

FORM 18

NOTICE OF REQUIREMENT BY REQUIRING AUTHORITY FOR DESIGNATION TO BE INCLUDED IN PROPOSED PLAN WITH MODIFICATION

TO: The Chief Executive
Waikato District Council
Private Bag 544
Ngaruawahia 3742

FROM: The Minister of Corrections
C/- The Department of Corrections
Private Box 1206
Wellington 6140

SUMMARY OF NOTICE: In accordance with Clause 4 of the First Schedule of the Resource Management Act 1991 (“the RMA”), the Minister of Corrections (“the Minister”) gives a Notice of Requirement that Designation P1, relating to the Spring Hill Corrections Facility, be included in the Proposed Waikato District Plan (“the Proposed Plan”). The Minister wishes to modify Designation P1 in accordance with subclauses (1) and (3) of Clause 4 of the First Schedule of the RMA.

1.0 INTRODUCTION

- 1.1 Designation P1 is included in the Operative Waikato District Plan – Waikato Section (“the Operative Plan”) and provides for the construction, operation, maintenance and upgrading of the Spring Hill Corrections Facility (“SHCF”). The Department of Corrections (“the Department”) is responsible for the management of SHCF.
- 1.2 The SHCF designation was confirmed by the Environment Court in a decision made on 30 June 2004. The designation is subject to a “Description of Works” and a set of 50 conditions (refer to Appendix A).
- 1.3 Following confirmation of the designation in 2004, the facility was constructed in 2005-2007, and officially opened on 25 September 2007. The facility has a current capacity of 1,002 prisoners.
- 1.4 SHCF is located on Hampton Downs Road and Hall Road, Te Kauwhata. The land subject to the designation is legally described as Lots 2 and 3 DPS 45006, Lot 1 DPS 10284, Lot 1 DPS 49015, Lot 1 DPS 18591, and Lot 2 DPS 91891. The spatial extent of the designation is indicated on the map attached as Appendix B, which is an excerpt from the online Operative Plan planning maps.
- 1.5 The Minister seeks that the designation be retained in the Proposed Plan, but that some minor modifications be made to the designation text. No change is sought to the spatial extent of the designation.

2.0 THE NATURE OF THE MODIFICATIONS AND REASONS

2.1 The modifications that are sought to Designation P1 are described below and shown in Appendix C to this Notice of Requirement. Appendix C also contains commentary relating specifically to each condition where modification is proposed, to provide further context.

2.2 A number of designation conditions set out requirements that relate solely to the initial construction works that were undertaken to establish the SHCF. As such, these conditions have been satisfied and are now redundant given that the facility has been operational for a decade. In summary, these conditions relate to:

- Compliance with plans
- Formation of a Community Liaison Group
- Pre-works consultation
- Implementation of landscaping
- Construction traffic management
- Earthworks management
- Upgrading of the Te Kauwhata Wastewater Treatment Plant
- Directional signage.

3.0 THE EFFECTS THAT THE MODIFICATION WILL HAVE ON THE ENVIRONMENT AND THE WAYS IN WHICH ANY ADVERSE EFFECTS WILL BE MITIGATED

3.1 As the modifications to the initial construction works-related conditions are to remove requirements that have already been complied with and are now redundant given that the facility is operational, there will be no effects on the environment associated with their modification.

4.0 ALTERNATIVE SITES, ROUTES, AND METHODS

4.1 The key alternative method is to leave the initial construction works-related conditions as they are. This method is not preferred given that the subject conditions have already been complied with and are now redundant.

5.0 RESOURCE CONSENTS REQUIRED

5.1 No resource consents are required in association with the modifications sought to the designation text.

6.0 ACHIEVING THE OBJECTIVES OF THE REQUIRING AUTHORITY

6.1 The Department is responsible under the Corrections Act 2004 for enforcing sentences and orders of the criminal court and the New Zealand parole board. In meeting this responsibility, the Department establishes and operates custodial and non-custodial facilities.

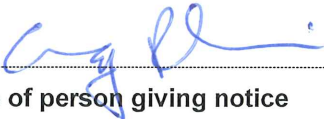
6.2 The Department protects the public of New Zealand from those who can harm them, by:

- Making sure prisoners, parolees and other offenders in the community comply with the sentences and orders imposed by the courts and parole board.
- Providing offenders with rehabilitation programmes, education and job training that will turn their lives around and break the cycle of re-offending.

6.3 The proposed modifications would achieve these objectives as the modified designation will remove the redundant conditions, resulting in a more efficient package of planning requirements relating to the SHCF.

7.0 CONSULTATION

7.1 Consultation has not been undertaken in the preparation of this Notice of Requirement. The designation, as notified, will be available for public submissions when the Proposed Plan is publicly notified.



Signature of person giving notice

11 June 2018

Date

Craig Plim – General Manager Property, Department of Corrections

With delegated authority from the Minister of Corrections

Address for service:

The Department of Corrections
Private Box 1206
Wellington 6140

Attention: Phil Wemyss, Senior Advisor Environment
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APPENDIX A: EXISTING DESIGNATION TEXT

DESIGNATION

(as confirmed by the Environment Court in its 30 June 2004 decision)

DESCRIPTION OF WORKS

- A. The designation applies to all of the land comprised in the following lots:
- a) Lot 3 DPS 45006;
 - b) Lot 1 DPS 10284;
 - c) Lot 1 DPS 49015;
 - d) Lot 1 DPS 18591;
 - e) Lot 2 DPS 91891;
 - f) Lot 2 DPS 45006; and
- together are described as "the site".
- B. The designation is for the construction, operation, maintenance and upgrading of a Corrections Facility and associated and ancillary activities and facilities, including but not limited to:
- Entry buildings
 - Kitchen, laundry, workshop buildings
 - Self-care accommodation (internal and external)
 - Adult residential accommodation
 - Youth residential accommodation
 - Sports field
 - Recreation buildings
 - Education buildings
 - Inmate receiving buildings
 - Health unit
 - Safe cells
 - Separates Unit
 - Visits buildings
 - Fale buildings
 - Atea
 - Visitor / Iwi services building
 - Staff facilities / Administration building
 - External stores building
 - Car parking
 - Stormwater management ponds
 - Internal roading
 - Security fences and lighting
 - Landscaping and buffer areas
 - Earthworks
 - All other associated or ancillary land use activities and all structures and facilities associated with a Corrections Facility as more particularly described in Attachment 1 to the NOR.

CONDITIONS

1.0 Documents

- 1.1 The initial works to give effect to the designation of the Corrections Facility shall be generally in accordance with the plans and information submitted by the

Minister of Corrections to the first instance hearing in January – March 2003 (unless inconsistent with the plans submitted to the Environment Court in May 2004 in which case the latter shall prevail) and the plans submitted to the Environment Court in May 2004, and in particular the following plans, subject to any amendments required or allowed by the following conditions:

- a) Book of Plans - Folder 1, Plan Numbers: NR16, NR25, NR27, NR31;
- b) Book of Plans – Folder 2, Figure Numbers: 1 and 2; and
- c) The following plans submitted to the Environment Court in May 2004:
 - (i) Book of Plans – Folder 1, Figure 4, 6, 19 and 25; and
 - (ii) Book of Plans – Folder 2, Figure 13A and 15.

This condition shall not limit any future buildings or activities on the site provided that they are within the scope of the designation as set out in A and B above and all of the following conditions of this designation. Nor shall it limit changes to the indicative landscape plans provided that such changes are in accordance with the requirements of Condition 6.1 and subject to the satisfaction of Waikato District Council Group Manager Environmental Services.

2.0 *Limits to the scope of Designation*

2.1 The scope of activities and works covered by the designation are limited in respect of the following:

- a) Except for self-care units, no additional security accommodation shall be located on the site, except within the secure perimeter area/ building platform area identified on Figure 4 and 6 dated December 2003;
- b) No additional self-care units shall be located on the site except within the secure perimeter area or the south western part of the land presently described as Lot 3 DPS 45006. Any additional self-care units shall have a minimum separation distance from property boundaries of at least 100 metres, and shall be landscape planted to assist with mitigation of views from adjacent properties. The nature and extent of the landscape planting required are to be determined as part of the Outline Plan process for any additional self-care units;
- c) Subject to d), all buildings (including inmate accommodation buildings) shall be constructed to a height no greater than 10 metres above constructed ground level except for security buildings (e.g. gate house and watch towers) and lighting;
- d) All inmate accommodation buildings shall be single storey (excepting the plant rooms);
- e) The external self-care units shall house only minimum security inmates; and
- f) The site cannot be used as a permanent maximum security facility.

3.0 *Social and Economic*

3.1 The Minister of Corrections shall establish and co-ordinate a Community Liaison Group which is to comprise a minimum of the following parties:

- a) 1 representative of the Department of Corrections management team;
- b) 1 representative of the Waikato District Council;
- c) 1 representative of local iwi / tangata whenua;
- d) 2 representatives of local landowners / community; and
- e) 1 representative of the New Zealand Police.

The objective of the Community Liaison Group will be to facilitate information flow between the Department of Corrections management team and the community and it will also be an ongoing point of contact between the Minister of Corrections and the community. The Community Liaison Group shall be formed within 4 months of the final confirmation of the designation (by the Minister of Corrections or the Environment Court) and it is to have its first meeting within that time.

For the purposes of this condition the representative of each group listed in a) – e) will be determined by that group, or in the event that agreement cannot be reached, determined by the Waikato District Council.

- 3.2 The Minister of Corrections shall be responsible for convening the meetings of the Community Liaison Group and shall cover the direct costs of running those meetings and (unless otherwise agreed by the Community Liaison Group) the costs associated with any actions which are agreed to as a result of the meetings.
- 3.3 The Minister of Corrections shall provide an opportunity for the Community Liaison Group to meet four times during the course of each calendar year or as otherwise agreed by a majority of the Group.
- 3.4 At a minimum, matters to be considered by the Community Liaison Group for the purposes of making a recommendation to the Department of Corrections, shall include the following:
 - a) The final name of the Corrections Facility;
 - b) Aspects of the Earthworks Management Plan, Groundwater Management Plan, and the construction of the Corrections Facility which are intended to minimise actual and/or potential adverse effects on surrounding neighbours;
 - c) The nature and extent of any signage on State Highway 1 associated with the Corrections Facility;
 - d) The possible development of a visitor rest area on the Corrections Facility site;
 - e) Any strategy to be developed by the Department of Corrections to ensure that opportunities are provided to the local community for employment and provision of services associated with the construction and operation of the Corrections Facility; and
 - f) Any need for local emergency services to be augmented or subsidised as a result of potentially greater level of demand for these services because of the Corrections Facility (eg fire, police, ambulance, where these services are not covered by an existing national agreement between the Department of Corrections and the relevant body).

Note: For the purposes of condition 3.4(e) it is acknowledged that the Minister and Department of Corrections are constrained by statutory procedure in entering contracts (including employment contracts and tenders for the provision of services).

3.5 The Minister of Corrections shall not be in breach of Conditions 3.1, 3.2, 3.3, or 3.4 if any one or more of the parties specified in Condition 3.1 do not wish to be members of the Community Liaison Group or to attend particular meetings.

3.6 The Minister shall in consultation with the Community Liaison Committee, set up and implement a system to notify nearby neighbours in the event of an escape. Such system shall include a notification network and community response guidelines.

The Department shall not be in breach of this condition if any of the neighbours advise the Department that they do not wish to be advised of an escape.

3.7 The Minister shall provide to the Waikato District and Regional Council's the name of and a contact telephone number for the Corrections Facility Site Supervisor prior to on-site work commencing. The same information is to be provided to the Community Liaison Group members on their appointment.

4.0 Cultural and Spiritual

4.1 Before any works are undertaken on the site the Minister of Corrections shall undertake further consultation with the Waikato Raupatu Lands Trust and a nominated Ngati Naho hapu representative regarding any cultural/spiritual issues in relation to the site, and if those parties wish, they shall be accorded the opportunity to hold an appropriate ceremony on the site. The Minister of Corrections shall not be in breach of this condition if Ngati Naho hapu does not nominate or cannot agree to a representative.

4.2 The puna (springs) shown on Figure 4 dated December 2003 shall be fenced off and protected from construction works, including earthworks. There shall be no future building development or earthworks within 5m of any of the puna, unless agreed between the Minister and the Waikato Raupatu Lands Trust, Ngati Naho Co-operative Society Limited and Horahora Marae Trust.

4.3 The Minister shall register a Memorandum of Encumbrance against the title of the corrections facility land, requiring the Minister to notify any successors, permitted assignees, successors in title, lessees of the corrections facility land or any persons taking a controlling interest in the operation or management of the corrections facility of the obligation contained in condition 4.2. The Memorandum of Encumbrance shall run with the land of the corrections facility and bind the Minister's successors and assigns, lessees of the corrections facility land and any other persons taking a controlling interest in the operation or management of the corrections facility.

4.4 Tangata whenua shall be allowed access to the puna, subject to the prior approval of the manager of the facility on each occasion. The manager shall not unreasonably withhold approval for such access. In deciding

whether to grant access on each occasion, the manager shall take into account operational requirements of the corrections facility and the health and safety of staff, inmates and visitors and may impose such conditions on entry and access as he or she considers appropriate on that occasion.

5.0 Archaeological

5.1 If any urupa, traditional sites, taonga (significant artefacts), koiwi (human remains), or other archaeological sites are exposed during site works the following procedures shall apply:

- a) Immediately it becomes apparent that an urupa, traditional site, taonga, koiwi or other archaeological site has been exposed, all site works in the immediate vicinity shall cease;
- b) The site supervisor shall immediately secure the area in a way that ensures that any artefacts or remains are not further disturbed; and
- c) The site supervisor shall notify the Waikato Raupatu Lands Trust and a nominated Ngati Naho hapu representative, the New Zealand Historic Places Trust, the Department of Conservation, the Waikato District Council, the Waikato Regional Council and, in the case of human remains, the New Zealand Police, that an archaeological or traditional site has been exposed so that appropriate action can be taken. This includes such persons being given reasonable time as determined by the Waikato District Council to record and recover archaeological features discovered before work may recommence on the site. The Minister of Corrections shall not be in breach of this condition if Ngati Naho hapu does not nominate or cannot agree to a representative.

6.0 Landscaping

6.1 A Landscape and Visual Mitigation and Monitoring Plan shall be prepared for the entire site and within 6 months of final confirmation of the designation (by the Minister of Corrections or the Environment Court) is to be submitted to the Waikato District Council Group Manager Environmental Services for approval. The plan shall be based upon Figure Number 13A and Figure Number 15, and shall contain the following:

- a) A visual mitigation screening strategy. This is to include the use of screen and/or mass planting between the Corrections Facility building platform footprint (defined as all areas contained within the security perimeter wall) and Hampton Downs Road, State Highway 1 and any existing houses located on immediately adjacent properties. Mass planting shall also be used to create a visual buffer between surrounding properties and other areas of the site including all car parks and associated buildings, and all self-care units and associated buildings;
- b) Subject to condition 6.1(i)(i) below, a description of the botanical name, numbers, location, spacing and size of the plant species to be used in mitigation planting;
- c) An implementation staging plan containing information pertaining to staging and timing of mitigation works. The staging of mitigation works shall be linked to the staging of the development. The implementation and staging plan shall contain information pertaining to the time of

planting, implementation strategy and a maintenance regime aimed at ensuring continued post establishment growth;

- d) A revegetation strategy for sites used for disposal of spoil. This shall identify areas for disposal of spoil from excavations on site, their proposed final contours and revegetation programmes. The strategy shall achieve revegetation of these areas to a standard and planting density equivalent to that of the existing vegetation cover at the disposal site prior to placement of spoil. Plant species used for this purpose shall be similar to those already existing on site to ensure that visual integration between new and existing planting occurs;
- e) A planting plan for the protection and enhancement of puna (springs);
- f) A strategy that requires the retention of as much as is practically possible as a result of construction activities, the existing pine plantations along the ridgeline adjacent to the eastern boundary of the site and located in the gully close to the proposed self-care units, until the replacement planting becomes established;
- g) A strategy that identifies areas of the site that can be planted prior to and during the construction phase;
- h) A monitoring programme that requires:
 - i) An annual report documenting inspections of the site from the view points assessed for the NOR, being all locations identified on inspections of the site from the view points identified on Figure Number 1 and Figure Number 2, together with any other locations identified as being relevant by Waikato District Council;
 - ii) The first monitoring report shall be submitted to Waikato District Council Group Manager of Environmental Services within 36 months following completion of the mitigation works set out in Condition 6.3 and once more five years thereafter; and
 - iii) Each monitoring report shall include copies of photographs taken for comparison purposes and a statement identifying whether the objectives of the Landscape and Visual Mitigation Plan are being met and if not what remedial action is being or/ will be undertaken.

The Minister of Corrections shall not be in breach of Condition 6.1h) if any one or more of the landowners of adjacent properties from which some of the photographic viewpoints have been taken previously, refuse entry to those properties; and

- i) Provision for ensuring that the "indigenous tree planting" shown on Figure 13A:
 - i) generally comprises the percentages of relevant species shown on Table 1;
 - ii) is protected from stock. 7 wire stock fencing shall be established prior to the commencement of planting, in areas where grazing is occurring prior to planting. If the areas for grazing alter at a later date, and such areas are not fenced, provision shall be made to protect plants from stock by a 7 wire fence; and

- iii) is not pruned at any time, subject only to the removal of windfall trees or trees are in poor health and must be replaced in accordance with condition 6.1(c) above.

6.2 Following receipt of written approval to the Landscape and Visual Mitigation and Monitoring Plan from the Waikato District Council Group Manager Environmental Services, the Minister of Corrections shall implement and maintain the approved Landscape and Visual Mitigation and Monitoring Plan in accordance with the implementation staging plan as required by Condition 6.1(c). The approved implementation staging plan may be modified by written agreement between the Minister of Corrections and the Waikato District Council.

6.3 The screening works as identified by Condition 6.1(a) and (i)(i), shall be completed to the satisfaction of Waikato District Council Group Manager Environmental Services during the first 12 months of construction. The areas of the site that can be planted prior to and during the construction phase as identified by Condition 6.1(g), shall be planted before or during the first planting season following the final confirmation of the designation (by the Minister of Corrections or the Environment Court). All other landscaping as identified by Condition 6.1 shall be completed to the satisfaction of Waikato District Council Group Manager Environmental Services within 36 months after the corrections facility is operational or occupied by inmates. Prior to any work being undertaken on the site, the Minister of Corrections shall prepare a labelled photographic record of the site, including proposed spoil and excavation dump sites, and shall submit a copy of this record to the Waikato District Council Group Manager Environmental Services. Photographs shall be taken from all locations identified on Figure Number 1 and Figure Number 2.

The Minister of Corrections shall not be in breach of Condition 6.3 if any one or more of the landowners of adjacent properties from which some of the photographic viewpoints have been taken previously, refuse entry to those properties.

6.4 If any harvesting of exotic species is planned, a strategy shall first be prepared for the long-term sustainable harvesting and replanting of the areas in question, and shall contain the following:

- (a) a progressive harvesting plan which maintains the visual mitigation screening strategy, and which shows areas such as gullies, where harvesting (other than of old or wind fallen trees) will not occur;
- (b) timeframes for replanting harvested areas.

6.5 The strategy referred to in condition 6.4 shall be subject to approval by the Waikato District Council Group Manager Environmental Services and, once approved, shall be adhered to.

7.0 Lighting

7.1 The detailed lighting design for the site shall be based on the performance criteria contained in Figure 19 dated December 2003 and Plan Number NR16.

- 7.2 Calculations of the final lighting design to show compliance with AS4282:1997 Ostrusive Effects of Outdoor Lighting Table 2.1, for the maximum luminous intensity emitted by the luminaries of 500 cd for 'Dark Surrounds' during curfew hours, shall be submitted to the Waikato District Council Group Manager Environmental Services for approval prior to construction.
- 7.3 Any light source on site that exceeds 500 cd shall be shielded from the view of all of the existing dwelling houses located in the immediate vicinity of the site but not those that are over 1 kilometre from the site.
- 7.4 All street lights for the on-site access road and the Tee-intersection entrance at Hampton Downs Road shall be of the aero-screen flat-glass type with zero upward light output.

8.0 Acoustic

- 8.1 The Corrections Facility shall be designed and operated to ensure that noise levels from activity within the site do not exceed the following limits:
- (i) when measured at or within the notional boundary of any dwelling outside of the designated site and which is existing at 12 June 2003; and
 - (ii) when measured within the properties located on Pt Lot 2 DP28756, Pt Allot 384 Whangamarino Parish, Pt Allot 385 Whangamarino Parish, excluding noise generated by all farming, agricultural, horticultural and forestry activities which are permitted by the District Plan at 1 May 2004.

Monday to Friday	7:00am – 7:00pm	50dBA (L ₁₀)
Saturday	7:00am - 6.00pm	50dBA (L ₁₀)
At all other times including public holidays		40dBA (L ₁₀)

Noise levels shall be measured in accordance with the requirements of NZS6801:1991 Measurement of Sound and assessed in accordance with the requirements of NZS6802:1991 Assessment of Environmental Sound.

- 8.2 Construction noise emanating from the site shall meet the limits recommended in, and be measured and assessed in accordance with NZS6803:1999 Acoustic/Construction Noise.

9.0 Traffic

- 9.1 During construction, all access to the Corrections Facility site shall be via Hampton Downs Road, provided that subject to the prior written approval of Waikato District Council Group Manager Environmental Services after consultation with Transit New Zealand and the production of a Traffic Management Plan to the satisfaction of the Waikato District Council, restricted access to the site may be allowed via Hall Road but only for the delivery of equipment and materials and for the construction and/or installation of any services to be provided via Hall Road. During construction of the internal access road to the site, the use of Hall Road by trucks and trailers shall be limited to a maximum of 6 truck and trailer movements per day. During construction, Hall Road shall be maintained at least to its standard prior to

construction commencing. The need for maintenance work shall be identified by the Minister of Corrections in consultation with Waikato District Council. Plans for maintenance work deemed necessary shall be submitted to and approved by the Waikato District Council prior to work being undertaken. All maintenance works shall be undertaken at the Ministers' cost.

- 9.2 Once the Corrections Facility is operational, Hall Road may be used for access only in emergency situations or for boundary and other necessary inspections. For the purposes of this condition an "emergency situation" is defined as a situation requiring vehicular access by the Department of Corrections, New Zealand Defence Force, New Zealand Police, New Zealand Fire Service, an ambulance, or other organisations which assist in emergencies, and includes situations relating to the escape of any inmate.
- 9.3 Subject to Condition 11.1 being met, earthworks may be undertaken on the Corrections Facility site prior to the upgrading of Hampton Downs Road, but no construction of the Corrections Facility buildings or structures shall commence until Hampton Downs Road has been upgraded to current industry standards as approved by the Waikato District Council Group Manager Roading to provide at least a 9 metre wide sealed carriageway (including shoulders) on the new alignment of Hampton Downs Road (as shown on Attachment 1 to Conditions: Sheets 28469/48, 28469/49, 28469/52 and 28469/53 by Fraser Thomas) between the entrance to the Corrections Facility site and a fully operational grade-separated interchange at the intersection of State Highway 1 and Hampton Downs Road.
- 9.4 The entrance to the site off Hampton Downs Road shall be designed and constructed as a Tee-intersection and shall be provided with street lighting in accordance with Condition 7.4.
- 9.5 Subject to Conditions 9.3, 9.4 and 9.6, the design work shall be carried out in accordance with current industry standards, including but not limited to, the following:
- a) Rural Road Design – Guide to the Geometric Design of Rural Roads, Austroads;
 - b) Guide to Traffic Engineering Practice Part 5: Intersections at grade, NAASRA 1991;
 - c) Pavement Design: A Guide to the Structural Design of Pavements, Austroads 1992 (plus New Zealand Supplement of November 1995);
 - d) Bituminous Sealing Manual: Transit New Zealand 1993;
 - e) Manual of Traffic Signs and Markings: Parts 1 & 2- Transit New Zealand/Land Transport Safety Authority –1998; and
 - f) Safety Barriers – Considerations for the provision of safety barriers on Rural Roads, NAASRA 1987.
- 9.6 All engineering design plans and geotechnical reports as required by Waikato District Council for the roading works required under Conditions 9.3 and 9.4 shall be submitted to and approved by the Waikato District Council prior to work being undertaken.

- 9.7 All parking associated with construction activities shall be provided within the site.
- 9.8 On-site car parks for at least 120 staff vehicles and 180 visitor vehicles shall be provided generally in the location shown on Figure 6 dated December 2003.

10.0 Engineering

- 10.1 A Final Earthworks Plan shall be prepared and submitted to the Waikato District Council Group Manager Environmental Services for approval prior to construction. This plan shall cover the building platform, associated cut faces for borrow areas, the access roads, and ancillary earthworks. It shall:
- a) Be based upon site specific design parameters and shall consider static and seismic conditions;
 - b) Include stability analysis for the following case loads:
 - i) static loads, winter conditions normal factors of safety;
 - ii) static loads with 100 year flood including the effects of normal draw-down and appropriate factors of safety; and
 - iii) seismic loads, normal winter conditions with appropriate factors of safety;
 - c) Detail measures for dealing with situations that do not conform at the time of construction with the design assumptions; and
 - d) Ensure that surplus fill and unsuitable fill spoil sites / dumps are located in such areas, and are of such size and slope profile, that they will not affect localised land stability.
- 10.2 An Earthworks Management Plan shall be prepared and submitted to the Waikato District Council Group Manager Environmental Services for approval prior to earthworks commencing on site. The Earthworks Management Plan shall detail the following:
- a) The proposed earthworks methodology;
 - b) Material sources, use/disposal and treatment;
 - c) Dust and noise control methodologies;
 - d) The process for managing any instabilities that may occur within the areas affected by earthworks; and
 - e) The remedial measures to be adopted and, where the effect of the instability extends outside the site, the means of remedying the effect on affected property owners.
- 10.3 A detailed Groundwater Management Plan shall be prepared at the detailed design stage and submitted for review to the Waikato District Council Group Manager Environmental Services. The Groundwater Management Plan shall:
- a) Include final designs for the drainage systems;
 - b) Set out methods of site assessment by suitably qualified personnel to determine the need for the installation of further drainage during the site works;

- c) In respect of subsoil drainage pipes in cut and fill slopes, detail the planned monitoring of the systems and means of access and cleaning of the systems; and
 - d) In respect of subsoil drainage pipes in cut and fill slopes, include certified as built drawings and a Drainage System Maintenance Procedure detailing maintenance activities, timings and actions in the event of any defects being identified.
- 10.4 Construction drawings detailing the location, form of foundation, and type of water reservoir shall be prepared and submitted to the Waikato District Council Group Manager Environmental Services for approval prior to construction.
- 10.5 A detailed liquefaction assessment shall be submitted to the Waikato District Council Group Manager Environmental Services for approval prior to construction.

11.0 Services

- 11.1 Prior to the commencement of earthworks on site, excepting work on the internal site roading and stormwater drainage, the Minister of Corrections shall submit a report to the Waikato District Council Group Manager Environmental Services that confirms:
- a) All necessary resource consents and other approvals required for wastewater from the Corrections Facility to be disposed of in a lawful manner are held by the Minister, and
 - b) All necessary resource consents and any other approvals required to provide a potable water supply to the Corrections Facility in a lawful manner are held by the Minister.
- 11.2 Prior to the commencement of earthworks and construction the Waikato District Council Group Manager Environmental Services shall be advised in writing of the methods for water supply and disposal of wastewater during the period of earthworks and construction.

11A Wastewater

Introductory statement

The Minister has entered into an agreement with the Council to share the costs of upgrading the wastewater treatment plant at Te Kauwhata (TKWTP) with a view to ensuring that the mass loadings Total Phosphorous (TP) and Total Kjeldahl Nitrogen (TKN) discharged to Lake Waikare do not increase as a direct result of the TKWTP being used to treat sewage from the Corrections facility. This proposed upgrade may take any form, including pre treatment and/or the installation of a parallel treatment plant. The purpose of the conditions in this section are to set out the processes by which the Minister is to demonstrate that an appropriately designed upgrade has been completed and is functional, prior to discharges from the Corrections facility commencing.

- 11A.1 Wastewater flows from the Corrections Facility shall not exceed a maximum of 300m³/day. The Minister shall install appropriate flow meters at the Corrections Facility prior to opening and shall provide to the Council and community liaison

group in spreadsheet form, the relevant data from this flow meter at 6 monthly intervals. The raw data upon which the spreadsheet is based shall also be provided upon request of either the Council or the community liaison group.

11A.2 The Minister and the North Waikato Action Group Incorporated shall appoint an independent waste water engineer ("the independent engineer") acceptable to both parties at least 10 working days prior to any monitoring under 11A.3 commencing. All costs associated with the waste water engineers tasks pursuant to the conditions below, will be borne by the Minister.

11A.3 The Minister shall fund the Council to monitor the influent to the TKWTP and the discharge prior to the wetlands, for a period of at least 2 months prior to any upgrade commencing, for the following:

- Daily Flow
- Total Kjeldahl Nitrogen (TKN)
- Total Phosphorus (TP)

Monitoring shall be undertaken daily and shall be based upon 24 hour time proportional composite samples. Analysis shall be under taken in accordance with the "Standard Methods For the Examination of Water and Wastewater, 1998" 20th edition by A.P.H.A and A.W.W.A and W.E.F or other approved method.

11A.4 Following completion of the upgrade (in whatever form that takes), but prior to any wastewater being received from the Corrections facility, the Minister shall fund the Council to undertake a further 2 months of daily monitoring in accordance with the methodologies specified in Condition 11A.3.

11A.5 The independent engineer is to be provided with all monitoring data, together with:

- (a) information regarding the assessed daily flow and load (of TKN and Total Phosphorus) expected to be generated by the Corrections facility after any pre treatment at the Corrections site. This information is to be supported by monitoring records taken from existing Corrections facilities after making any allowances for pre treatment and/or flow balancing and storage on site.
- (b) all relevant design information, and manufacturers specifications, relating to the proposed upgrade of the TKWTP and any pre treatment on the Corrections site, including performance histories (from other similar plants) and including any information generated by the upgrade designers regarding the modelled performance of the upgraded plant both before the Corrections facility is occupied and once the Corrections facility has reached capacity.

11A.6 No waste water will be discharged from the facility until the independent engineer has certified that he or she is satisfied that the plant upgrade has

been designed and constructed so as to ensure that the addition of the expected maximum daily flows and mean monthly flows of sewage from the Corrections facility to the TKWTP, will not of itself result in an increase in the mass loadings of TP and TKN as established by the monitoring undertaken pursuant to Condition 11A.3 above. Such certification shall be based upon the information provided under Condition 11A.5 above and upon a comparison of actual monitoring results with those calculated using wastewater process simulation models such as GPSX, BioWin or STOAT.

Provided however, that nothing in this condition shall be taken as requiring the upgrade to be sufficient to treat the mass loading deriving from any waste streams not in existence on 1 June 2004, (other than the new loadings deriving from the Corrections facility). Nor to treat any increases in mass loading(s) from the existing trade waste discharges) beyond the loadings estimated to have occurred from those sources during 2003.

- 11A.7 The Minister shall (in conjunction with the Council) use his or her best endeavours to ensure that the objectives set out in the introductory statement above and in 11A.6 are achieved, once the condition precedent has been satisfied and the corrections facility is occupied, provided however, that this obligation shall only apply so long as the discharge is to Lake Waikare or another water body, or until such time as more stringent standards are included in any discharge permit for discharge of effluent from the Treatment Plant
- 11A.8 The Minister will pay for the independent engineer to undertake any oversight of the monitoring required under Condition 11A.3 and 11A.4 above, which is reasonably necessary to ensure that the monitoring results are reliable.

12.0 Signs

- 12.1 Prior to operation of the Corrections Facility signs shall be placed in appropriate locations along Hampton Downs Road to direct the safe movement of vehicles to and from the site.

13.0 Recovery of Council Costs

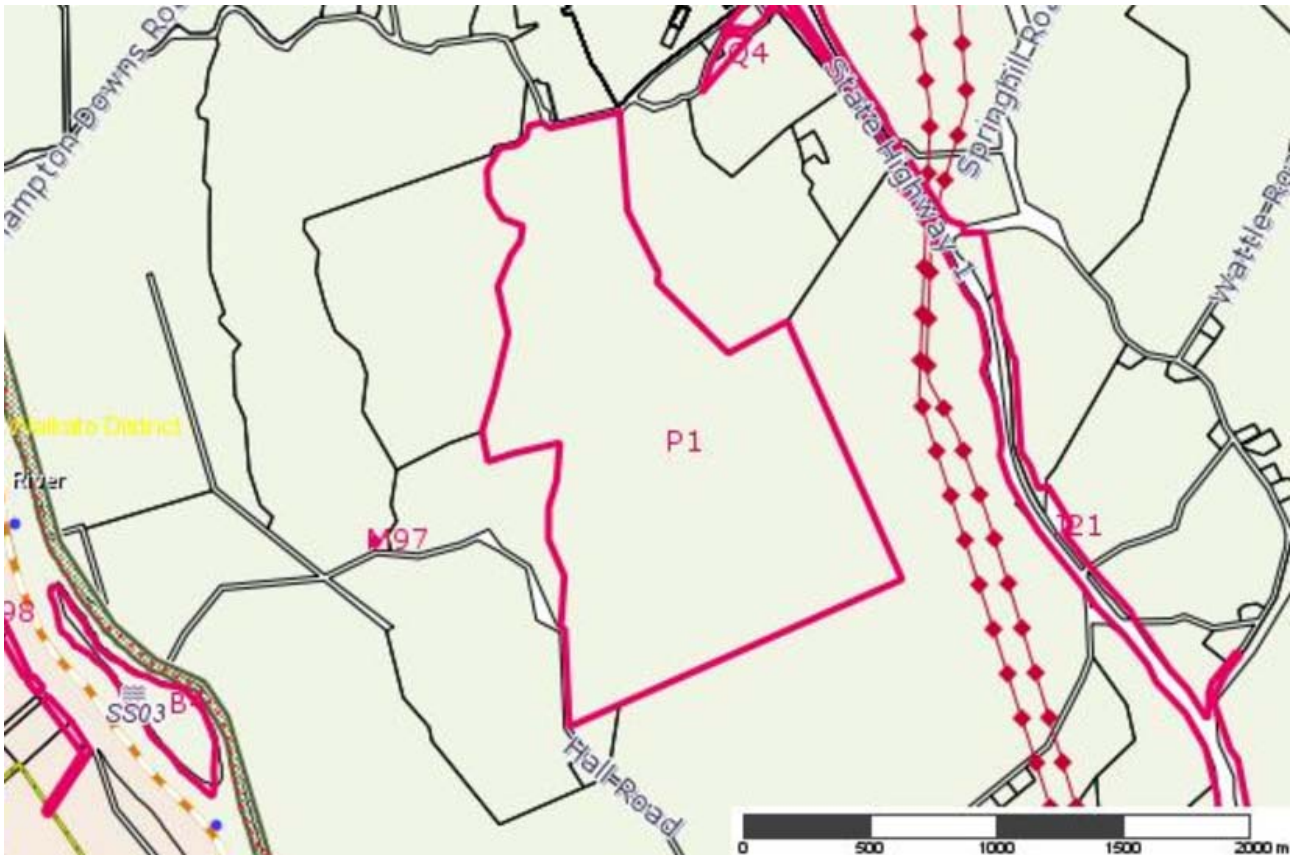
- 13.1 Pursuant to section 36 of the Resource Management Act 1991, the actual and reasonable costs incurred by Waikato District Council in monitoring conditions of this designation shall be paid by the Minister of Corrections.

Table 1: Percentage of native plants required by condition 6.1(i)(i)

Vegetation Enhancement Plant List

Botanical Name	Common Name	Container Size	Percentage Required
<i>Agathis australis</i>	Kauri	PB2	0.20%
<i>Alectryon excelsus</i>	Titoki	PB2	0.30%
<i>Carpodetus serratus</i>	Putaputaweta	PB 3/4	3.00%
<i>Coprosma robusta</i>	Karamu	cell	12.00%
<i>Cordyline australis</i>	Cabbage Tree	cell	4.00%
<i>Corynocarpus laevigatus</i>	Karaka	PB2	0.70%
<i>Dacrycarpus dacrydioides</i>	Kahikatea	PB2	0.25%
<i>Dacrydium cupressinum</i>	Rimu	PB2	0.20%
<i>Geniostema rupestre</i>	Hangehange	cell	3.00%
<i>Hebe stricta</i>	Koromiko	cell	7.25%
<i>Hoheria populnea</i>	Houhere	PB3/4	2.90%
<i>Knightia excelsa</i>	Kawakawa	PB3/4	0.60%
<i>Kunzea ericoides</i>	Kanuka	cell	14.00%
<i>Laurelia novae-zealandiae</i>	Pukatea	PB2	0.30%
<i>Leptospermum scoparium</i>	Manuka	cell	16.00%
<i>Melicytus ramiflorus</i>	Mahoe	PB3/4	10.00%
<i>Metrosideros excelsa</i>	Pohutukawa	PB3/4	0.20%
<i>Myrsine australis</i>	Mapou	PB3/4	11.00%
<i>Pittosporum tenuifolium</i>	Kohuhu	PB3/4	2.20%
<i>Podocarpus totara</i>	Totara	PB2	0.20%
<i>Prumnopitys ferruginea</i>	Miro	PB2	0.60%
<i>Pseudopanax crassifolius</i>	Lancewood	cell	4.00%
<i>Rhopalostylis sapida</i>	Nikau	PB2	0.50%
<i>Sophora tetraptera</i>	Kowhai	PB2	0.30%
<i>Vitex lucens</i>	Puriri	PB2	0.10%
TOTAL			93.80%

APPENDIX B: DESIGNATION MAP



Extent of Spring Hill Corrections Facility Designation (P1)

Map sourced from Operative Waikato District Plan – Waikato Section online planning maps (<http://maps.waikatodistrict.govt.nz/IntraMaps80/?project=Waikato&module=District%20Plan&configId=b2549ae1-f643-4ac6-9586-211ba985dd8f>)

APPENDIX C: MODIFICATIONS TO DESIGNATION TEXT

APPENDIX C: MODIFICATIONS SOUGHT TO SPRING HILL CORRECTIONS FACILITY DESIGNATION (P1) TEXT

Text / Condition	Reasons
<p>DESIGNATION (as confirmed by the Environment Court in its 30 June 2004 decision)</p> <p>DESCRIPTION OF WORKS</p> <p>A. <i>The designation applies to all of the land comprised in the following lots:</i></p> <ul style="list-style-type: none"> a) <i>Lot 3 DPS 45006;</i> b) <i>Lot 1 DPS 10284;</i> c) <i>Lot 1 DPS 49015;</i> d) <i>Lot 1 DPS 18591;</i> e) <i>Lot 2 DPS 91891;</i> f) <i>Lot 2 DPS 45006; and</i> <p><i>together are described as "the site".</i></p> <p>B. <i>The designation is for the construction, operation, maintenance and upgrading of a Corrections Facility and associated and ancillary activities and facilities, including but not limited to:</i></p> <ul style="list-style-type: none"> • <i>Entry buildings</i> • <i>Kitchen, laundry, workshop buildings</i> • <i>Self-care accommodation (internal and external)</i> • <i>Adult residential accommodation</i> • <i>Youth residential accommodation</i> • <i>Sports field</i> • <i>Recreation buildings</i> • <i>Education buildings</i> • <i>Inmate receiving buildings</i> • <i>Health unit</i> • <i>Safe cells</i> • <i>Separates Unit</i> • <i>Visits buildings</i> • <i>Fale buildings</i> • <i>Atea</i> • <i>Visitor / Iwi services building</i> • <i>Staff facilities / Administration building</i> • <i>External stores building</i> • <i>Car parking</i> • <i>Stormwater management ponds</i> • <i>Internal roading</i> • <i>Security fences and lighting</i> • <i>Landscaping and buffer areas</i> 	<p>Remove reference to Environment Court decision as designation text is to be modified in relation to that decision.</p>

APPENDIX C: MODIFICATIONS SOUGHT TO SPRING HILL CORRECTIONS FACILITY DESIGNATION (P1) TEXT

Text / Condition	Reasons
<ul style="list-style-type: none"> • Earthworks • All other associated or ancillary land use activities and all structures and facilities associated with a Corrections Facility as more particularly described in Attachment 1 to the NOR. 	
<p>CONDITIONS</p> <p>1.0 Documents General</p> <p>1.1 The initial works to give effect to the designation of the Corrections Facility shall be generally in accordance with the plans and information submitted by the Minister of Corrections to the first instance hearing in January – March 2003 (unless inconsistent with the plans submitted to the Environment Court in May 2004 in which case the latter shall prevail) and the plans submitted to the Environment Court in May 2004, and in particular the following plans, subject to any amendments required or allowed by the following conditions:</p> <p style="margin-left: 20px;">a) Book of Plans – Folder 1, Plan Numbers: NR16, NR25, NR27, NR31;</p> <p style="margin-left: 20px;">b) Book of Plans – Folder 2, Figure Numbers: 1 and 2; and</p> <p style="margin-left: 20px;">c) The following plans submitted to the Environment Court in May 2004:</p> <p style="margin-left: 40px;">(i) Book of Plans – Folder 1, Figure 4, 6, 19 and 25; and</p> <p style="margin-left: 40px;">(ii) Book of Plans – Folder 2, Figure 13A and 15.</p> <p>— This condition shall not limit any future bBuildings or activities on the site <u>are permitted</u> provided that they are within the scope of the designation as set out in A and B above and all of the following conditions of this designation. Nor shall it limit cChanges to the indicative landscape plans <u>are permitted</u> provided that such changes are in accordance with the requirements of Condition 6.1 and subject to the satisfaction of Waikato District Council Group Manager Environmental Services.</p>	<p>Amend condition to refer to future buildings and activities only; initial works have been completed in accordance with the plans.</p>
<p>2.0 Limits to the scope of Designation</p> <p>2.1 The scope of activities and works covered by the designation are limited in respect of the following:</p> <p style="margin-left: 20px;">a) Except for self-care units, no additional security accommodation shall be located on the site, except within the secure perimeter area/ building platform area identified on Figure 4 and 6 dated December 2003;</p> <p style="margin-left: 20px;">b) No additional self-care units shall be located on the site except within the secure perimeter area or the south western part of the land presently described as Lot 3 DPS 45006. Any additional self-care units shall have a minimum separation distance from property boundaries of at least 100 metres, and shall be landscape planted to assist with mitigation of views from adjacent properties. The nature and extent of the landscape planting required are to be determined as part of the Outline Plan process for any additional self-care units;</p>	

APPENDIX C: MODIFICATIONS SOUGHT TO SPRING HILL CORRECTIONS FACILITY DESIGNATION (P1) TEXT

Text / Condition	Reasons
<p>c) Subject to d), all buildings (including inmate accommodation buildings) shall be constructed to a height no greater than 10 metres above constructed ground level except for security buildings (e.g. gate house and watch towers) and lighting;</p> <p>d) All inmate accommodation buildings shall be single storey (excepting the plant rooms);</p> <p>e) The external self-care units shall house only minimum security inmates; and</p> <p>f) The site cannot be used as a permanent maximum security facility.</p>	
<p>3.0 Social and Economic</p> <p>3.1 The Minister of Corrections shall establish and co-ordinate a Community Liaison Group which is to comprise a minimum of the following parties:</p> <p>a) 1 representative of the Department of Corrections management team;</p> <p>b) 1 representative of the Waikato District Council;</p> <p>c) 1 representative of local iwi / tangata whenua;</p> <p>d) 2 representatives of local landowners / community; and</p> <p>e) 1 representative of the New Zealand Police.</p> <p><i>The objective of the Community Liaison Group will be to facilitate information flow between the Department of Corrections management team and the community and it will also be an ongoing point of contact between the Minister of Corrections and the community. The Community Liaison Group shall be formed within 4 months of the final confirmation of the designation (by the Minister of Corrections or the Environment Court) and it is to have its first meeting within that time.</i></p> <p><i>For the purposes of this condition the representative of each group listed in a) - e) will be determined by that group, or in the event that agreement cannot be reached, determined by the Waikato District Council.</i></p>	
<p>3.2 The Minister of Corrections shall be responsible for convening the meetings of the Community Liaison Group and shall cover the direct costs of running those meetings and (unless otherwise agreed by the Community Liaison Group) the costs associated with any actions which are agreed to as a result of the meetings.</p>	
<p>3.3 The Minister of Corrections shall provide an opportunity for the Community Liaison Group to meet four times during the course of each calendar year or as otherwise agreed by a majority of the Group.</p>	
<p>3.4 At a minimum, matters to be considered by the Community Liaison Group for the purposes of making a recommendation to the Department of Corrections, shall include the following:</p>	

APPENDIX C: MODIFICATIONS SOUGHT TO SPRING HILL CORRECTIONS FACILITY DESIGNATION (P1) TEXT

Text / Condition	Reasons
<p>a) <i>The final name of the Corrections Facility;</i></p> <p>b) <i>Aspects of the Earthworks Management Plan, Groundwater Management Plan, and the construction of the Corrections Facility which are intended to minimise actual and/or potential adverse effects on surrounding neighbours;</i></p> <p>c) <i>The nature and extent of any signage on State Highway 1 associated with the Corrections Facility;</i></p> <p>d) <i>The possible development of a visitor rest area on the Corrections Facility site;</i></p> <p>e) <i>Any strategy to be developed by the Department of Corrections to ensure that opportunities are provided to the local community for employment and provision of services associated with the construction and operation of the Corrections Facility; and</i></p> <p>f) <i>Any need for local emergency services to be augmented or subsidised as a result of potentially greater level of demand for these services because of the Corrections Facility (eg fire, police, ambulance, where these services are not covered by an existing national agreement between the Department of Corrections and the relevant body).</i></p> <p><i>Note: For the purposes of condition 3.4(e) it is acknowledged that the Minister and Department of Corrections are constrained by statutory procedure in entering contracts (including employment contracts and tenders for the provision of services).</i></p>	
<p>3.5 <i>The Minister of Corrections shall not be in breach of Conditions 3.1, 3.2, 3.3, or 3.4 if any one or more of the parties specified in Condition 3.1 do not wish to be members of the Community Liaison Group or to attend particular meetings.</i></p>	
<p>3.6 <i>The Minister shall in consultation with the Community Liaison Committee, set up and implement a system to notify nearby neighbours in the event of an escape. Such system shall include a notification network and community response guidelines.</i></p> <p><i>The Department shall not be in breach of this condition if any of the neighbours advise the Department that they do not wish to be advised of an escape.</i></p>	
<p>3.7 <i>The Minister shall provide to the Waikato District and Regional Council's the name of and a contact telephone number for the Corrections Facility Site Supervisor prior to on-site work commencing. The same information is to be provided to the Community Liaison Group members on their appointment.</i></p>	
<p>4.0 Cultural and Spiritual</p> <p>4.1 <i>Before any works are undertaken on the site the Minister of Corrections shall undertake further consultation with the Waikato Raupatu Lands Trust and a nominated Ngati Naho hapu representative regarding any cultural/spiritual issues in relation to the site, and if those parties wish, they shall be</i></p>	

APPENDIX C: MODIFICATIONS SOUGHT TO SPRING HILL CORRECTIONS FACILITY DESIGNATION (P1) TEXT

Text / Condition	Reasons
<p><i>accorded the opportunity to hold an appropriate ceremony on the site. The Minister of Corrections shall not be in breach of this condition if Ngati Naho hapu does not nominate or cannot agree to a representative.</i></p>	
<p>4.2 <i>The puna (springs) shown on Figure 4 dated December 2003 shall be fenced off and protected from construction works, including earthworks. There shall be no future building development or earthworks within 5m of any of the puna, unless agreed between the Minister and the Waikato Raupatu Lands Trust, Ngati Naho Co-operative Society Limited and Horahora Marae Trust.</i></p>	
<p>4.3 <i>The Minister shall register a Memorandum of Encumbrance against the title of the corrections facility land, requiring the Minister to notify any successors, permitted assignees, successors in title, lessees of the corrections facility land or any persons taking a controlling interest in the operation or management of the corrections facility of the obligation contained in condition 4.2. The Memorandum of Encumbrance shall run with the land of the corrections facility and bind the Minister's successors and assigns, lessees of the corrections facility land and any other persons taking a controlling interest in the operation or management of the corrections facility.</i></p>	
<p>4.4 <i>Tangata whenua shall be allowed access to the puna, subject to the prior approval of the manager of the facility on each occasion. The manager shall not unreasonably withhold approval for such access. In deciding whether to grant access on each occasion, the manager shall take into account operational requirements of the corrections facility and the health and safety of staff, inmates and visitors and may impose such conditions on entry and access as he or she considers appropriate on that occasion.</i></p>	
<p>5.0 Archaeological</p> <p>5.1 <i>If any urupa, traditional sites, taonga (significant artefacts), koiwi (human remains), or other archaeological sites are exposed during site works the following procedures shall apply:</i></p> <ul style="list-style-type: none"> a) <i>Immediately it becomes apparent that an urupa, traditional site, taonga, koiwi or other archaeological site has been exposed, all site works in the immediate vicinity shall cease;</i> b) <i>The site supervisor shall immediately secure the area in a way that ensures that any artefacts or remains are not further disturbed; and</i> c) <i>The site supervisor shall notify the Waikato Raupatu Lands Trust and a nominated Ngati Naho hapu representative, the New Zealand Historic Places Trust, the Department of Conservation, the Waikato District Council, the Waikato Regional Council and, in the case of human remains, the New Zealand Police, that an archaeological or traditional site has been exposed so that appropriate action can be taken. This includes such persons being given reasonable time as determined by the Waikato District Council to record and recover archaeological features discovered before work may</i> 	

APPENDIX C: MODIFICATIONS SOUGHT TO SPRING HILL CORRECTIONS FACILITY DESIGNATION (P1) TEXT

Text / Condition	Reasons
<p><i>recommence on the site. The Minister of Corrections shall not be in breach of this condition if Ngati Naho hapu does not nominate or cannot agree to a representative.</i></p>	
<p>6.0 Landscaping</p> <p>6.1 A Landscape and Visual Mitigation and Monitoring Plan shall be prepared for the entire site and within 6 months of final confirmation of the designation (by the Minister of Corrections or the Environment Court) is to be submitted to the Waikato District Council Group Manager Environmental Services for approval. The plan shall be based upon Figure Number 13A and Figure Number 15, and shall contain the following:</p> <ul style="list-style-type: none"> a) <i>A visual mitigation screening strategy. This is to include the use of screen and/or mass planting between the Corrections Facility building platform footprint (defined as all areas contained within the security perimeter wall) and Hampton Downs Road, State Highway 1 and any existing houses located on immediately adjacent properties. Mass planting shall also be used to create a visual buffer between surrounding properties and other areas of the site including all car parks and associated buildings, and all self-care units and associated buildings;</i> b) <i>Subject to condition 6.1 (i)(i) below, a description of the botanical name, numbers, location, spacing and size of the plant species to be used in mitigation planting;</i> c) <i>An implementation staging plan containing information pertaining to staging and timing of mitigation works. The staging of mitigation works shall be linked to the staging of the development. The implementation and staging plan shall contain information pertaining to the time of planting, implementation strategy and a maintenance regime aimed at ensuring continued post establishment growth;</i> d) <i>A revegetation strategy for sites used for disposal of spoil. This shall identify areas for disposal of spoil from excavations on site, their proposed final contours and revegetation programmes. The strategy shall achieve revegetation of these areas to a standard and planting density equivalent to that of the existing vegetation cover at the disposal site prior to placement of spoil. Plant species used for this purpose shall be similar to those already existing on site to ensure that visual integration between new and existing planting occurs;</i> e) <i>A planting plan for the protection and enhancement of puna (springs);</i> f) <i>A strategy that requires the retention of as much as is practically possible as a result of construction activities, the existing pine plantations along the ridgeline adjacent to the eastern boundary of the site and located in the gully close to the proposed self-care units, until the replacement planting becomes established;</i> g) <i>A strategy that identifies areas of the site that can be planted prior to and during the construction phase;</i> h) <i>A monitoring programme that requires:</i> <ul style="list-style-type: none"> i) <i>An annual report documenting inspections of the site from the view points assessed for the NOR, being all locations identified on inspections of the site from the view points identified on</i> 	<p>The Landscape and Visual Mitigation and Monitoring Plan has been prepared and approved by the Council.</p>

APPENDIX C: MODIFICATIONS SOUGHT TO SPRING HILL CORRECTIONS FACILITY DESIGNATION (P1) TEXT

Text / Condition	Reasons
<p><i>Figure Number 1 and Figure Number 2, together with any other locations identified as being relevant by Waikato District Council;</i></p> <p><i>ii) The first monitoring report shall be submitted to Waikato District Council Group Manager of Environmental Services within 36 months following completion of the mitigation works set out in Condition 6.3 and once more five years thereafter; and</i></p> <p><i>iii) Each monitoring report shall include copies of photographs taken for comparison purposes and a statement identifying whether the objectives of the Landscape and Visual Mitigation Plan are being met and if not what remedial action is being or/ will be undertaken.</i></p> <p><i>The Minister of Corrections shall not be in breach of Condition 6.1 h) if any one or more of the landowners of adjacent properties from which some of the photographic viewpoints have been taken previously, refuse entry to those properties; and</i></p> <p><i>i) Provision for ensuring that the "indigenous tree planting" shown on Figure 13A:</i></p> <p><i>i) generally comprises the percentages of relevant species shown on Table 1;</i></p> <p><i>ii) is protected from stock. 7 wire stock fencing shall be established prior to the commencement of planting, in areas where grazing is occurring prior to planting. If the areas for grazing alter at a later date, and such areas are not fenced, provision shall be made to protect plants from stock by a 7 wire fence; and</i></p> <p><i>iii) is not pruned at any time, subject only to the removal of windfall trees or trees are in poor health and must be replaced in accordance with condition 6.1(c) above.</i></p>	
<p><i>6.2 Following receipt of written approval to the Landscape and Visual Mitigation and Monitoring Plan from the Waikato District Council Group Manager Environmental Services, the Minister of Corrections shall implement and maintain the approved Landscape and Visual Mitigation and Monitoring Plan in accordance with the implementation staging plan as required by Condition 6.1c). The approved implementation staging plan may be modified by written agreement between the Minister of Corrections and the Waikato District Council.</i></p>	
<p><i>6.3 The screening works as identified by Condition 6.1(a) and (i)(i), shall be completed to the satisfaction of Waikato District Council Group Manager Environmental Services during the first 12 months of construction. The areas of the site that can be planted prior to and during the construction phase as identified by Condition 6.1(g), shall be planted before or during the first planting season following the final confirmation of the designation (by the Minister of Corrections or the Environment Court). All other landscaping as identified by Condition 6.1 shall be completed to the satisfaction of Waikato District Council Group Manager Environmental Services within 36 months after the corrections facility is operational or occupied by inmates. Prior to any work being undertaken on the site, the Minister of Corrections shall prepare a labelled photographic record of the site, including proposed spoil and</i></p>	<p>The screening works have been completed.</p>

APPENDIX C: MODIFICATIONS SOUGHT TO SPRING HILL CORRECTIONS FACILITY DESIGNATION (P1) TEXT

Text / Condition	Reasons
<p>excavation dump sites, and shall submit a copy of this record to the Waikato District Council Group Manager Environmental Services. Photographs shall be taken from all locations identified on Figure Number 1 and Figure Number 2.</p> <p>The Minister of Corrections shall not be in breach of Condition 6.3 if any one or more of the landowners of adjacent properties from which some of the photographic viewpoints have been taken previously, refuse entry to those properties.</p>	
<p>6.4 If any harvesting of exotic species is planned, a strategy shall first be prepared for the long-term sustainable harvesting and replanting of the areas in question, and shall contain the following:</p> <p>(a) a progressive harvesting plan which maintains the visual mitigation screening strategy, and which shows areas such as gullies, where harvesting (other than of old or wind fallen trees) will not occur;</p> <p>(b) timeframes for replanting harvested areas.</p>	
<p>6.5 The strategy referred to in condition 6.4 shall be subject to approval by the Waikato District Council Group Manager Environmental Services and, once approved, shall be adhered to.</p>	
<p>7.0 Lighting</p> <p>7.1 The detailed lighting design for the site shall be based on the performance criteria contained in Figure 19 dated December 2003 and Plan Number NR16.</p>	
<p>7.2 Calculations of the final lighting design to show compliance with AS4282:1997 Obtrusive Effects of Outdoor Lighting Table 2.1, for the maximum luminous intensity emitted by the luminaries of 500 cd for 'Dark Surrounds' during curfew hours, shall be submitted to the Waikato District Council Group Manager Environmental Services for approval prior to construction.</p>	
<p>7.3 Any light source on site that exceeds 500 cd shall be shielded from the view of all of the existing dwelling houses located in the immediate vicinity of the site but not those that are over 1 kilometre from the site.</p>	
<p>7.4 All street lights for the on-site access road and the Tee-intersection entrance at Hampton Downs Road shall be of the aero-screen flat-glass type with zero upward light output.</p>	
<p>8.0 Acoustic</p> <p>8.1 The Corrections Facility shall be designed and operated to ensure that noise levels from activity within the site do not exceed the following limits:</p>	

APPENDIX C: MODIFICATIONS SOUGHT TO SPRING HILL CORRECTIONS FACILITY DESIGNATION (P1) TEXT

Text / Condition	Reasons
<p>(i) when measured at or within the notional boundary of any dwelling outside of the designated site and which is existing at 12 June 2003; and</p> <p>(ii) when measured within the properties located on Pt Lot 2 DP28756, Pt Allot 384 Whangamarino Parish, Pt Allot 385 Whangamarino Parish, excluding noise generated by all farming, agricultural, horticultural and forestry activities which are permitted by the District Plan at 1 May 2004.</p> <p>Monday to Friday 7:00am - 7:00pm 50dBA (L₁₀) Saturday 7:00am - 6:00pm 50dBA (L₁₀) At all other times including public holidays 40dBA (L₁₀)</p> <p>Noise levels shall be measured in accordance with the requirements of NZS6801: 1991 Measurement of Sound and assessed in accordance with the requirements of NZS6802:1991 Assessment of Environmental Sound.</p>	
<p>8.2 Construction noise emanating from the site shall meet the limits recommended in, and be measured and assessed in accordance with NZS6803:1999 Acoustic/Construction Noise.</p>	
<p>9.0 Traffic</p> <p>9.1 During construction, all access to the Corrections Facility site shall be via Hampton Downs Road, provided that subject to the prior written approval of Waikato District Council Group Manager Environmental Services after consultation with Transit New Zealand and the production of a Traffic Management Plan to the satisfaction of the Waikato District Council, restricted access to the site may be allowed via Hall Road but only for the delivery of equipment and materials and for the construction and/or installation of any services to be provided via Hall Road. During construction of the internal access road to the site, the use of Hall Road by trucks and trailers shall be limited to a maximum of 6 truck and trailer movements per day. During construction, Hall Road shall be maintained at least to its standard prior to construction commencing. The need for maintenance work shall be identified by the Minister of Corrections in consultation with Waikato District Council. Plans for maintenance work deemed necessary shall be submitted to and approved by the Waikato District Council prior to work being undertaken. All maintenance works shall be undertaken at the Ministers' cost.</p>	
<p>9.2 Once the Corrections Facility is operational, Hall Road may be used for access only in emergency situations or for boundary and other necessary inspections. For the purposes of this condition an "emergency situation" is defined as a situation requiring vehicular access by the Department of Corrections, New Zealand Defence Force, New Zealand Police, New Zealand Fire Service, an ambulance, or other organisations which assist in emergencies, and includes situations relating to the</p>	<p>Modify to reflect the fact that the facility is operational.</p>

APPENDIX C: MODIFICATIONS SOUGHT TO SPRING HILL CORRECTIONS FACILITY DESIGNATION (P1) TEXT

Text / Condition	Reasons
escape of any inmate.	
9.3 — Subject to Condition 11.1 being met, earthworks may be undertaken on the Corrections Facility site prior to the upgrading of Hampton Downs Road, but no construction of the Corrections Facility buildings or structures shall commence until Hampton Downs Road has been upgraded to current industry standards as approved by the Waikato District Council Group Manager Roading to provide at least a 9 metre wide sealed carriageway (including shoulders) on the new alignment of Hampton Downs Road (as shown on Attachment 1 to Conditions: Sheets 28469/48, 28469/49, 28469/52 and 28469/53 by Fraser Thomas) between the entrance to the Corrections Facility site and a fully operational grade-separated interchange at the intersection of State Highway 1 and Hampton Downs Road.	Remove condition as Hampton Downs Road has been upgraded and interchange with SH1 constructed.
9.4 The entrance to the site off Hampton Downs Road shall be designed and constructed as a Tee-intersection and shall be provided with street lighting in accordance with Condition 7.4.	
9.5 — Subject to Conditions 9.3, 9.4 and 9.6, the design work shall be carried out in accordance with current industry standards, including but not limited to, the following: a) — Rural Road Design — Guide to the Geometric Design of Rural Roads, Austroads; b) — Guide to Traffic Engineering Practice Part 5: Intersections at grade, NAASRA 1991; c) — Pavement Design: A Guide to the Structural Design of Pavements, Austroads 1992 (plus New Zealand Supplement of November 1995); d) — Bituminous Sealing Manual: Transit New Zealand 1993; e) — Manual of Traffic Signs and Markings: Parts 1 & 2— Transit New Zealand/Land Transport Safety Authority – 1998; and f) — Safety Barriers — Considerations for the provision of safety barriers on Rural Roads, NAASRA 1987.	Remove condition as all roading work undertaken has complied with these standards.
9.6 — All engineering design plans and geotechnical reports as required by Waikato District Council for the roading works required under Conditions 9.3 and 9.4 shall be submitted to and approved by the Waikato District Council prior to work being undertaken.	Remove condition as all roading work has been completed.
9.7 All parking associated with construction activities shall be provided within the site.	
9.8 On-site car parks for at least 120 staff vehicles and 180 visitor vehicles shall be provided generally in the location shown on Figure 6 dated December 2003.	
10.0 Engineering	
10.1 — A Final Earthworks Plan shall be prepared and submitted to the Waikato District Council Group Manager	Remove engineering condition as it relates to initial construction works only.

APPENDIX C: MODIFICATIONS SOUGHT TO SPRING HILL CORRECTIONS FACILITY DESIGNATION (P1) TEXT

Text / Condition	Reasons
<p>Environmental Services for approval prior to construction. This plan shall cover the building platform, associated cut faces for borrow areas, the access roads, and ancillary earthworks. It shall:</p> <p>a) Be based upon site specific design parameters and shall consider static and seismic conditions;</p> <p>b) Include stability analysis for the following case loads:</p> <p style="padding-left: 20px;">i) static loads, winter conditions normal factors of safety;</p> <p style="padding-left: 20px;">ii) static loads with 100 year flood including the effects of normal draw-down and appropriate factors of safety; and</p> <p style="padding-left: 20px;">iii) seismic loads, normal winter conditions with appropriate factors of safety;</p> <p>c) Detail measures for dealing with situations that do not conform at the time of construction with the design assumptions; and</p> <p>d) Ensure that surplus fill and unsuitable fill spoil sites / dumps are located in such areas, and are of such size and slope profile, that they will not affect localised land stability.</p>	
<p>10.2 An Earthworks Management Plan shall be prepared and submitted to the Waikato District Council Group Manager Environmental Services for approval prior to earthworks commencing on site. The Earthworks Management Plan shall detail the following:</p> <p>a) The proposed earthworks methodology;</p> <p>b) Material sources, use/disposal and treatment;</p> <p>c) Dust and noise control methodologies;</p> <p>d) The process for managing any instabilities that may occur within the areas affected by earthworks; and</p> <p>e) The remedial measures to be adopted and, where the effect of the instability extends outside the site, the means of remedying the effect on affected property owners.</p>	
<p>10.3 A detailed Groundwater Management Plan shall be prepared at the detailed design stage and submitted for review to the Waikato District Council Group Manager Environmental Services. The Groundwater Management Plan shall:</p> <p>a) Include final designs for the drainage systems;</p> <p>b) Set out methods of site assessment by suitably qualified personnel to determine the need for the installation of further drainage during the site works;</p> <p>c) In respect of subsoil drainage pipes in cut and fill slopes, detail the planned monitoring of the systems and means of access and cleaning of the systems; and</p> <p>d) In respect of subsoil drainage pipes in cut and fill slopes, include certified as built drawings and a Drainage System Maintenance Procedure detailing maintenance activities, timings and actions in the event of any defects being identified.</p>	

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Text / Condition	Reasons
10.4 Construction drawings detailing the location, form of foundation, and type of water reservoir shall be prepared and submitted to the Waikato District Council Group Manager Environmental Services for approval prior to construction.	Remove engineering condition as it relates to initial construction works only.
10.5 A detailed liquefaction assessment shall be submitted to the Waikato District Council Group Manager Environmental Services for approval prior to construction.	Remove engineering condition as it relates to initial construction works only.
<p>11.0 Services</p> <p>11.1 Prior to the commencement of earthworks on site, excepting work on the internal site roading and stormwater drainage, the Minister of Corrections shall submit a report to the Waikato District Council Group Manager Environmental Services that confirms:</p> <p style="margin-left: 40px;">a) All necessary resource consents and other approvals required for wastewater from the Corrections Facility to be disposed of in a lawful manner are held by the Minister, and</p> <p style="margin-left: 40px;">b) All necessary resource consents and any other approvals required to provide a potable water supply to the Corrections Facility in a lawful manner are held by the Minister.</p>	Remove services condition as it relates to initial construction works only.
11.2 Prior to the commencement of earthworks and construction the Waikato District Council Group Manager Environmental Services shall be advised in writing of the methods for water supply and disposal of wastewater during the period of earthworks and construction.	Remove services condition as it relates to initial construction works only.
<p>11A Wastewater</p> <p><u>Introductory statement</u></p> <p>— The Minister has entered into an agreement with the Council to share the costs of upgrading the wastewater treatment plant at Te Kauwhata (TKWTP) with a view to ensuring that the mass loadings Total Phosphorous (TP) and Total Kjeldahl Nitrogen (TKN) discharged to Lake Waikare do not increase as a direct result of the TKWTP being used to treat sewage from the Corrections facility. This proposed upgrade may take any form, including pre treatment and/or the installation of a parallel treatment plant. The purpose of the conditions in this section are to set out the processes by which the Minister is to demonstrate that an appropriately designed upgrade has been completed and is functional, prior to discharges from the Corrections facility commencing.</p>	Introductory statement not required as the necessary upgrade work on the Te Kauwhata Wastewater Treatment Plant has been completed.
11A.1 Wastewater flows from the Corrections Facility shall not exceed a maximum of 300m ³ /day. The Minister shall install appropriate flow meters at the Corrections Facility prior to opening and shall provide to the Council and eCommunity Liaison gGroup in spreadsheet form, the relevant data from this flow meter at 6	

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Text / Condition	Reasons
<p>monthly intervals. The raw data upon which the spreadsheet is based shall also be provided upon request of either the Council or the eCommunity Liaison gGroup.</p>	
<p>11A.2 The Minister and the North Waikato Action Group Incorporated shall appoint an independent waste water engineer ("the independent engineer") acceptable to both parties at least 10 working days prior to any monitoring under 11.A.3 commencing. All costs associated with the waste water engineers tasks pursuant to the conditions below, will be borne by the Minister.</p>	<p>Remove condition as it has been complied with.</p>
<p>11A.3 The Minister shall fund the Council to monitor the influent to the TKWTP and the discharge prior to the wetlands, for a period of at least 2 months prior to any upgrade commencing, for the following:</p> <ul style="list-style-type: none"> • Daily Flow • Total Kjeldahl Nitrogen (TKN) • Total Phosphorus (TP) <p>— Monitoring shall be undertaken daily and shall be based upon 24 hour time proportional composite samples. Analysis shall be undertaken in accordance with the "Standard Methods For the Examination of Water and Wastewater, 1998" 20th edition by A.P.H.A and A.W.W.A and W.E.F or other approved method.</p>	<p>Condition no longer required as the upgrade work on the Te Kauwhata Wastewater Treatment Plant has been completed, inclusive of initial monitoring required.</p>
<p>11A.4 Following completion of the upgrade (in whatever form that takes), but prior to any wastewater being received from the Corrections facility, the Minister shall fund the Council to undertake a further 2 months of daily monitoring in accordance with the methodologies specified in Condition 11A.3.</p>	<p>Condition no longer required as the upgrade work on the Te Kauwhata Wastewater Treatment Plant has been completed, inclusive of initial monitoring required.</p>
<p>11A.5 The independent engineer is to be provided with all monitoring data, together with:</p> <ul style="list-style-type: none"> (a) information regarding the assessed daily flow and load (of TKN and Total Phosphorus) expected to be generated by the Corrections facility after any pre treatment at the Corrections site. This information is to be supported by monitoring records taken from existing Corrections facilities after making any allowances for pre treatment and/or flow balancing and storage on site. (b) all relevant design information, and manufacturers specifications, relating to the proposed upgrade of the TKWTP and any pre treatment on the Corrections site, including performance histories (from other similar plants) and including any information generated by the upgrade designers regarding the modelled performance of the upgraded plant both before the Corrections facility is occupied and once the Corrections facility has reached capacity. 	<p>Condition no longer required as the upgrade work on the Te Kauwhata Wastewater Treatment Plant has been completed, inclusive of initial monitoring required.</p>

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Text / Condition	Reasons
<p>11A.6 No waste water will be discharged from the facility until the independent engineer has certified that he or she is satisfied that the plant upgrade has been designed and constructed so as to ensure that the addition of the expected maximum daily flows and mean monthly flows of sewage from the Corrections facility to the TKWTP, will not of itself result in an increase in the mass loadings of TP and TKN as established by the monitoring undertaken pursuant to Condition 11A.3 above. Such certification shall be based upon the information provided under Condition 11A.5 above and upon a comparison of actual monitoring results with those calculated using wastewater process simulation models such as GPSX, BioWin or STOAT.</p> <p>— Provided however, that nothing in this condition shall be taken as requiring the upgrade to be sufficient to treat the mass loading deriving from any waste streams not in existence on 1 June 2004, (other than the new loadings deriving from the Corrections facility). Nor to treat any increases in mass loading(s) from the existing trade waste discharges) beyond the loadings estimated to have occurred from those sources during 2003.</p>	<p>Condition no longer required as the upgrade work on the Te Kauwhata Wastewater Treatment Plant has been completed.</p>
<p>11A.7 The Minister shall (in conjunction with the Council) use his or her best endeavours to ensure that the objectives set out in the introductory statement above and in 11A.6 are achieved, once the condition precedent has been satisfied and the corrections facility is occupied, provided however, that this obligation shall only apply so long as the discharge is to Lake Waikare or another water body, or until such time as more stringent standards are included in any discharge permit for discharge of effluent from the Treatment Plant</p>	<p>Condition no longer required as the upgrade work on the Te Kauwhata Wastewater Treatment Plant has been completed.</p>
<p>11A.8 The Minister will pay for the independent engineer to undertake any oversight of the monitoring required under Condition 11A.3 and 11A.4 above, which is reasonably necessary to ensure that the monitoring results are reliable.</p>	<p>Condition no longer required as the upgrade work on the Te Kauwhata Wastewater Treatment Plant has been completed, inclusive of initial monitoring required.</p>
<p>12.0 Signs 12.1 Prior to operation of the Corrections Facility signs shall be placed in appropriate locations along Hampton Downs Road to direct the safe movement of vehicles to and from the site.</p>	
<p>13.0 Recovery of Council Costs 13.1 Pursuant to section 36 of the Resource Management Act 1991, the actual and reasonable costs incurred by Waikato District Council in monitoring conditions of this designation shall be paid by the Minister of Corrections.</p>	
<p>Table 1: Percentage of native plants required by condition 6.1(i)(i)</p>	

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Text / Condition				Reasons
Vegetation Enhancement Plant List				
Botanical Name	Common Name	Container Size	Percentage Required	
Agathis australis	Kauri	PB2	0.20%	
Alectryon excelsus	Titoki	PB2	0.30%	
Carpocetus serratus	Putaputaweta	PB 3/4	3.00%	
Coprosma robusta	Karamu	cell	12.00%	
Cordyline australis	Cabbage Tree	cell	4.00%	
Corynocarpus laevigatus	Karaka	PB2	0.70%	
Dacrycarpus dacrydioides	Kahikatea	PB2	0.25%	
Dacrydium cupressinum	Rimu	PB2	0.20%	
Geniostema rupestre	Hangehange	cell	3.00%	
Hebe stricta	Koromiko	cell	7.25%	
Hoheria populnea	Houhere	PB3/4	2.90%	
Knightia excelsa	Kawakawa	PB3/4	0.60%	
Kunzea ericoides	Kanuka	cell	14.00%	
Laurelia novae- zealandiae	Pukatea	PB2	0.30%	
Leptospermum scoparium	Manuka	cell	16.00%	
Melicytus ramiflorus	Mahoe	PB3/4	10.00%	
Metrosideros excelsa	Pohutukawa	PB3/4	0.20%	
Myrsine australis	Mapou	PB3/4	11.00%	
Pittosporum tenuifolium	Kohuhu	PB3/4	2.20%	
Podocarpus totara	Totara	PB2	0.20%	
Prumnopitys ferruginea	Miro	PB2	0.60%	
Pseudopanax crassifolius	Lancewood	cell	4.00%	
Rhopalostylis sapida	Nikau	PB2	0.50%	
Sophora tetraptera	Kowhai	PB2	0.30%	
Vitex lucens	Puriri	PB2	0.10%	
TOTAL			93.80%	