

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	BUN 60464166XXX LUC 60464167XXX LUS 60464168XXX01 LUSTBC XXX02 DIS 60464169XXX01 DISTBC XXX02 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)).

Commented [JW1]: Refer to Annexure on GW for view that consent is not required under E7(A26) which creates this consent need. Applicant to confirm.

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>BUNXXXConditions applying to all consents</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 LUC60464167XXX, LUS60464168XXX01, LUSXXX02, and DIS60464169XXX 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></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
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Commented [JW2]: BUN references are provided for primarily administrative purposes but there is no consent type under the BUN and therefore conditions are attributed to the specific LUC, LUS, DIS, WAT. Where conditions are applicable to all consent types this should be listed.

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Civil Watercourse 1 and 2 Stormwater Section View	528563-W100- DRG-CC-0370	Aurecon	A	21.01.26
Overall Watercourse 1 and 2 Stormwater Plan	528563-W100- DRG-CC-0700	Aurecon	A	21.01.26
Civil Watercourse 1 Stormwater Plan	528563-W100- DRG-CC-0701	Aurecon	A	02.10.2025
Civil Watercourse 2 Stormwater Plan	528563-W100- DRG-CC-0702	Aurecon	A	21.01.26
Civil Watercourse 1 and 2 Stormwater Section View	528563-W100-DRG-CC-703	Aurecon	A	21.01.2026
Watercourse 1 Long section	528563-W100- DRG-CC-0771	Aurecon	A	21.01.26
Watercourse 2 Long section	528563-W100- DRG-CC-0772	Aurecon	A	21.01.26
Standard Details Stormwater Manhole	528563-W100- DRG-CC-0773	Aurecon	A	21.01.26
Pipe Embedments – Standard Embedment for Concrete Pipes	528563-W100- DRG-CC-0774	Aurecon	A	21.01.26
Title of Report	Prepared by	Revision		Date
Assessment of Ecological Effects: Reclamation of Watercourses and	Boffa Miskell Limited	Final		26.03.26

	riparian vegetation clearance			
	Auckland Prison Capacity Increase Extension of Pipes at Watercourses – Engineering Design Report	Aurecon	2	26.03.2026
BUN02 Condition applying to LUC60464167 LUS60464168 LUSTBC	<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</i>			

Commented [JW3]: Council to consider if various fauna and flora management plans and LMEEP with relevance to the watercourse works and offset/compensation and upgrades should be captured.

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	<i>discussed at this meeting. All additional information required by the Council should be provided 2 days prior to the meeting.</i>
	<u>Monitoring Deposit</u> <u>The consent holder must pay the council an initial consent compliance monitoring charge of \$3000 (inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs incurred to ensure compliance with the conditions attached to this consent.</u> <u>Advice note:</u> <u>The initial monitoring deposit is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc., all being work to ensure compliance with the resource consent(s). In order to recover actual and reasonable costs, monitoring of conditions, in excess of those covered by the deposit, shall be charged at the relevant hourly rate applicable at the time. The consent holder will be advised of the further monitoring charge. Only after all conditions of the resource consent have been met, will the council issue a letter confirming compliance on request of the consent holder.</u>

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	<u>LUCXXXX60464167</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. • <u>Revised erosion and sediment control plan detailing stabilisation to date and time line/staging boundaries showing proposed progression of stabilisation.</u> • <u>Location of treatment devices, sequencing/staging of works, monitoring of Erosion and Sediment Controls, long term and short term Erosion and Sediment Controls and stabilisation measures.</u> • 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 <u>twelve (12)</u> 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:

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	• <i>stopping of works during high winds</i> • <i>watering of access tracks, stockpiles and manoeuvring areas during dry periods</i> • <i>grassing or covering of stockpiles</i> • <i>positioning of access tracks, manoeuvring areas and stockpiles or the staging of works (in relation to sensitive receptors such as dwellings)</i> <i>In assessing whether the effects are noxious, offensive or objectionable, the following factors will form important considerations:</i> • <i>The frequency of dust nuisance events</i> • <i>The intensity of events, as indicated by dust quantity and the degree of nuisance</i> • <i>The duration of each dust nuisance event</i> • <i>The offensiveness of the discharge, having regard to the nature of the dust</i> • <i>The location of the dust nuisance, having regard to the sensitivity of the receiving environment.</i> <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: (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> • the use of mulching • top-soiling and grassing of otherwise bare areas of earth • aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward • natural fibre for a stream channel.
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>

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	• provision of a stabilised entry and exit(s) point for vehicles • provision of wheel wash facilities • ceasing of vehicle movement until materials are removed • cleaning of road surfaces using street-sweepers • silt and sediment traps • catchpits or environpods <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>Pumping & Dewatering Management Plan (PDMP)</u> <u>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:</u> <u>a. Dewatering management procedures for any dewatering of sediment laden water accumulated within excavations at the site;</u> <u>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</u> <u>c. Monitoring & maintenance requirements.</u> <u>All dewatering activities undertaken throughout the duration of earthworks at the Ste, must be undertaken in accordance with the certified Pumping & Dewatering Management Plan.</u> <u>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.</u>

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	<u>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:</u> <u>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;</u> <u>b) Monitoring, maintenance (including post storm) and contingency programme (including a record sheet);</u> <u>c) Details of optimum dosage (including assumptions);</u> <u>d) Results of initial chemical treatment trial;</u> <u>e) A spill contingency plan; and</u> <u>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.</u> <u>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.</u>
	<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 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.

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	(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. <u>(2)</u> 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. <u>(2)(3)</u> 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. <u>(3)(4)</u> 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> - Department of Conservation, as the administering agency for the Wildlife Authority, has the authority to certify any updated LMP. - 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.
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). <u>Following establishment ecological offset and compensation planting and culvert improvements, the consent holder must submit a completion report to Council, for certification within 30 working days of the works being completed. This report must confirm that all plantings and culvert upgrades have been completed in accordance with condition X and X</u>
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.

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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. <u>Plans detailing the design of both culverts in Watercourse 6, together with associated remediation structures must be provided to Council for written certification prior to commencement of the reclamation of watercourse 1.</u> <i>Advice Note:</i> <i>Culvert improvements should be aligned with New Zealand Fish Passage Guidelines (NIWA 2024).</i>
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Commented [JW8]: Recommendation as per the Freshwater ecologist recommendation based on the following concerns:

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.

	<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 and 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;

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	(e) supporting calculations and design drawings; (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 Guideline 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: (a) 1 May and 30 September in any year as it relates to watercourse 1; (b) 1 May and 30 October in any year, as it relates to watercourse 2, Advice Note: 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

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	compliance with consent conditions. Each 'Request for winter works' submitted, should include the following: • Description of works proposed to be undertaken between 30 April and 1 October 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; and • Details of site responsibilities, specifically who is responsible for erosion and sediment controls and stabilisation processes over the specified period.
	<u>DISXXXX</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.
DIS067	<u>Contents of Operation and Maintenance Plan</u> An Operation and Maintenance Plan for the proposed outlet structures shall be submitted to the Council for certification and 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.
DIS078	<u>Operation and Maintenance Plan implementation</u> The stormwater management system shall be managed in accordance with the certified Operation and Maintenance Plan.

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DIS099	<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. The Operation and Maintenance Plan shall be updated and submitted to the Council for certification, upon request.
DIS910	<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.
DIS101	<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. <u>The maintenance report shall include the following information:</u> (a) <u>details of who is responsible for maintenance of the stormwater management system and the organisational structure supporting this process;</u> (b) <u>details of any maintenance undertaken; and</u> (c) <u>details of any inspections completed.</u>
DIS12	<u>Contents of Maintenance Report</u> <u>The maintenance report shall include the following information:</u> (a) <u>details of who is responsible for maintenance of the stormwater management system and the organisational structure supporting this process;</u> (b) <u>details of any maintenance undertaken; and</u> (c)(d) <u>details of any inspections completed.</u>

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DIS123	<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;
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	(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.
	DISXXX02 <u>For discharge of contaminants from contaminated land</u> <u>LUC60464167</u> <u>For activities including earthworks on 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 <u>prior to its implementation</u>). This includes: (a) best-practice earthworks and contamination management measures <u>to minimise risks to human health and the environment</u> (b) removal of contaminated material from Areas 1 and 2 (identified in Figure 4 of the ECMP) off-site to a licensed waste disposal facility <u>authorised to accept the relevant level of contamination</u> (as set out in Table 104 of the ECMP). (c) procedures <u>set out in Section 6.3 of ECMP to follow in the</u> 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>Works Completion Report</u> <u>Within three months of the completion of the Works, a Works Completion Report (WCR) must be submitted to the Council for review and certification. The WCR must contain sufficient detail to address the information in Table 9 of the ECMP include the following matters:</u> <u>a) A summary of the works undertaken, including the location and dimensions of the excavations carried out and the volume of soil excavated;</u> <u>b) Conditions of the final site contamination profile, including details and results of any validation testing undertaken (with a map of sampling locations and tabulated sampling results) and interpretation of the results in the context of the NES:CS and the AUP(OP) for the proposed lot;</u> <u>c) Records/evidence of the appropriate disposal for any material removed from the site;</u> <u>d) Records of any unexpected contamination encountered during the works and response actions, if applicable;</u> <u>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;</u> <u>f) Reports of any complaints, health and safety incidents related to contamination, and/or contingency events during the remedial works; and</u>

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	g) <u>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.</u>
	<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.

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