

**From:** Maurice Dale  
**Sent:** Tue, 22 Nov 2022 19:24:40 +0000  
**To:** District Plan  
**Cc:** MILLAR, Andrea (WELLHO)  
**Subject:** Ara Poutama Aotearoa - Submission on Plan Change 21 to Mackenzie District Plan  
**Attachments:** Ara Poutama Submission on PC21 to Mackenzie District Plan.pdf

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Good morning,

Please find attached a submission from Ara Poutama Aotearoa, Department of Corrections on Plan Change 21 to the Mackenzie District Plan.

Please acknowledge receipt of this submission.

Kind regards



**Maurice Dale** | Planner | Senior Principal

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**ARA POUTAMA AOTEAROA**  
DEPARTMENT OF CORRECTIONS

## **ARA POUTAMA AOTEAROA, THE DEPARTMENT OF CORRECTIONS: SUBMISSION ON PROPOSED PLAN CHANGE 21 TO THE MACKENZIE DISTRICT PLAN**

**To:** Mackenzie District Council  
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**From:** Ara Poutama Aotearoa, the Department of Corrections  
Private Box 1206  
Wellington 6140

Attention: Andrea Millar – Manager, Resource Management and Land Management  
Phone: 027 216 7741  
Email: [andrea.millar@corrections.govt.nz](mailto:andrea.millar@corrections.govt.nz)

Ara Poutama Aotearoa, the Department of Corrections (**Ara Poutama**) makes submissions on the Proposed Plan Change 21 (**PC21**) to the Mackenzie District Plan in the **attached** document.

Ara Poutama confirms it could not gain an advantage in trade competition through this submission.

Ara Poutama would like to be heard in support of its submission. If other submitters make a similar submission, Ara Poutama will consider presenting a joint case with them at a hearing.

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**Andrea Millar – Manager, Resource Management and Land Management**

For and on behalf of Ara Poutama Aotearoa, the Department of Corrections

Dated this 23<sup>rd</sup> day of November 2022

## Introduction

Ara Poutama Aotearoa, the Department of Corrections (**Ara Poutama**) 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, Ara Poutama establishes and operates custodial and non-custodial corrections facilities, monitors people in the care of the Ara Poutama serving their sentences in the community, and provides supported and transitional accommodation to assist people to reintegrate back into the community.

## Custodial Corrections Facilities

Custodial corrections facilities include prisons and detention facilities and may include non-custodial transitional accommodation (i.e. on a custodial facility site) for people with high and complex needs, who have completed a prison sentence and are being supported and prepared for reintegration and transition back into the community. Non-custodial rehabilitation activities and programmes may also occur on-site.

Ara Poutama does not operate any custodial corrections facilities in the Mackenzie District.

## Non-Custodial Community Corrections Sites

Non-custodial community corrections sites include service centres and community work facilities and are essential social infrastructure. Non-custodial services and their associated infrastructure play a valuable role in reducing reoffending. Community work helps offenders learn vital skills and to give back to their community, and in return the community benefits from improved amenities. Ara Poutama considers that its services enable people and communities to provide for their social and cultural well-being and for their health and safety, and therefore those activities and services contribute to the sustainable management purpose of the Resource Management Act 1991 (**RMA**).

The service centres provide for probation, rehabilitation and reintegration services. Offenders report to probation officers as required by the courts or as conditions of parole. Ara Poutama's staff use service centres to undertake assessments and compile reports for the courts, police and probation officers. Service centres may also be used as administrative bases for staff involved in community-based activities, or as a place for therapeutic services (e.g. psychological assessments). The overall activity is effectively one of an office where the generic activities involved are meetings and workshop type sessions, activities which are common in other office environments.

In addition to these service centres, Ara Poutama operates community work facilities. Community work is a sentence where offenders are required to undertake unpaid work for non-profit organisations and community projects. Offenders will report to a community work facility where they subsequently travel to their community work project under the supervision of a Community Work Supervisor. The community work facilities can be large sites with yard-based activities and large equipment and/or vehicle storage.

Service centres and community work facilities may also be co-located on the same site.

Community corrections sites support offenders living in that community. Ara Poutama therefore looks to locate its sites in areas accessible to offenders, and near other supporting government agencies. Commonly, sites are therefore located in commercial or business areas, but may also be located in industrial areas, where large lots and accessibility suit the yard-based nature of some operations. As community corrections facilities are not sensitive to the effects of an industrial environment (e.g. noise, high traffic movements, etc), they are not prone to reverse sensitivity.

Ara Poutama does not currently operate any non-custodial community corrections sites in the Mackenzie District. However, it requires the Mackenzie District Plan to provide for community corrections facilities in appropriate locations, should they be required in the future.

## **Residential Activities**

Ara Poutama operates residential housing in the community throughout New Zealand, providing support for some people in its care to assist with their transition and/or integration in the community. There is a range of housing, rehabilitation, reintegration and support provided in these houses, depending on the needs of the residents. Housing and associated support services may be for people following their release from prison, or may be used to accommodate those on bail or community-based sentences (such as home detention).

Residential accommodation (with support) provides necessary facilities, such as sleeping, cooking, bathing and toilet facilities, which encompass a typical household living scenario; and a typical residential dwelling is utilised for such purposes. People living in this residential environment are not detained on-site, the same as anyone else living in the community, except that some people may be electronically monitored and/or supervised. In some instances, supervisory staff are present on-site to provide a level of care (being a range of rehabilitation, integration and support services) appropriate to meet the needs of the individual(s) residing at the site. It is noted that these support staff do not reside on-site and have an alternative residential address. In other instances, supervisory staff will provide support on a part-time basis.

The Courts may sentence an offender to home detention as an alternative to imprisonment. Individuals on home detention serve a home-based sentence at a suitable and approved residence and are electronically monitored 24 hours a day, seven days a week. The purpose of electronic monitoring is to deter the offender from breaching conditions that relate to his or her whereabouts and monitor compliance with those conditions.<sup>1</sup> Home detention and electronic monitoring allow individuals to seek or maintain employment, complete a sentence of community work if imposed, access programmes to address their offending, be involved in prosocial activities, and maintain their family relationships. It is an increasingly common sentence for many individuals in our care who otherwise would have received a short prison sentence for their offending (they can be sentenced to home detention from 14 days to one year). People on a home detention sentence are generally required to remain at a typical residential dwelling.

Ara Poutama is responsible for a range of residential accommodation (with support), which vary in nature and scale, all which fall within the ambit of a residential activity.

Demand for these services exist nationally. It is important that provision is made to enable residential accommodation activities (with support) to establish, operate and redevelop, within appropriate areas.

## **Ara Poutama's Submission on Proposed Plan Change 21**

Ara Poutama has an interest in the implications that the Proposed Plan Change 21 will have on the establishment and operation of non-custodial facilities, and residential accommodation (with support), in the Mackenzie District.

Ara Poutama's specific submissions on the Proposed Plan Change 21 are outlined in the following table below.

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<sup>1</sup> Sentencing Act 2002, section 80E.

## Submissions

Proposed PC21 Provision	Submission	Relief Sought (additions shown in <u>underline</u> , deletions shown in <del>strikethrough</del> )
<p>Section 3 – Definitions</p> <p>“Community activities and facilities”</p>	<p><b>Support in part</b></p> <p>Ara Poutama requests that the definition of “community activities and facilities” is amended to remove the reference to probation and detention centres.</p> <p>Ara Poutama instead seeks that a definition of “community corrections activity” that is consistent with the wording provided for in the National Planning Standards is inserted (see below).</p>	<ol style="list-style-type: none"> <li>Amend community activities and facilities definition as follows: <p><i>“Community activities and facilities: means the use of land and buildings for the primary purpose of health, welfare, care, safety, education, culture and/or spiritual wellbeing, but excludes recreational activities. A community activity includes schools, day-care facilities hospitals, doctors surgeries and other health professionals, churches, halls, libraries, community centres, emergency service facilities, <u>and courthouses,</u> <del>probation and detention centres.</del>”</i></p> </li> <li>Any consequential amendments required to give effect to this relief.</li> </ol>
<p>Section 3 – Definitions</p> <p>“Community corrections activity”</p>	<p><b>New provision</b></p> <p>Ara Poutama seeks that a definition of “community corrections activity” consistent with the wording provided for in the National Planning Standards is inserted.</p> <p>Community corrections activities are essential social infrastructure and play a valuable role in reducing reoffending. They enable people and communities to provide for their social and cultural well-being and for their health and safety.</p>	<ol style="list-style-type: none"> <li>Insert new definition provision of “community corrections activity” as follows: <p><i><u>Community corrections activity: means the use of land and buildings for non-custodial services for safety, welfare and community purposes, including probation, rehabilitation and reintegration services, assessments, reporting, workshops and programmes, administration, and a meeting point for community works groups.</u></i></p> </li> <li>Any consequential amendments required to give effect to this relief.</li> </ol>
<p>Section 3 – Definitions</p> <p>“Residential activity”</p>	<p><b>Support in part</b></p> <p>Ara Poutama requests that the definition of “residential activity” is amended.</p> <p>Ara Poutama considers the definition of “residential activity” should be consistent with the wording provided for in the National Planning Standards.</p> <p>This definition applies to supported accommodation activities, such as those provided for by Ara Poutama; i.e. people living in a residential situation, who are subject to support and/or supervision by Ara Poutama.</p> <p>Residential accommodation activities, such as those provided by Ara Poutama are an important component of the reintegration process for people under Ara Poutama’s care. It enables people and communities to provide for their social and cultural well-being and for their health and safety.</p>	<ol style="list-style-type: none"> <li>Amend the definition of “Residential activity”. <p><i>“Residential activity: means the use of land and building(s) <u>for by</u> <del>people’s</del> <u>for the purpose of permanent living accommodation,</u> <del>including all associated accessory buildings, leisure activities and the keeping of domestic livestock. For the purpose of this definition, residential activity shall include residential community care homes for up to and including six people and management staff, and emergency and refuge accommodation.</del>”</i></p> </li> <li>Any consequential amendments required to give effect to this relief.</li> </ol>

Proposed PC21 Provision	Submission	Relief Sought (additions shown in <u>underline</u> , deletions shown in <del>strikethrough</del> )
<p>Section 3 – Definitions</p> <p>“Residential unit”</p>	<p><b>Support in part</b></p> <p>Ara Poutama requests that the definition of “residential unit” is amended.</p> <p>Ara Poutama considers the definition of “residential unit” should be consistent with the wording provided for in the National Planning Standards.</p> <p>This definition applies to supported accommodation activities, such as those provided for by Ara Poutama; i.e. people living in a residential situation, who are subject to support and/or supervision by Ara Poutama.</p> <p>Residential accommodation activities, such as those provided by Ara Poutama are an important component of the reintegration process for people under Ara Poutama’s care. It enables people and communities to provide for their social and cultural well-being and for their health and safety.</p>	<ol style="list-style-type: none"> <li>1. Amend the definition of “Residential unit” <ul style="list-style-type: none"> <li><i>“Residential unit: means a <u>building(s) or part of a building that is used for a residential activity exclusively by residential activity which consists of a single self contained housekeeping unit, whether of one household and must include sleeping, cooking, bathing and toilet facilities</u> <del>or more persons, and includes accessory buildings. Where more than one kitchen facility is provided on the site, there shall be deemed to be more than one residential unit</del>”.</i></li> </ul> </li> <li>2. Any consequential amendments required to give effect to this relief.</li> </ol>
<p>Section 3 – Definitions</p> <p>“Household”</p>	<p><b>New Provision</b></p> <p>The definition residential unit refers to a “household”, which is not defined in the Plan Change. Ara Poutama seeks that a new definition be added, to clarify that a household is not necessarily limited to a family unit or a flatting arrangement (which are more commonly perceived household situations).</p> <p>This definition would clarify that supported accommodation activities, such as those provided for by Ara Poutama; i.e. people living in a residential situation who are subject to support and/or supervision by Ara Poutama, are captured by the definition of residential unit.</p> <p>Residential accommodation activities, such as those provided by Ara Poutama are an important component of the reintegration process for people under Ara Poutama’s care. It enables people and communities to provide for their social and cultural well-being and for their health and safety.</p>	<ol style="list-style-type: none"> <li>1. Insert new definition provision as follows: <ul style="list-style-type: none"> <li><i><u>Household: means a person or group of people who live together as a unit whether or not:</u></i> <ol style="list-style-type: none"> <li>a. <i><u>any or all of them are members of the same family; or</u></i></li> <li>b. <i><u>one or more members of the group (whether or not they are paid) provides day-to-day care, support and supervision to any other member(s) of the group.</u></i></li> </ol> </li> </ul> </li> <li>2. Any consequential amendments required to give effect to this relief.</li> </ol>
<p>Part 3 – Area-Specific Matters / Large Lot Residential Zone</p> <p>Objective and policy for residential activity in the Large Lot Residential Zone.</p>	<p><b>Support</b></p> <p>Ara Poutama requests objective LLRZ-O1 is retained and policy LLRZ-P1 is amended.</p> <p>Objective LLRZ-O1 and policy LLRZ-P1 provide for residential accommodation activities, such as those provided for by Ara Poutama. i.e. people living in a residential situation, who are subject to varied levels of support and/or supervision by Ara Poutama.</p> <p>Residential accommodation activities provided by Ara Poutama are an</p>	<ol style="list-style-type: none"> <li>1. Retain objective LLRZ-O1.</li> <li>2. Amend policy LLRZ-P1 as follows: <ul style="list-style-type: none"> <li><b>Residential Activities</b></li> <li><i>“Enable residential activities <u>and households</u> within a range of residential unit types and sizes”.</i></li> </ul> </li> </ol>

Proposed PC21 Provision	Submission	Relief Sought (additions shown in <u>underline</u> , deletions shown in <del>strikethrough</del> )
	<p>important component of the rehabilitation and reintegration process for people under Ara Poutama's supervision. They enable people and communities to provide for their social and cultural well-being and for their health and safety.</p>	
<p>Part 3 – Area-Specific Matters / Low Density Residential Zones</p> <p>Objective and policy for residential activity in the Low Density Residential Zone</p>	<p><b>Support in part</b></p> <p>Ara Poutama requests objective LRZ-O1 is retained and Policy LRZ-P1 is amended.</p> <p>Objective LRZ-O1 and policy LRZ-P1 provide for supported residential accommodation activities, such as those provided for by Ara Poutama. i.e. people living in a residential situation, who are subject to support and/or supervision by Ara Poutama.</p> <p>Residential accommodation activities provided by Ara Poutama are an important component of the rehabilitation and reintegration process for people under Ara Poutama's supervision. They enable people and communities to provide for their social and cultural well-being and for their health and safety.</p>	<ol style="list-style-type: none"> <li>1. Retain objective LRZ-O1.</li> <li>2. Amend policy LRZ-P1 as follows: <ul style="list-style-type: none"> <li><b>Residential Activities</b></li> <li><i>“Enable residential activities <u>and households</u> within a range of residential unit types and sizes”.</i></li> </ul> </li> </ol>
<p>Part 3 – Area Specific Matters / Residential Medium Density Residential Zone</p> <p>Objective and policy for residential activity in the Medium Density Residential Zone</p>	<p><b>Support in part</b></p> <p>Ara Poutama requests objective MRZ-O1 is retained and Policy MRZ-P1 is amended.</p> <p>Objective MRZ-O1 and policy MRZ-P1 provide for supported residential accommodation activities, such as those provided for by Ara Poutama. i.e. people living in a residential situation, who are subject to support and/or supervision by Ara Poutama.</p> <p>Residential accommodation activities provided by Ara Poutama are an important component of the rehabilitation and reintegration process for people under Ara Poutama's supervision. They enable people and communities to provide for their social and cultural well-being and for their health and safety.</p>	<ol style="list-style-type: none"> <li>1. Retain objective MRZ-O1.</li> <li>2. Amend policy MRZ-P1 as follows: <ul style="list-style-type: none"> <li><b>Residential Activities</b></li> <li><i>“Enable residential activities <u>and households</u> within a range of residential unit types and sizes”.</i></li> </ul> </li> </ol>
<p>Part 3 – Area-Specific Matters / Commercial and Mixed Use Zones and General Industrial Zone</p> <p>Objective and policy for community corrections activities in the Mixed Use Zone, Town Centre Zone and General Industrial</p>	<p><b>Support</b></p> <p>Ara Poutama requests that the following objectives and policies are retained:</p> <ul style="list-style-type: none"> <li>• MUZ- O1</li> <li>• MUZ-P1</li> <li>• TCZ- O1</li> </ul>	<ol style="list-style-type: none"> <li>1. Retain the following objectives and policies: <ul style="list-style-type: none"> <li>• MUZ- O1</li> <li>• MUZ-P1</li> <li>• TCZ- O1</li> <li>• TCZ-P1</li> <li>• GIZ-O1</li> </ul> </li> </ol>



Proposed PC21 Provision	Submission	Relief Sought (additions shown in <u>underline</u> , deletions shown in <del>strikethrough</del> )
Zone.	<ul style="list-style-type: none"> <li>• TCZ-P1</li> <li>• GIZ-O1</li> <li>• GIZ-P1</li> </ul> <p>The above objectives and policies appropriately enables the development of community corrections activities in commercial and mixed use zones, and the general industrial zone.</p> <p>Community corrections activities are essential social infrastructure and play a valuable role in reducing reoffending. They enable people and communities to provide for their social and cultural well-being and for their health and safety.</p>	<ul style="list-style-type: none"> <li>• GIZ-P1</li> </ul>
<p>Part 3 – Area-Specific Matters / Residential Zones</p> <p>Permitted land use activity rules for residential unit and residential activity in the Large Lot Residential Zone, Low Density Residential Zone and Medium Density Residential Zone</p>	<p><b>Support</b></p> <p>Ara Poutama requests that the permitted land use activity rules applying to residential activity and residential unit in the Large Lot Residential Zone, Low Density Residential Zone and Medium Density Residential Zone are retained.</p>	<p>1. Retain the land use activity rules applying to “residential activity” and “residential unit” in the Large Lot Residential Zone, Low Density Residential Zone and Medium Density Residential Zone. These include:</p> <ul style="list-style-type: none"> <li>• LLRZ-R1</li> <li>• LLRZ-R4</li> <li>• LRZ-R1</li> <li>• LRZ-R4</li> <li>• MRZ-R1</li> <li>• MRZ-R3</li> </ul>
<p>Part 3 – Area-Specific Matters / Commercial and Mixed-Use Zones</p> <p>Permitted activity rules for community corrections activities in the Mixed Use Zone.</p>	<p><b>New Provision</b></p> <p>Ara Poutama requests that a permitted activity rule applying to community corrections activities in the Mixed Use Zone is inserted.</p> <p>The rule would replace rule MUZ-R7 in regard to enabling community corrections activity.</p> <p>Community corrections activities are essential social infrastructure and play a valuable role in reducing reoffending. They enable people and communities to provide for their social and cultural well-being and for their health and safety.</p>	<p>1. Insert activity rules applying to “community corrections activity” in the Mixed Use Zone as follows:</p> <p><b><u>MUZ-RX Community Corrections Activity</u></b></p> <p><u>Mixed Use Zone Activity Status: PER</u></p>

<b>Proposed PC21 Provision</b>	<b>Submission</b>	<b>Relief Sought (additions shown in <u>underline</u>, deletions shown in <del>strikethrough</del>)</b>
<p>Part 3 – Area-Specific Matters / Commercial and Mixed-Use Zones</p> <p>Permitted activity rules for community corrections activities in the Town Centre Zone</p>	<p><b>New Provision</b></p> <p>Ara Poutama requests that a permitted activity rule applying to community corrections activities in the Town Centre Zone is inserted.</p> <p>The rule would replace rule TCZ-R3 in regard to enabling community corrections activity.</p> <p>Community corrections activities are essential social infrastructure and play a valuable role in reducing reoffending. They enable people and communities to provide for their social and cultural well-being and for their health and safety.</p>	<p>1. Insert activity rules applying to “community corrections activity” in the Town Centre Zone as follows:</p> <p><b><u>TCZ-RX Community Corrections Activity</u></b></p> <p><u>Town Centre Zone Activity Status: PER</u></p>
<p>Part 3 – Area-Specific Matters / General Industrial Zone</p> <p>Permitted activity rules for community corrections activities in the General Industrial Zone</p>	<p><b>New Provision</b></p> <p>Ara Poutama requests that a permitted activity rule applying to community corrections activities in the General Industrial Zone is inserted.</p> <p>Community corrections activities are essential social infrastructure and play a valuable role in reducing reoffending. They enable people and communities to provide for their social and cultural well-being and for their health and safety.</p> <p>As community corrections facilities are not sensitive to the effects of an industrial environment (e.g. noise, high traffic movements, etc), they are not prone to reverse sensitivity.</p>	<p>1. Insert activity rules applying to “community corrections activity” in the General Industrial Zone as follows:</p> <p><b><u>GIZ-RX Community Corrections Activity</u></b></p> <p><u>General Industrial Zone Activity Status: PER</u></p>

