



ARA POUTAMA AOTEAROA, THE DEPARTMENT OF CORRECTIONS: SUBMISSION ON VARIATION 1 TO THE PROPOSED WAIMAKARIRI DISTRICT PLAN

To: Waimakariri District Council
Private Bag 1005
Rangiora 7440

Attention: Planning Manager
Email: developmentplanning@wmk.govt.nz

Submitter: 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

Ara Poutama Aotearoa, the Department of Corrections (**Ara Poutama**) makes submissions on Variation 1 – Housing Intensification to the Proposed Waimakariri District Plan (**PWDP**) 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.

A handwritten signature in blue ink, appearing to read 'Andrea Millar', is shown.

Andrea Millar – Manager, Resource Management and Land Management

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

Dated this 9th day of September 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 also 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.

There are no custodial corrections facilities in Waimakariri 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 used 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 operates one non-custodial community corrections site in the Waimakariri District. Rangiora Community Corrections is located at 81 Ivory Street, Rangiora, and is designated for "community corrections activity" in the PWDP (reference MCOR-1), and located within the Town Centre Zone (TCZ). The designation is not subject to any conditions. Ara Poutama requires that the PWDP also provides for community corrections facilities in other appropriate locations, should they be required in the future.

Intensification and population growth in urban areas creates more demand for these types of facilities. It is important that provision is made to enable non-custodial community corrections sites to establish, operate and redevelop, within appropriate areas.

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 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, within a residential setting, 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, re-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.¹ 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 therefore responsible for a range of residential accommodation (with support), which vary in nature and scale, of all which fall within the ambit of a residential activity.

Demand for these services exist nationally, including within Waimakariri District. It is important that provision is made to enable residential accommodation activities (with support), to establish and operate, within appropriate areas, which is likely to include areas of housing intensification.

Ara Poutama's Submission on Variation 1 – Housing Intensification to the Proposed Waimakariri District Plan

Ara Poutama has an interest in the implications that the PWDP will have on the establishment and operation of non-custodial community corrections sites, and residential accommodation (with support), in Waimakariri District. Ara Poutama made a primary submission on the PWDP seeking to ensure suitable provision for these activities.

Variation 1 to the PWDP incorporates the requirements of the National Policy Statement for Urban Development (NPS-UD) 2020 and gives effect to the Medium Density Residential Standards (MDRS). Intensification and population growth in urban areas has an implication for the delivery of the services Ara Poutama is required to provide in Waimakariri District. Ara Poutama considers intensification enabled by Variation 1 provides additional justification for the changes it has sought through its primary submission on

¹ Sentencing Act 2002, section 80E.

the PWDP seeking suitable provision for non-custodial community corrections sites and residential accommodation (with support).

Ara Poutama’s specific submissions on Variation 1 – Housing Intensification are outlined in the following table.

Submissions

PWDP Provision	Submission	Relief Sought (additions shown in <u>underline</u> , deletions shown in strikethrough)
All provisions of the PWDP amended by Variation 1 to the PWDP.	<p>Neutral</p> <p>Ara Poutama has a neutral position (neither supports or opposes) on the specific provisions of the PWDP introduced or amended by Variation 1, subject to the matters raised in its primary submission on the PWDP being addressed.</p> <p>In its primary submission, Ara Poutama noted specifically the need for:</p> <ul style="list-style-type: none"> Retention of the specific definitions of “community corrections activity” and “residential activity” consistent with the National Planning Standard definitions. Amendments to various Strategic Direction and Residential Zone objectives and policies to ensure the provision of a range of residential activities, such as those that involve supervision, assistance, care, and/or treatment support. Retention of the permitted activity status of “residential activity” in General Residential Zone (GRZ) and Medium Density Residential Zone (MRZ). Addition of “community corrections activity” as a permitted activity in the Mixed Use Zone (MUZ) and Town Centre Zone (TCZ). Retention of the permitted activity status of “community corrections activity” in the Light Industrial Zone (LIZ), and General Industrial Zone (GIZ). <p>Intensification and population growth in urban areas has an implication for the delivery of services Ara Poutama is required to provide in Waimakariri District. Ara Poutama considers intensification in urban areas enabled by Variation 1 provides additional justification for the above changes it has sought through its primary submission on the PWDP seeking suitable provision for community corrections sites and residential accommodation (with support) within appropriate areas.</p>	<ol style="list-style-type: none"> Make the amendments to the PWDP sought in Ara Poutama’s primary submission.