500m² and volume of approximately 2,180m³ for Watercourse 2 to fill over the extended pipeline.

The resource consents for watercourse works include works within a stream, stream reclamation, riparian vegetation clearance, earthworks activities, disturbance of contaminated soils and groundwater diversion and take under the Auckland Unitary Plan, NES-F and NESCS. Resource consents for stormwater diversion and discharge associated with the new outfall location for the watercourse works is sought for the maximum RMA period of 35 years.

	The resource consent activity has an overall status of non-complying, as a result of the proposed reclamation of the watercourses. The watercourse works are proposed on the dependency and basis that they will only occur once and subject to the alteration to the designation being confirmed, subject to the Panel's decision on that aspect of the substantive application. <i>Outline Plan of Works Waiver</i> The proposal also includes a request for an Outline Plan of Works (OPW) for the watercourse works made on the assumption and basis that both the amendment to the designation will be confirmed and the resource consent application for the watercourse works approved. The waiver is for the watercourse works as the applicant considers that there are sufficient details required for an OPW contained within the applications for both the notice of requirement and resource consents and that these should be able to occur ahead of, and to enable any additional prison capacity works under any confirmed designation.
Applicant:	Department of Corrections
Planner:	Joe Wilson
Link to lodged documents:	U Drive Link : \\aklc.govt.nz\Shared\COO\Resource Consents\Digital Consents - New\Premium\1\Paremoremo Road Paremoremo,530 - BUN60464166\1. Lodged Documents One Drive Link : 1. Lodged Documents

From: Cheryl Pai, Senior Environmental Monitoring Officer – Region Wide

Date: 25/06/2026

Overall Summary: Reviewed Proposed Consent Conditions. Provided the following comments:

General Comments:

- **Standard AC formatting and wording:** Conditions should adopt standard Council formatting and wording – this will ensure the effectiveness of monitoring the consent and to assist with administration associated with the consent.
- **Expiry Dates:** Check where appropriate, all consents have a duration (and separate if multiple subtypes). If not, could we recommend S123 of the RMA so consent holders are aware?
- **Monitoring Deposit: There is no monitoring deposit conditions:** Ensure monitoring deposit is appropriate for the scale of work. At a minimum these should be \$3000 or bespoke.

- **Reference to BUN's:** All consent conditions should be reference against a relevant child consent (LUC/DIS/WAT/CST) and not a BUN reference.
- **Condition numbering:** Recommend using a single continuous numbering system for all conditions (e.g. C1, C2, C3...), rather than restarting numbering for each consent (e.g. LUC01, DIS01). This would improve clarity and ease of reference, particularly where conditions apply across multiple consents or are read collectively. Where conditions relate to a specific consent type, this can instead be clearly indicated through section headings or introductory text

Pre-Commencement Conditions:

- Pre start meeting (BUN02) - All conditions should be under a relevant LUC/LUS or DIS number rather than a BUN reference.
 - Any required documentations listed should have its own individual consent condition with its own requirements for effective monitoring and reviews.
 - Management plans should be clear on what is required to be submitted. The conditions should set clear criteria on information to be submitted for review or certification.
- Winter works (LUC01) - Recommend naming this condition "Winter works restrictions" to align with our standard formatting.
 - Recommend removing "All requests must be renewed annually prior to the approval expiring etc." All requests should be renewed and reassessed monthly.
 - Recommend also including "location of treatment devices, sequencing/staging of works, monitoring of ESC's/frequency, long term and short term ESC and stabilisation measures." - These are within our internal checklists for winter works and may be handy to include.
 - As this is not a pre commencement condition, more a during works condition, recommend moving this further down the consent to align with councils standard formatting.
- Notification of earthworks starting (LUC02) - Recommend amending this to 5 working days to align with our standard formatting.
- Erosion Sediment Controls (LUC04) - Recommend naming this "Finalised Erosion Sediment Control Plan" to align with our standard formatting.

During Works Conditions:

- Watercourse Methodology (LUS01) - Recommend amending "watercourse" to "streamworks" to align with councils standard wording format.
- Lizard Management (LUC13) – Point (3) mentions that the LMP may be amended at any time by a SQEP, however if any amendments are made, recommend including a note that the updated document be resubmitted to Auckland Council for review and certification as a separate revision.
- Winter Works (LUS10) - This requirement appears to be duplicative of LUC01 and is therefore recommended for removal.

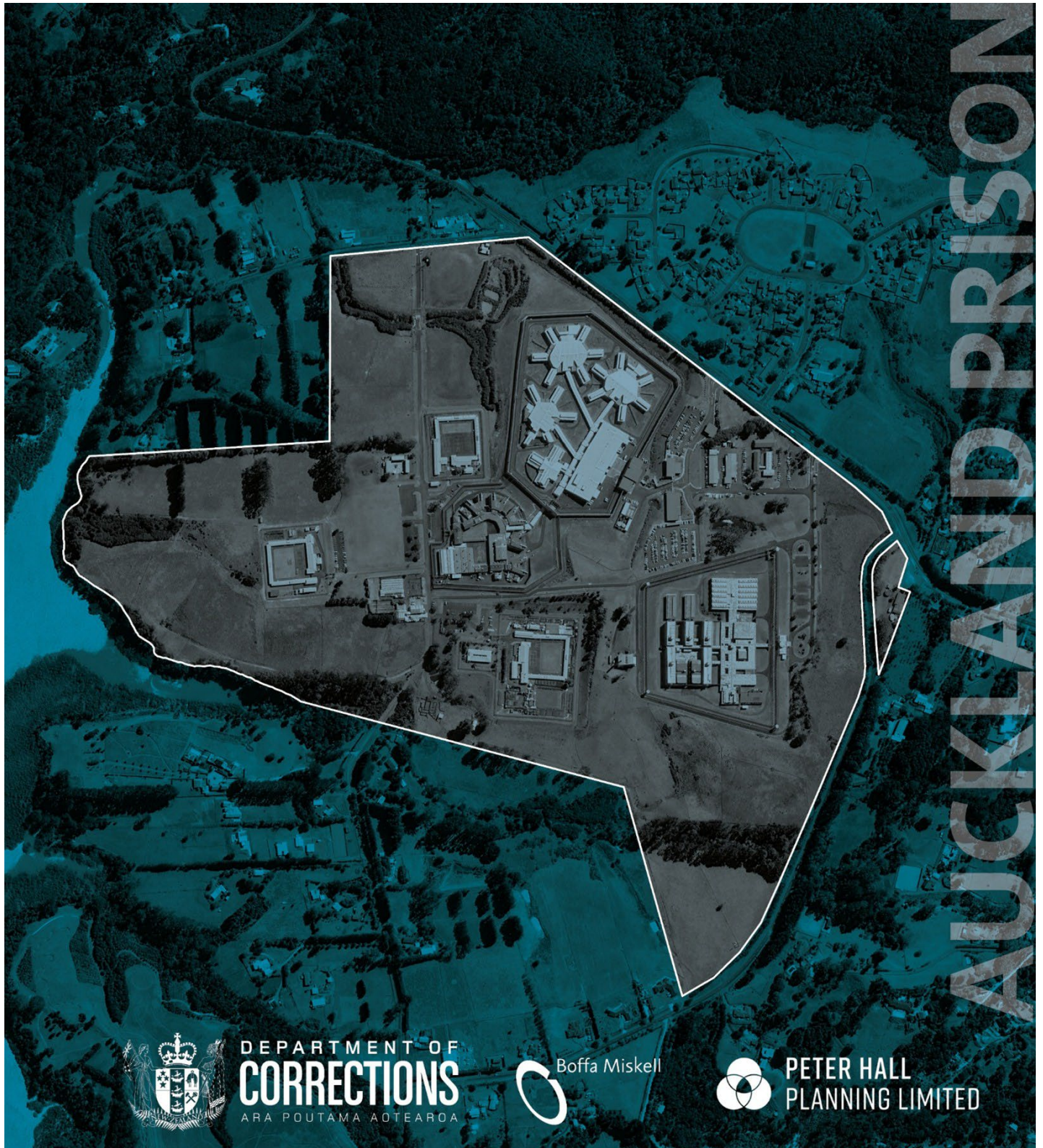
- LUC01 should adequately address restrictions on works during this period. Should the applicant wish to undertake stream works during winter, these activities would be included within their application and subsequently reviewed and approved by Auckland Council's Earthworks Officers under LUC01.
- Duration of consent (DIS01) – Noticed the current wording is highlighted. Wondering if “35 years after the date it is granted” is better aligned with councils standard word formatting.

Post Construction Conditions:

- Operation and Maintenance Plan (DIS06 & DIS07) - Recommend combining DIS06 and DIS07 into a single condition. As both conditions appear to require the same outcome, a consolidated condition would provide greater clarity and be more practical from an enforcement perspective.
 - Should Auckland Council need to enforce compliance with the OMP, having a single condition would be more appropriate and efficient, particularly where only one action or outcome is required.
- Maintenance Report (DIS11 and DIS12) - Similarly to the above in relation to the OMP (DIS06 & DIS07) – Recommend combining DIS11 and DIS12 as 1 single condition
- Works Completion Report (DIS14) – Should a works completion report be required, this should be its own condition with its own requirements.

Auckland Prison Capacity Increase

Volume 6 – Appendix 6B
Proposed Resource Consent Conditions



DEPARTMENT OF
CORRECTIONS
ARA POUTAMA AOTEAROA



Boffa Miskell



PETER HALL
PLANNING LIMITED

Appendix 6B: Proposed Resource Consent Conditions

Auckland Prison Capacity Increase – Substantive Application

Proposed conditions relating to the resource consent applications for the Watercourse Works (including stream diversion and reclamation and associated works within a stream, stormwater diversion and discharge, riparian vegetation clearance, general earthworks, earthworks on contaminated land and discharge of contaminants from contaminated land).

Auckland Council Reference	BUNXXX LUCXXX LUSXXX01 LUSXXX02 DISXXX01 DISXXX02 WATXXX
Applicant:	Department of Corrections
Determination Date:	TBC
Lapse Date	10 years (under Schedule 5, clause 26 of the Fast Track Approvals Act 2024)
Duration	For works within a stream, stream reclamation, riparian vegetation clearance, earthworks activities, and groundwater take: 15 years from date of commencement For works involving stream reclamation (NES-FM): 15 years from date of commencement For works involving groundwater takes and dewatering: 15 years from date of commencement For discharge of contaminants from contaminated land: 15 years from date of commencement For stormwater diversion and discharge: 35 years from date of commencement
Proposal	To extend the piping of watercourses (watercourses 1 and 2) and associated works to enable new facilities associated with capacity increase at Auckland Prison, Paremoremo.
Location	530 Paremoremo Road, Paremoremo (Lot 4 DP 24508, Sect 1 SO 476557, Sect 3 SO 476557, Sect 2 SO 476557 and 505 Paremoremo Road (Sec 1 SO 66966)).

Definitions
Watercourse 1 – Permanent stream as shown on the Ecology Map prepared by Boffa Miskell (Volume 3, Appendix 3A, Figure 3).
Watercourse 2 - Intermittent stream and modified natural channel as shown on the Ecology Map prepared by Boffa Miskell (Volume 3, Appendix 3A, Figure 3)

Condition No.	Condition																																								
	<u>BUNXXX</u> <u>General conditions that apply to all activities including general earthworks, riparian vegetation clearance, watercourse works (including stream diversion and reclamation and associated works within a stream), stormwater diversion and discharge, earthworks on contaminated land and discharge of contaminants from contaminated land.</u>																																								
BUN01	<u>Activity in accordance with plans</u> (a) The proposed watercourse works (stream diversion and reclamation, and associated vegetation clearance, general earthworks, earthworks on contaminated land, discharge of contaminants, stormwater diversion and discharge and groundwater take activities) must be carried out in general accordance with the plans and all information submitted with the application, detailed below, and all referenced as consent numbers LUCXXX, LUSXXX01, LUSXXX02, DISXXX and WATXXX. (b) Notwithstanding BUN01(1), where there is a conflict between the documentation listed below and the specific requirements of a subsequent consent condition listed below, the subsequent consent condition prevails. <table><tr><th>Title of Plan</th><th>Drawing Reference</th><th>Prepared by</th><th>Revision</th><th>Date</th></tr><tr><td>Location of Watercourse Works</td><td>N/A</td><td>Boffa Miskell Limited</td><td>A</td><td>11 March 2026</td></tr><tr><td>Indicative Extent of Earthworks for Watercourse Works</td><td>N/A</td><td>Boffa Miskell Limited</td><td>A</td><td>09 March 2026</td></tr><tr><td>Watercourse 1 and Watercourse 2 – Existing Layout</td><td>528563-W100-DRG-CC-0100</td><td>Aurecon</td><td>A</td><td>21.01.26</td></tr><tr><td>Civil Design – Overall Cut Fill Plan</td><td>528563-W100-DRG-CC-0300</td><td>Aurecon</td><td>A</td><td>21.01.26</td></tr><tr><td>Civil Design – Cut Fill Plan Watercourse 1</td><td>528563-W100-DRG-CC-0301</td><td>Aurecon</td><td>A</td><td>21.01.26</td></tr><tr><td>Civil Design – Cut Fill Plan Watercourse 2</td><td>W100-DRG-CC-0302</td><td>Aurecon</td><td>A</td><td>21.01.26</td></tr><tr><td>Civil Watercourse 1 and 2</td><td>528563-W100- DRG-CC-0370</td><td>Aurecon</td><td>A</td><td>21.01.26</td></tr></table>	Title of Plan	Drawing Reference	Prepared by	Revision	Date	Location of Watercourse Works	N/A	Boffa Miskell Limited	A	11 March 2026	Indicative Extent of Earthworks for Watercourse Works	N/A	Boffa Miskell Limited	A	09 March 2026	Watercourse 1 and Watercourse 2 – Existing Layout	528563-W100-DRG-CC-0100	Aurecon	A	21.01.26	Civil Design – Overall Cut Fill Plan	528563-W100-DRG-CC-0300	Aurecon	A	21.01.26	Civil Design – Cut Fill Plan Watercourse 1	528563-W100-DRG-CC-0301	Aurecon	A	21.01.26	Civil Design – Cut Fill Plan Watercourse 2	W100-DRG-CC-0302	Aurecon	A	21.01.26	Civil Watercourse 1 and 2	528563-W100- DRG-CC-0370	Aurecon	A	21.01.26
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Auckland Prison Capacity Increase – Substantive Application

Appendix 6B: Proposed Resource Consent Conditions

Auckland Prison Capacity Increase | Substantive Application

	Auckland Prison Capacity Increase Extension of Pipes at Watercourses – Engineering Design Report	Aurecon	2	26.03.2026
BUN02	<u>Pre-start meeting:</u> Prior to the commencement of works that are the subject of these resource consents, the consent holder shall hold a pre-start meeting that: • is located on the subject site; • is scheduled not less than five working days before the anticipated commencement of watercourse works; • includes Auckland Council Compliance Monitoring staff; and, • includes representatives from the contractors who will undertake the works. The meeting shall discuss the methodologies for each activity (works within a stream, stream reclamation, construction of stormwater discharge and diversion, riparian vegetation clearance or earthworks) and shall ensure all relevant parties are aware of and familiar with the necessary conditions of these consents. The following information shall be made available at the pre-start meeting: • Timeframes for key stages of the works authorised under these consents. • Resource consent conditions (for each relevant resource consent). • Timeframes for key stages of the works authorised under relevant consents • Earthworks and Contamination Management Plan • Erosion and Sediment Control Plan • Construction Traffic Management Plan • Contact details of the site contractor and site stormwater engineer • Construction plans certified (signed/stamped) by the council's Development Engineer • Finalised Watercourse works Methodology. • Ecological Management Plan. • Landscape Enhancement and Ecological Implementation and Management Plan (LEIMP) • Ecological Management Plan including Native Fish Capture and Relocation Plan, Native Bird Management Plan and Bat Management Plan. • Lizard Management Plan (LMP) A pre-start meeting shall be held prior to the commencement of any works authorised under these consents. Advice Note: <i>To arrange the pre-start meeting required please contact the Council on monitoring@aucklandcouncil.govt.nz, or 09 301 01 01. The conditions of consent should be discussed at this meeting. All additional information required by the Council should be provided 2 days prior to the meeting.</i>			

Appendix 6B: Proposed Resource Consent Conditions

Auckland Prison Capacity Increase – Substantive Application

	<u>LUCXXXX</u> <u>For activities including general earthworks, earthworks on contaminated land and riparian vegetation clearance</u>
	<u>General earthworks:</u>
LUC01	<u>Restrict earthworks to the earthworks season:</u> No earthworks on the subject site must be undertaken between 01 May and 30 September in any year, without the submission of a 'Request for winter works' for approval to Council. All requests must be renewed annually prior to the approval expiring and no works must occur until written approval has been received from Council. All winter works will be re-assessed monthly or as required to ensure that adverse effects are not occurring in the receiving environment and approval may be revoked by Council upon written notice to the consent holder. <u>Advice Note:</u> Any 'Request for winter works' submitted in accordance with condition LUC01 will be assessed on the level of risk, the propensity to manage that risk with contingency planning and a 'track record' of good compliance with consent requirements. Each 'Request for winter works' submitted, should include the following: • Description of works proposed to be undertaken between 01 May and 30 September and the duration of those works. • Details of proposed measures to prevent sediment discharge from these specific works, particularly during periods of heavy rainfall. • Details of area(s) already stabilised. • Revised erosion and sediment control plan detailing stabilisation to date and time line/staging boundaries showing proposed progression of stabilisation. • Contact details for contractor who will undertake stabilisation of the site including date(s) expected on site. • Alternatives/contingencies proposed if the contractor referred to above becomes unavailable. • Details of site responsibilities, specifically who is responsible for erosion and sediment controls and stabilisation processes over the specified period.
LUC02	<u>Advanced notification that earthworks will be beginning on site:</u> The Council must be notified at least two (2) working days prior to earthwork activities commencing on the subject site.
LUC03	<u>Ensure dust does not cause adverse effects:</u> There shall be no airborne or deposited dust beyond the subject site as a result of the earthworks activity, that is noxious, offensive or objectionable. <u>Advice Note:</u> In accordance with condition LUS03 in order to manage dust on the site consideration should be given to adopting the following management techniques: • stopping of works during high winds

	• watering of access tracks, stockpiles and manoeuvring areas during dry periods • grassing or covering of stockpiles • positioning of access tracks, manoeuvring areas and stockpiles or the staging of works (in relation to sensitive receptors such as dwellings) <i>In assessing whether the effects are noxious, offensive or objectionable, the following factors will form important considerations:</i> • The frequency of dust nuisance events • The intensity of events, as indicated by dust quantity and the degree of nuisance • The duration of each dust nuisance event • The offensiveness of the discharge, having regard to the nature of the dust • The location of the dust nuisance, having regard to the sensitivity of the receiving environment. <i>It is recommended that potential measures as discussed with the council's monitoring officer who will guide you on the most appropriate approach to take. Please contact the Council on [monitoring@aucklandcouncil.govt.nz and/or</i> <i>phone number] for more details. Alternatively, please refer to the Ministry for the Environment publication "Good Practice Guide for Assessing and Managing the Environmental Effects of Dust Emissions"</i>
LUC04	<u>Sediment/erosion control in accordance with a certified plan:</u> Prior to the commencement of earthworks activity on the subject site, a finalised Erosion and Sediment Control Management Plan (ESCP) must be prepared in general accordance with: (a) Erosion and Sediment control Guide for Land Disturbing Activities in the Auckland Region – GD05; (b) the ESCP outlined within Section 5.6 and Appendix F of the Report titled "Extension of Pipes at Watercourses – Engineering Design Report" prepared by Aurecon, dated 26 March 2026. The ESCP must address the following matters: • specific erosion and sediment control works (location, dimensions, capacity) • supporting calculations and design drawings • catchment boundaries and contour information • details of construction methods • timing and duration of construction and operation of control works (in relation to the staging and sequencing of earthworks) • details relating to the management of exposed areas (e.g. grassing, mulching) • monitoring and maintenance requirements. The finalised ESCP must be submitted to Council for certification. No earthworks activity on the subject site authorised by this consent may commence until the Council has certified that that the ESCP satisfactorily meets the requirements of GD05. The ESCP may be amended at any time. Any minor amendments must be agreed to in writing by Council prior to implementation of any changes. Re-certification is not required if Council confirms those minor amendments are within scope of the certified ESCP.
LUC05	<u>Ensure the quality of fill used on the site is acceptable:</u> All imported fill used must:

Appendix 6B: Proposed Resource Consent Conditions

Auckland Prison Capacity Increase – Substantive Application

	(a) comply with the definition for 'cleanfill material' in the Auckland Unitary Plan (Operative in Part) – (Chapter J1 Definitions) as it is defined at the commencement of consent. (b) be solid material of a stable, inert nature; and (c) not contain hazardous substances or contaminants above recorded natural background levels of the site.
LUC06	<u>Ensure controls are in place until approved to be removed:</u> Notice must be provided to the Council at least two (2) working days prior to the removal of any erosion and sediment control works specifically required by the Erosion and Sediment Control Plan required by LUC04.
LUC07	<u>Staging of earthworks – site management and erosion:</u> The site must be progressively stabilised against erosion at all stages of the earthwork activity, and must be sequenced to minimise the discharge of contaminants to groundwater or surface water in accordance with Erosion and Sediment Control Plan required by LUC04.
LUC08	The operational effectiveness and efficiency of any erosion and sediment control measures shall be maintained throughout the duration of the earthworks activity, or until the site is permanently stabilised against erosion. A record of any maintenance work shall be kept and be supplied to Auckland Council upon request in accordance with the certified Erosion and Sediment Control Plan required by LUC04.
LUC09	<u>Manage erosion if work stopped/completed:</u> Immediately upon completion or abandonment of earthworks on the subject site authorised by this consent, all areas of bare earth must be permanently stabilised against erosion. <u>Advice Note:</u> <i>In accordance with “GD05 Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland region”, measures to stabilise against erosion may include:</i> • <i>the use of mulching</i> • <i>top-soiling and grassing of otherwise bare areas of earth</i> • <i>aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward</i> • <i>natural fibre for a stream channel.</i>
LUC10	<u>Prevent sediment-laden water in stormwater/ waterways from roads:</u> Earthworks must be managed to avoid deposition of earth, mud, dirt or other debris on any public road or footpath resulting from earthworks activity on the subject site. In the event that such deposition does occur, it must immediately be removed. In no instance must roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters. <u>Advice Note:</u> <i>In order to prevent sediment laden water entering waterways from the road, the following methods may be adopted to prevent or address discharges should they occur:</i> • <i>provision of a stabilised entry and exit(s) point for vehicles</i>

	• <i>provision of wheel wash facilities</i> • <i>ceasing of vehicle movement until materials are removed</i> • <i>cleaning of road surfaces using street-sweepers</i> • <i>silt and sediment traps</i> • <i>catchpits or environpods</i> <i>In no circumstances should the washing of deposited materials into drains be advised or otherwise condoned.</i> <i>Please refer to “GD05 Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland region”.</i>
LUC11	<u>Earthworks and Contamination Management Plan</u> Works shall be undertaken in accordance with the Earthworks and Contamination Management Plan (ECMP) prepared by Aurecon dated 26 March 2026 (or any subsequent ECMP prepared by a suitably qualified and experienced practitioner, and certified by Auckland Council). This includes: (a) best-practice earthworks and contamination management measures (b) removal of contaminated material from Areas 1 and 2 (identified in Figure 4 of the ECMP) off-site to a licenced waste disposal facility (as set out in Table 11 of the ECMP). (c) procedures to follow in an event ‘unexpected contamination’ is discovered during earthworks. (d) A Works Completion Report including information specified in Table 9, made available to Auckland Council on request. The ECMP may be amended at any time by a suitably qualified and experienced professional. Any minor amendments must be agreed to in writing by Council prior to implementation of any changes. Re-certification is not required if Council confirms those minor amendments are within scope of the certified ECMP.
	<u>Riparian vegetation clearance</u>
LUC12	<u>Ecological Management Plan:</u> Vegetation clearance at watercourses 1 and 2, and as identified as “vegetation to be removed” on the Location of Watercourse works Plan, prepared by Boffa Miskell dated 11 March 2026, shall be undertaken in accordance with the Ecological Management Plan (EcMP) prepared by Boffa Miskell and dated 26 March 2026, which includes: (a) Management protocols for lizards in accordance with LUC13 below. (b) Management protocols for the avoidance of bird nesting season, or the methods to confirm there are no nesting threatened indigenous birds nesting within the tree lines. (c) Management and tree felling protocols for the detection and avoidance of bat usage at the time of tree felling. Upon the completion of each stage of works, all fauna findings resulting from the implementation of the EcMP as it relates to the vegetation removal at watercourses 1 and 2 must be recorded by a suitably qualified and experienced ecologist in an ‘Ecological Compliance Report’ and submitted to Council within 3 months of the works being completed. The EcMP may be amended at any time by a suitably qualified and experienced ecologist. Any minor amendments must be agreed to in writing by Council prior to implementation of any

Appendix 6B: Proposed Resource Consent Conditions

Auckland Prison Capacity Increase – Substantive Application

	changes. Re-certification is not required if Council confirms those minor amendments are within scope of the certified EcMP.
LUC13	<u>Lizard management:</u> (1) All works shall be undertaken in accordance with the Lizard Management Plan (LMP), prepared by Boffa Miskell, dated 26 March 2026 (or any subsequent LMP prepared by a suitably qualified and experienced ecologist, and certified by Department of Conservation under the Wildlife Approval Condition WAA02). This includes: (a) Lizard capture, handling and relocation must be undertaken between the 1st October and 30 April when lizards are most active. (b) Lizard survey to ascertain the absence/presence of lizard species through a thorough lizard survey of suitable lizard habitat prior to commencement of earthworks or lizard habitat removal. (c) If lizards are detected, prior to disturbance to lizard habitat, the lizards shall be salvaged and released into the lizard release site. (d) Lizard capture and handling must involve only techniques that minimise the risk of infection or injury to the animal; and (e) relocating indigenous lizard species to a suitable release site, provided the release site has been subject to predator control measures for at least 6 months prior to the first transfer and will receive ongoing predator control for three years after the last transfer. (2) A suitably qualified and experienced ecologist/herpetologist shall oversee the implementation of the Lizard Management Plan (LMP) and must certify that the lizard related works have been carried out according to the certified LMP. (3) The LMP may be amended at any time by a suitably qualified and experienced ecologist/herpetologist in accordance with Condition WAA02 of the Wildlife Approval. <u>Advice Note:</u> • <i>Department of Conservation, as the administering agency for the Wildlife Authority, has the authority to certify any updated LMP.</i> • <i>Please note that it is recommended that the lizard salvage and relocation is undertaken in conjunction with the vegetation clearance operations (and contractor) for an integrated approach (on the same day), to enable the physical search for gecko's following felling of trees and shrubs, and to rescue any skinks from ground cover vegetation and terrestrial retreats.</i>
LUC14	Ecological offsetting and compensation planting (for loss of Watercourses 1 and 2 and riparian vegetation): The consent holder shall implement the following in accordance with the Landscape Mitigation and Ecology Enhancement Plan (LMEEP), prepared by Boffa Miskell, dated 11 March 2026: (a) plant the following areas: (i) Watercourse compensation planting (1.6 ha) (ii) Watercourse offset planting (1.05 ha) (iii) Wetland compensation planting (0.28 ha) (b) Make improvements to two perched culverts to provide fish passage at Watercourse 6. The above planting shall be implemented and maintained (including pest and weed management and control) in accordance with the Landscape and Ecological Implementation and Management Plan (LEIMP) prepared by Boffa Miskell, dated 26 March 2026 (or any subsequent LEIMP prepared by a suitably qualified and experienced ecologist or landscape architect, and certified by Auckland Council).

LUC15	All ecological offset and ecological compensation planting must be completed prior to the loss of vegetation surrounding Watercourse 1 and 2. The replacement plants must be eco-sourced.
LUC16	<u>Watercourse 6 Culverts</u> Prior to completion of reclamation of the 124m length of Watercourse 1, the western culvert at watercourse 6 (abutting the land at 43 Merewhira Road and shown on the LMEEP) shall be upgraded and designed in accordance with Auckland Council Technical Publication 108: Guideline for stormwater runoff modelling in the Auckland Region, April 1999 and to ensure the following matters are addressed: (a) the total length of the replacement culvert structure will not exceed 10m measured parallel to the direction of water flow (b) conveyance of stormwater during the 100 year ARI event without significantly increasing flood levels up stream or downstream of the structure (c) the structure must not prevent the passage of fish upstream and downstream, except that temporary restrictions to fish passage may occur in to enable construction work to be carried out; (d) the structure must not cause more than minor bed erosion, scouring or undercutting immediately upstream or downstream. In addition, the outlet of the eastern culvert abutting Merewhira Road (shown on the LMEEP) shall be improved with rocks stacked at the outlet to form a shallow sloping structure and/or spat ropes to provide fish passage. <i>Advice Note:</i> <i>Culvert improvements should be aligned with New Zealand Fish Passage Guidelines (NIWA 2024).</i>

	<u>LUSXXX01</u> <u>For Watercourse works - including stream diversion and reclamation and associated works within a stream.</u> <u>LUSXXX02</u> <u>For Stream reclamation works under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020</u>
LUS01	Prior to the commencement of watercourse works activity on the subject site, a finalised watercourse works methodology shall be submitted to Council for certification. The finalised watercourse works methodology shall be prepared in general accordance with the application documents (including Section 5 of the Report titled "Extension of Pipes at Watercourses - Engineering Design Report" prepared by Aurecon, dated 26 March 2026), and in accordance with Auckland Council's Guideline Document 2016/005 <i>Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region</i> (GD05) and shall include, but is not limited to: (a) specific erosion and sediment control works for the watercourse works; (b) management of contaminants to water (e.g. hydrocarbons, construction materials); (c) methodology for diverting upstream flows during the watercourse works, including how sufficient flow will be maintained at all times below the site of the works to maintain in-stream biota; (d) details of construction methods; (e) supporting calculations and design drawings;

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	(f) monitoring and maintenance requirements; (g) details relating to the management of exposed areas (e.g. grassing, mulching, geotextile); (h) details of final streambed remediation or stabilisation upon completion of stream works. The watercourse works methodology may be amended at any time. Any minor amendments must be agreed to in writing by Council prior to implementation of any changes. Re-certification is not required if Council confirms those minor amendments are within scope of the certified watercourse works methodology. Advice Note: <i>The finalised Watercourse works Methodology may be included and incorporated into the site's Erosion and Sediment Control Plan. In the event that minor amendments to either the Watercourse works Methodology or the Erosion and Sediment Control Plan are required, any such amendments should be limited to the scope of this consent. Any amendments may require an application to be made in accordance with section 127 of the RMA. Any minor amendments should be provided to Auckland Council prior to implementation to confirm that they are within the scope of this consent.</i>
LUS02	Native Fish Capture and Relocation Plan: The works that are the subject of the consent application shall be undertaken in accordance with the Native Fish Capture and Relocation Plan, prepared by Boffa Miskell, dated 26 March 2026 and contained within the EcMP. The Native Fish Capture and Relocation Plan addresses the following matters: (a) 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, or from Pond 2. (b) Details of the relocation sites (c) Storage and transportation methods (d) Details of suitably qualified ecologist to implement the Plan. Upon the completion of fish salvage, resulting from the implementation of the Native Fish Capture and Relocation Plan must be recorded by a suitably qualified and experienced ecologist and submitted to Council within 5 days of the completion of the Native Fish Capture and Relocation works. The Native Fish Capture and Relocation Plan may be amended at any time by a suitably qualified and experienced ecologist. Any minor amendments must be agreed to in writing by Council prior to implementation of any changes. Re-certification is not required if Council confirms those minor amendments are within scope of the certified Native Fish Capture and Relocation Plan.
LUS03	Ecological offsetting and compensation planting (for loss of Watercourses 1 and 2 and riparian vegetation): The consent holder shall implement the following in accordance with the Landscape Mitigation and Ecology Enhancement Plan (LMEEP), prepared by Boffa Miskell, dated 11 March 2026, Rev D: (a) plant the following areas: (i) Watercourse compensation planting (1.66 ha) (ii) Watercourse offset planting (0.94 ha) (iii) Wetland compensation planting (0.28 ha) (b) Make improvements to two perched culverts to provide fish passage at Watercourse 6.

	The above planting shall be implemented and maintained (including pest and weed management and control) in accordance with the Landscape and Ecological Implementation Management Plan (LEIMP) prepared by Boffa Miskell, dated 26 March 2026 (or any subsequent updated LEIMP prepared by a suitably qualified and experienced ecologist or landscape architect, and certified by Auckland Council).
LUS04	All ecological offset and ecological compensation planting must be completed prior to the loss of vegetation surrounding Watercourse 1 and 2. The replacement plants must be eco-sourced.
LUS05	Any sediment or material excavated from the bed of the stream shall be stockpiled outside the very high or high flood hazard areas and managed with appropriate erosion and sediment control measures in accordance with Auckland Council's Guideline Document 2016/005 <i>Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region</i> (GD05).
LUS06	During any periods of flow greater than the capacity of the diversion, up to the 100 year flood event, a stabilised flow path, in accordance with Auckland Council's Guidance Document: <i>Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland region</i> (GD05) must be provided. Any stabilised flow path must be designed and implemented to ensure: • no scour or erosion occurs; • no sediment is generated or discharged to water; and • flows pass safely around or through the area of works, with minimum nuisance and damage to infrastructure and properties from obstruction of flows or flood debris.
LUS07	<u>On-site works methodology:</u> All machinery shall be operated in a way, which ensures that spillages of fuel, oil and similar contaminants are prevented, particularly during stabilisation and machinery servicing and maintenance. Refuelling and lubrication activities shall be carried out away from any water body such that any spillage can be contained so it does not enter the watercourse associated with these consents. The use of grouts and concrete products shall also be limited adjacent to the watercourse with all mixing of products carried out outside the very high or high flood hazard areas such that any spillage can be contained so it does not enter the watercourses associated with these consents.
LUS08	The consent holder shall ensure that all machinery operates from the stream banks at all times. No machinery shall enter the wetted cross section of a watercourse at any time.
LUS09	The works within watercourse channels shall only occur during periods when all flows, normal for the time of year the works are undertaken can be diverted around the area of works (and managed in accordance with Condition LUS06).
LUS10	<u>Seasonal restrictions and monitoring:</u> Notwithstanding condition LUS09 above, no watercourse works on the subject site without the prior certification from Council shall be undertaken between: 1 May and 30 September in any year as it relates to watercourse 1; 1 May and 30 October in any year, as it relates to watercourse 2, <u>Advice Note:</u> Any 'Request for winter works' will be assessed against criteria in line with the information required to assess a comprehensive application. Principally that will focus on the level of risk, the propensity to manage that risk with contingency planning and a 'track record' of good compliance with consent conditions. Each 'Request for winter works' submitted, should include the following:

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	• <i>Description of works proposed to be undertaken between 30 April and 1 October and the duration of those works;</i> • <i>Details of proposed measures to prevent sediment discharge from these specific works, particularly during periods of heavy rainfall;</i> • <i>Details of area(s) already stabilised;</i> • <i>Revised erosion and sediment control plan detailing stabilisation to date and time line/staging boundaries showing proposed progression of stabilisation;</i> • <i>Contact details for contractor who will undertake stabilisation of the site including date(s) expected on site;</i> • <i>Alternatives/contingencies proposed if the contractor referred to above becomes unavailable; and</i> • <i>Details of site responsibilities, specifically who is responsible for erosion and sediment controls and stabilisation processes over the specified period.</i>
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	<u>DISXXXXX</u> <u>To authorise stormwater diversion and discharge from new outfall structures at Watercourse 1 and 2</u>
DIS01	<u>Duration of consent</u> Stormwater diversion and discharge permit DISXXX shall expire in 35 years on (date 35 years post consent approval) unless it has lapsed, been surrendered or been cancelled at an earlier date pursuant to the Resource Management Act 1991.
DIS02	<u>Modifications approval</u> In the event that any modifications to the stormwater management system are required, that will not result in an application under section 127 of the RMA, the following information shall be provided: • Plans and drawings outlining the details of the modifications; and • Supporting information that details how the proposal does not affect the capacity or performance of the stormwater management system. All information shall be submitted to, and certified by the Council, prior to implementation. Advice Note: <i>All proposed changes must be discussed with the Council, prior to implementation. Any changes to the proposal which will affect the capacity or performance of the stormwater management system will require an application to the council under section 127 of the RMA.</i>
DIS03	<u>Post-construction meeting</u> A post-construction meeting shall be held by the consent holder, within 20 working days of completion of the stormwater management works, that: (a) is located on the subject area; (b) includes representation from the Council; and (c) includes representation from the who will undertake the works and Councils Development Engineer. Advice Note:

	<i>To arrange the post-construction meeting required by this consent, please contact the Council on phone 09 301 0101 or monitoring@aucklandcouncil.govt.nz.</i>
DIS04	<u>Certification of stormwater management works (As-built plans)</u> As-Built certification and plans of the new outfall structures, which are certified (signed) by a suitably qualified registered surveyor as a true record of the stormwater management system, shall be provided to the Council upon completion of the works.
DIS05	<u>Contents of As-Built plans</u> As-Built Plans shall be provided to the Council 5 days working prior to the post-construction meeting required by Condition DIS03 of this consent. The As-Built plans shall display the new outfall structures, and shall include: (a) the surveyed location (to the nearest 0.1m) and level (to the nearest 0.01m) of the discharge structure, with co-ordinates expressed in terms of NZTM and LINZ datum; (b) documentation of any discrepancies between the design plans and the As-Built plans certified by the Modifications Approval condition DIS02.
DIS06	<u>Operation and Maintenance Plan</u> An Operation and Maintenance Plan for the proposed outlet structures shall be submitted to the Council for certification.
DIS07	<u>Contents of Operation and Maintenance Plan</u> An Operation and Maintenance Plan shall be provided to the Council 5 days prior to the post-construction meeting required by this consent. The Operation and Maintenance Plan shall set out how the stormwater management system is to be operated and maintained to ensure that adverse environmental effects are minimised. The plan shall include: (a) details of who will hold responsibility for long-term maintenance of the stormwater management system and the organisational structure which will support this process; (b) a programme for regular maintenance and inspection of the stormwater management system; (c) a programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices; (d) a programme for post storm inspection and maintenance; (e) a programme for inspection and maintenance of the outfall; (f) general inspection checklists for all aspects of the stormwater management system, including visual checks; and (g) a programme for inspection and maintenance of vegetation associated with the stormwater management devices.
DIS08	<u>Operation and Maintenance Plan implementation</u> The stormwater management system shall be managed in accordance with the certified Operation and Maintenance Plan.
DIS09	<u>Amendments to the Operation and Maintenance Plan</u> Any amendments or alterations to the Operation and Maintenance Plan shall be submitted to, and re-certified by the Council, in writing prior to implementation.

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	The Operation and Maintenance Plan shall be updated and submitted to the Council for certification, upon request.
DIS10	<u>Obstructions of waterway</u> The stormwater management system shall be maintained to ensure that watercourse 1 and 2 are clear from obstructions, erosion or hazards to safety.
DIS11	<u>Maintenance Report</u> Details of all inspections and maintenance for the new outfall structures shall be retained for the first three years and thereafter the preceding three years. A maintenance report shall be provided to the Council on request.
DIS12	<u>Contents of Maintenance Report</u> The maintenance report shall include the following information: (a) details of who is responsible for maintenance of the stormwater management system and the organisational structure supporting this process; (b) details of any maintenance undertaken; and (c) details of any inspections completed.

DIS13	<u>Review of Conditions</u> The conditions of this consent may be reviewed by the Council pursuant to Section 128 of the RMA, (with the costs of the review process being borne by the Consent Holder), by giving notice pursuant to s129 of the RMA, in one or more of the following times: • within one year of construction of the stormwater works; and/or • at five yearly intervals after that time. The purpose of the review may be for any of the following purposes, namely: (a) To deal with any adverse effect on the environment which may arise from the exercise of the consent or is contributed to by the exercise of the consent, or is found appropriate to deal with at a later stage, and in particular but without limiting the ambit of this clause to: (i) insert conditions, or modify existing conditions, to require the Consent Holder to identify the character or nature of any discharges authorised by this consent and to report the results of that monitoring to the Council; and/or (ii) insert conditions, or modify existing conditions to require the Consent Holder to monitor the effects of any discharges authorised by this Consent on the local receiving environment and to report the results of that monitoring to the Council; (b) Insert conditions, or modify existing conditions, requiring the Consent Holder to adopt the Best Practicable Option to remedy, mitigate or minimise any adverse effects on the environment resulting from the discharges authorised by this consent, including remedying or mitigating any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage.
	<u>DISXXX02</u> <u>For discharge of contaminants from contaminated land</u>
DIS14	<u>Earthworks and Contamination Management Plan</u>

	Works shall be undertaken in accordance with the Earthworks and Contamination Management Plan (ECMP) prepared by Aurecon dated 26 March 2026 (or any subsequent ECMP prepared by a suitably qualified and experienced practitioner, and certified by Auckland Council). This includes: (a) best-practice earthworks and contamination management measures (b) removal of contaminated material from Areas 1 and 2 (identified in Figure 4 of the ECMP) off-site to a licenced waste disposal facility (as set out in Table 11 of the ECMP). (c) procedures to follow in an event 'unexpected contamination' is discovered during earthworks. (d) A Works Completion Report including information specified in Table 9, made available to Auckland Council on request. The ECMP may be amended at any time by a suitably qualified and experienced professional. Any minor amendments must be agreed to in writing by Council prior to implementation of any changes. Re-certification is not required if Council confirms those minor amendments are within scope of the certified ECMP.
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	<u>WATXXXXX</u> <u>To authorise groundwater takes associated with localised dewatering</u>
WAT01	<u>Authorised quantities:</u> <u>Watercourse 1:</u> (a) The daily abstraction of groundwater associated with construction works in watercourse 1 shall not exceed 8 cubic metres. <u>Watercourse 2:</u> (b) The daily abstraction of groundwater associated with construction works in watercourse 2 shall not exceed 4 cubic metres. Dewatering activities shall not occur for a period of longer than 25 days per watercourse.
WAT02	<u>Damage avoidance:</u> All excavation, dewatering systems, retaining structures and works associated with the diversion or taking of groundwater, shall be designed, constructed and maintained so as to avoid any damage to buildings, structures and services on the site and adjacent properties, unless otherwise agreed in writing with the asset owner.

