



ARA POUTAMA AOTEAROA, THE DEPARTMENT OF CORRECTIONS: SUBMISSION ON PLAN CHANGE 2 TO THE PROPOSED KAPITI DISTRICT PLAN

To: Kapiti Coast District Council
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Submitter: Ara Poutama Aotearoa the Department of Corrections
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Ara Poutama Aotearoa, the Department of Corrections (**Ara Poutama**) makes submissions on Plan Change 2 – Intensification to the Kapiti Coast District Plan (**KCDP**) 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.



Andrea Millar – Manager, Resource Management and Land Management

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

Dated this 15th 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 the Kapiti Coast 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 Kapiti Coast District. Kapiti Community Corrections is located at 7 Arko Place, Paraparaumu, and is located within the General Industrial Zone (GIZ). Ara Poutama requires that the KCDP 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 the Kapiti Coast 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 Plan Change 2 to the Kapiti Coast District Plan

Ara Poutama has an interest in the implications that the KCDP will have on the establishment and operation of non-custodial community corrections sites, and residential accommodation (with support) in the Kapiti Coast District.

Plan Change 2 to the KCDP 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 Kapiti Coast District.

Ara Poutama's specific submissions on Plan Change 2 are outlined in the following table.

¹ Sentencing Act 2002, section 80E.

Submissions

PSDP Provision	Submission	Relief Sought (additions shown in <u>underline</u> , deletions shown in strikethrough)
Part 1: Introduction and General Provisions / Interpretation / Definitions	<p>Oppose</p> <p>Ara Poutama requests the addition of a definition of “Community Corrections Activity”, consistent with the National Planning Standard definition.</p> <p>Community corrections activities are essential social infrastructure and play a valuable role in reducing reoffending. They build strong and resilient communities and enable people and communities to provide for their social and cultural well-being and for their health and safety to achieve the purpose of the RMA.</p> <p>Intensification and population growth in urban areas creates more demand for these types of facilities. Specifically with the higher population, the proportion of those people needing community corrections services will correspondingly increase. It is therefore important that provision is made to enable non-custodial community corrections sites to establish, operate and redevelop, within appropriate areas.</p>	<p>1. Add a definition of “Community Corrections Activity” as follows:</p> <p><u>Community Corrections Activity:</u></p> <p><u>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></p>
Part 1: Introduction and General Provisions / Interpretation / Definitions	<p>Oppose</p> <p>Ara Poutama requests the addition of a new definition of “Household”.</p> <p>The National Planning Standards includes definitions for “residential activity” and “residential unit” that must be used when a local authority includes a definition for such in its plan. The Operative District Plan includes both of these definitions.</p> <p>However, the definition of “residential unit” refers to a “household” which is currently defined in the Operative Plan, but in a way that does not provide sufficient clarity that a household is not necessarily limited to a family unit or a flatting arrangement (which are more commonly perceived household situations).</p>	<p>1. Add a new definition of “Household” as follows:</p> <p><u>Household:</u></p> <p><u>means a person or group of people who live together as a unit whether or not:</u></p> <p><u>a. any or all of them are members of the same family; or</u></p> <p><u>b. 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></p>
Part 3: Area Specific Matters / Residential Zones / General Residential Zone – Objective DO-Ox2	<p>Support in part</p> <p>Ara Poutama requests objective DO-Ox2 is retained but amended so that a variety of household types that meet the community’s diverse social and economic housing needs are provided for in residential zones, including households that involve an element of supervision, assistance, care and/or treatment support.</p> <p>This includes residential activities provided by Ara Poutama that provide housing, and associated care and support for people following their release, to assist with their transition and integration back into the community; and housing for those on bail or community-based sentences.</p>	<p>1. Amend Objective DO-Ox2 as follows:</p> <p><i>DO-Ox2 – Housing in Relevant Residential Zones</i></p> <p><i>Relevant residential zones provide for a variety of housing types, households, and sizes that respond to:</i></p> <ol style="list-style-type: none"> <i>1. housing needs and demands; and</i> <i>2. the neighbourhood’s planned urban built character, including 3-storey buildings.</i>

PSDP Provision	Submission	Relief Sought (additions shown in <u>underline</u> , deletions shown in strikethrough)
	<p>Providing for a range of residential activities with support in residential zones is important to meet community needs, build strong and resilient communities, and enable people and communities to provide for their social and cultural well-being and health and safety to achieve the purpose of the RMA and give effect to the NPS-UD.</p>	
<p>Part 3: Area Specific Matters / Residential Zones / General Residential Zone – Policy GRZ-Px1</p>	<p>Support in part</p> <p>Ara Poutama requests policy GRZ-Px1 is retained but amended so that a variety of household types that meet the community’s diverse social and economic housing needs are provided for in residential zones, including households that involve an element of supervision, assistance, care and/or treatment support.</p> <p>This includes residential activities provided by Ara Poutama that provide housing, and associated care and support for people following their release, to assist with their transition and integration back into the community; and housing for those on bail or community-based sentences.</p> <p>Providing for a range of residential activities with support in residential zones is important to meet community needs, build strong and resilient communities, and enable people and communities to provide for their social and cultural well-being and health and safety to achieve the purpose of the RMA and give effect to the NPS-UD.</p>	<p>1. Amend Objective GRZ-Px1 as follows:</p> <p>GRZ-Px1</p> <p><i>Enable a variety of housing typologies <u>and households</u> with a mix of densities within the zone, including 3-storey attached and detached dwellings, and low-rise apartments.</i></p>
<p>Part 3 – Area Specific Matters / Zones / Commercial and Mixed Use Zones</p>	<p>Oppose</p> <p>Ara Poutama requests the amendment of the objectives, policies, and rules for the Metropolitan Centre Zone, Town Centre Zone, and Mixed Use Zone to enable “Community Corrections Activity” as a permitted activity.</p> <p>Community corrections activities are essential social infrastructure and play a valuable role in reducing reoffending. They build strong and resilient communities and enable people and communities to provide for their social and cultural well-being and for their health and safety to achieve the purpose of the RMA.</p> <p>Intensification and population growth in urban areas creates more demand for these types of facilities, specifically the higher population the perceptible of those people needing community corrections services will correspondingly increase. It is important that provision is made to enable non-custodial community corrections sites to establish, operate and redevelop, within appropriate areas.</p>	<p>1. Amend the following objectives and policies to enable Community Corrections Activities:</p> <ul style="list-style-type: none"> • Metropolitan Centre Zone Policy MCZ-P1, MCZ-P2, and MCZ-P3. • Town Centre Zone Policy TCZ-P1. • Mixed Use Zone Policy MUZ-P1, and MUZ-P2. <p>2. Amend the rules in the following zones to enable Community Corrections Activity to be undertaken as permitted activities:</p> <ul style="list-style-type: none"> • Metropolitan Centre Zone. • Town Centre Zone. • Mixed Use Zone.

PSDP Provision	Submission	Relief Sought (additions shown in <u>underline</u> , deletions shown in strikethrough)
<p>Part 3 – Area Specific Matters / Zones / Industrial Zones / General Industrial Zone</p>	<p>Oppose</p> <p>Ara Poutama requests the amendment of the objectives, policies, and rules for the General Industrial Zone to enable “Community Corrections Activity” as a permitted activity. Ara Poutama’s existing community corrections site in Kapiti Coast District is located in the General Industrial Zone.</p> <p>Community corrections activities are essential social infrastructure and play a valuable role in reducing reoffending. They build strong and resilient communities and enable people and communities to provide for their social and cultural well-being and for their health and safety to achieve the purpose of the RMA.</p> <p>Intensification and population growth in urban areas creates more demand for these types of facilities. Specifically with the higher population, the proportion of those people needing community corrections services will correspondingly increase. It is therefore important that provision is made to enable non-custodial community corrections sites to establish, operate and redevelop, within appropriate areas.</p>	<ol style="list-style-type: none"> 1. Amend General Industrial Zone Policies GIZ-P1, and GIZ-P2 to enable Community Corrections Activities. 2. Amend the rules of the General Industrial Zone to enable Community Corrections Activity to be undertaken as a permitted activity.

From: [Maurice Dale](#)
To: [Mailbox - District Planning](#)
Cc: [MILLAR, Andrea \(WELLHO\)](#); [Sean Grace](#)
Subject: Plan Change 2 to Kapiti Coast District Plan - Submission from Ara Poutama Department of Corrections
Date: Thursday, 15 September 2022 3:29:23 pm
Attachments: [Ara Poutama Department of Corrections Submission on Plan Change 2 to Kapiti Coast District Plan.pdf](#)

Good afternoon,

Please find attached a submission from Ara Poutama Department of Corrections on Plan Change 2 to the Kapiti Coast District Plan.

Please acknowledge receipt of this submission.

Kind regards



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