

IN THE MATTER OF

the Resource Management Act 1991

AND

IN THE MATTER OF

Proposed Waimakariri District Plan,
including Variations 1 and 2 -
Hearing Streams 1 and 2

**HEARING STATEMENT OF MAURICE DALE
ON BEHALF OF
ARA POUTAMA AOTEAROA THE DEPARTMENT OF CORRECTIONS
(SUBMITTER # 52 (PROPOSED PLAN), and 56 (VARIATION 1))**

Planning

Dated 17 May 2023

GREENWOOD ROCHE
LAWYERS
CHRISTCHURCH
Solicitor: Rachel Murdoch
(rmurdoch@greenwoodroche.com)

Submitter's Solicitor
Kettlewell House
Level 3, 680 Colombo Street
P O Box 139
Christchurch
Phone: 03 353 0574

- 1.1 Ara Poutama Aotearoa the Department of Corrections (**Ara Poutama**) has made submissions on the definitions, objectives, policies, and rules of the Proposed Waimakariri District Plan (**PWDP**) , including Variation 1 (**PWDP-V1**).
- 1.2 In addition to expressing support for various provisions in the PWDP and the PWDP-V1, those submissions requested a number of changes to ensure that the PWDP appropriately enables activities carried out and/or managed by Ara Poutama within the community.
- 1.3 Those activities include:
 - (a) the provision of homes in the community to assist people within Ara Poutama's care with their transition and/or reintegration into the community following their release from prison, and assist people on community based sentences proactively participating in society.
 - (b) the establishment and operation of community corrections activities which support people on community sentences, including facilities which support probation services and community work activities.
- 1.4 Provision for these activities within district plans is necessary to support the effective functioning of the justice system, and to contribute to well-functioning urban environments that enable all people and communities to provide for their wellbeing.
- 1.5 To that end, a focus of Ara Poutama's submissions on the PWDP and nationally is the consistent implementation of the National Planning Standard definitions of "residential activity", "residential unit", and "community corrections activity" and the provision of these as permitted activities in appropriate zones, along with a supporting policy framework.
- 1.6 In relation to Hearing Streams 1 and 2 (**HS1**) (**HS2**), Ara Poutama sought the following specific relief:

- (a) Amendment to Strategic Direction objective SD-O3 to ensure urban development *enables the community to provide for their wellbeing*.
 - (b) The addition a new Urban Form and Development policy to provide for *a range of residential activities* in residential zones including those provided by Ara Poutama that include an element of support and supervision.
- 1.7 The s42A reports have recommended rejection of those changes. I agree with the s42A reports that the new strategic direction objective SD-02 introduced through Variation 1, and other proposed strategic and residential objectives appropriately addresses the relief sought by Ara Poutama. I therefore agree that the change to Strategic Direction objective SD-O3 and additional Urban Form and Development policy are not required.
- 1.8 While the relevant activity definitions are not being addressed as part of HS1 and HS2, the s42A reports have commented on the nature of Ara Poutama's housing, and appear to mischaracterise it as a "care facility" and/or "community corrections activity". I do not consider that this is accurate or appropriate for the following reasons:
- (a) Housing provided by Ara Poutama is not a rest home, and the fact residents may receive supervision and/or support, does not mean they have "special needs". Accordingly I consider housing provided by Ara Poutama is not a "care facility".
 - (b) The definition of "community corrections activity" mirrors that in the National Planning Standard, which was developed specifically by Ara Poutama. While community corrections activity includes elements of rehabilitation and reintegration services, it does not include residential accommodation. Accordingly I consider housing provided by Ara Poutama is not a "community corrections activity".
- 1.9 The appropriate definition of housing provided by Ara Poutama in the PWDP will be further addressed in its evidence in later hearing streams.

Maurice Dale

17 May 2023

