

Section 32 Evaluation Report

Part 2: Special Purpose Corrections Zone

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Table of acronyms

Abbreviation	Full term
CORZ	Special Purpose Corrections Zone
NES	National Environmental Standards
NPS	National Policy Statements
PDP	Proposed District Plan
PNRP	Proposed Natural Resources Plan
RMA	Resource Management Act
RPS	Regional Policy Statement for the Wellington Region 2013

1.0 Overview and Purpose

1.1 Introduction to the resource management issue/s

Ara Poutama Aotearoa, the Department of Corrections operates a correctional facility known as Arohata Prison in the suburb of Tawa.

The prison serves an important community purpose and has particular resource management issues relating to its operation and its interface with surrounding development. A 'Special Purpose Corrections Zone' is proposed for the site as provided for under the National Planning Standards.

The proposed zoning is site specific¹ and seeks to provide for the ongoing operation and development of the prison site while managing the effects of the operation of the prison. This approach complements the existing designation of the site for custodial corrections purposes.

2.0 Reference to other evaluation reports

This report should also be read in conjunction with the following evaluation reports:

Report	Relationship to this topic
Designations	A designation by the Minister of Corrections already exists for the site to provide for the custodial corrections use of the site. This designation is being 'rolled over' from the Operative District Plan into the Proposed District Plan.
Infrastructure	In relation to the National Grid transmission lines that span the site.

3.0 Strategic Direction

The following objectives in the Strategic Direction chapter of the Proposed District Plan that are relevant to this issue/topic are:

CC-02	Capital City
	<p>Wellington City is a well-functioning Capital City where:</p> <ol style="list-style-type: none">1. A wide range of activities that have local, regional, and national significance are able to establish and thrive;2. The social, cultural, economic, and environmental wellbeing of current and future residents is supported;3. Mana whenua values and aspirations become an integral part of the City's identity;4. Urban intensification is delivered in appropriate locations and in a manner that meets the needs of current and future generations;5. Innovation and technology advances that support the social, cultural, economic and environmental wellbeing of existing and future residents are promoted; and

¹ A second site, the former Mt Crawford Prison (Wellington Prison) is no longer operational. That site is not proposed to be zoned under the Special Purpose Corrections Zone.

6. Values and characteristics that are an important part of the City's identity and sense of place are identified and protected.	
SCA-04	Strategic City Assets and Infrastructure
Regionally significant infrastructure is provided for in appropriate locations and the social, cultural, and economic benefits of this infrastructure are recognised and provided for.	

An evaluation of these objectives is contained in the companion Section 32 Evaluation Overview Report.

4.0 Regulatory and policy direction

In carrying out a s32 analysis, an evaluation is required of how the proposal achieves the purpose and principles contained in Part 2 of the RMA.

Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources.

Sustainable management '*means managing the use, development, and protection of natural and physical resources to enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety, while -*

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment'.*

In achieving this purpose, all persons exercising functions and powers under the RMA also need to:

- Recognise and provide for the matters of national importance identified in s6
- Have particular regard to the range of other matters referred to in s7
- Take into account the principles of the Treaty of Waitangi/Te Tiriti o Waitangi in s8.

4.1 Section 6

There are no s6 matters relevant to this topic.

4.2 Section 7

The s7 matters that are relevant to this topic are:

Section	Relevant Matter
7(b)	the efficient use and development of natural and physical resource <i>This matter is relevant given the strategic value and importance of the physical resource that is the prison facility.</i>
7(c)	the maintenance and enhancement of amenity values <i>This matter is relevant given the relationship of the site with surrounding development, particularly residential areas.</i>
7(f)	maintenance and enhancement of the quality of the environment

	<i>This matter is relevant given the relationship of the site with surrounding development, particularly residential areas.</i>
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4.3 Section 8

The Council has sought comment on the draft District Plan for the zone from both Taranaki Whānui ki te Upoko o te Ika and Ngāti Toa Rangatira.

4.4 National Direction

4.4.1 National Policy Statements

There are five National Policy Statements (NPS) currently in force:

- NPS for Electricity Transmission 2008
- New Zealand Coastal Policy Statement 2010
- NPS for Renewable Electricity Generation 2011
- NPS for Freshwater Management 2020
- NPS on Urban Development 2020

The NPS for Electricity Transmission is relevant to the site as transmission lines span the site. The impacts of this, and provisions for the operation of the transmission line infrastructure and activities around the transmission line infrastructure, are addressed through the Infrastructure chapter and associated s32 analysis.

4.4.2 Proposed National Policy Statements

In addition to the five NPSs currently in force there are also two proposed NPSs under development, noting that these are yet to be issued and have no legal effect:

- Proposed NPS for Highly Productive Land
- Proposed NPS for Indigenous Biodiversity

4.4.3 National Environmental Standards

In addition to the NPSs there are nine National Environmental Standards (NES) currently in force:

- NES for Air Quality 2004
- NES for Sources of Human Drinking Water 2007
- NES for Electricity Transmission Activities 2009
- NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
- NES for Telecommunication Facilities 2016
- NES for Plantation Forestry 2017
- NES for Freshwater 2020
- NES for Marine Aquaculture 2020
- NES for Storing Tyres Outdoors 2021

The following standard/s and associated provisions relevant to this topic are:

NES	Relevant Regulations
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NES for Electricity Transmission Activities	The NES for Electricity Transmission Activities contain a range of regulations relevant to works on and around transmission infrastructure. The regulations do not have a direct bearing on the provisions of the Corrections Zone and are addressed by other plan provisions – refer to Part 2 – District Wide Matters: Energy, Infrastructure and Transport.
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4.4.4 National Planning Standards

The National Planning Standards provide for a range of zone options to be included in Part 3 – Area Specific Matters of the District Plan. This includes the Corrections Zone, the purpose of which is as follows:

Zone	Description
Special Purpose Corrections Zone	Areas used predominantly for the efficient operation and development of prisons and associated facilities and activities and the security requirements of prisons. The zone may also be used for new and changing approaches to prisoner reintegration and rehabilitation.

4.5 National Guidance Documents

There is no national guidance relevant to this topic.

4.6 Regional Policy and Plans

Regional Policy Statement for the Wellington Region 2013 (RPS)

The table below identifies the relevant provisions and resource management topics that are relevant to the Corrections Zone contained in the RPS.

Regional form, design, and function	
Section	Relevant matters
Objective 22	Objective 22 seeks to achieve “a compact well designed and sustainable regional form that has an integrated, safe and responsive transport network”. Objective 22 also seeks to ensure “essential social services to meet the region’s needs.”
Policy 54 (R)	Achieving the region’s urban design principles
Policy 55 (R)	Maintaining a compact, well designed and sustainable regional form
Policy 57 (R)	Integrating land use and transportation
Policy 58 (R)	Co-ordinating land use with development and operation of infrastructure

M = policies which must be implemented in accordance with stated methods in the RPS
R = policies to which particular regard must be had when varying a district plan

Regional Plans

There are currently five operative regional plans and one proposed regional plan for the Wellington region:

- Regional Freshwater Plan for the Wellington Region, 1999
- Regional Coastal Plan for the Wellington Region, 2000
- Regional Air Quality Management Plan for the Wellington Region, 2000
- Regional Soil Plan for the Wellington Region, 2000
- Regional Plan for discharges to the land, 1999
- Proposed Natural Resources Plan, appeals version 2021

The Proposed Natural Resources Plan (PNRP) replaces the five operative regional plans, with provisions in this plan now largely operative with the exception of those that are subject to appeal.

None of the above regional plans are relevant to the Special Purpose Corrections Zone and the zone is not inconsistent with any of the relevant regional plans.

4.7 Iwi Management Plan(s)

There are no Iwi Management Plans relevant to this topic.

4.8 Relevant plans or strategies

There are no additional plans or strategies relevant to this topic.

4.9 Other relevant legislation or regulations

There is no other legislation or regulations relevant to this topic.

5.0 Resource Management Issues Analysis

5.1 Background

The Arohata Prison is a long established facility on the site, having opened in 1944. Under the operative District Plan the site carries a rural zoning and is designated for its custodial corrections function.

The operative District Plan does not make any other specific provision for the prison site with reliance placed on the underlying rural zoning.

Therefore, operation of the core prison facility is currently provided for through the designation, but any ancillary functions are not. Consultation with Ara Poutama has revealed a desire to undertake a range of ancillary activities (some of which are already occurring) and to provide for those through the District Plan. These activities include non-custodial rehabilitation activities, community corrections activities and supported residential accommodation.

5.2 Evidence Base - Research, Consultation, Information and Analysis undertaken

Given the very targeted nature of the zone, the Council has only consulted with Ara Poutama/the Department of Corrections in preparing this zone chapter. This consultation was undertaken in addition to an analysis of the current District Plan approach to the prison site.

5.2.1 Analysis of Operative District Plan provisions relevant to this topic

The current operative District Plan does not include specific zoning or provisions for the Arohata Prison. Rather, the District Plan relies on the designation for the prison to manage those activities. The site presently carries a rural zoning.

The existing designation (District Plan reference 'K2') does not carry any conditions.

The existing rural zone chapter does not contain any specific provisions for the prison.

5.2.2 Advice received from Taranaki Whānui and Ngāti Toa Rangatira

The District Plan Review has included significant engagement with our mana whenua partners - Taranaki Whānui ki te Upoko o te Ika and Ngāti Toa Rangatira. This has included over 100 hui and wānanga attended by Council officers over the last 12 months. This has provided a much greater understanding of mana whenua values and aspirations as they relate to the PDP.

The PDP elevates the consideration of mana whenua values in resource management processes, including:

- A new Tangata Whenua chapter which provides context and clarity about who mana whenua are and what environmental outcomes they are seeking.
- A new Sites and Areas of Significance to Māori chapter that provides greater protection for sites and areas of significance than the current District Plan.
- Integrating mana whenua values across the remainder of the plan where relevant.

This is consistent with both the City Goal of 'Partnership with mana whenua' in the Spatial Plan; and the recently signed Tākai Here (2022), which is the new partnership agreement between the Council and our mana whenua partners, Rūnanga o Toa Rangatira, Taranaki Whānui ki Te Upoko o Te Ika and Te Rūnanganui o Te Āti Awa.

A full copy of the advice received is attached as an addendum to the complete suite of Section 32 reports as Addendum A – Advice received from Taranaki Whānui and Ngāti Toa Rangatira.

No specific advice has been received from Taranaki Whānui or Ngāti Toa Rangatira regarding this topic and the proposed provisions evaluated within this report.

5.2.3 Consultation undertaken to date

The following is a summary of the primary consultation undertaken in respect of this topic:

Who	What	When	Relevant Issues Raised
General Public	Draft Spatial Plan	August 2020	<ul style="list-style-type: none"> • Ara Poutama Aotearoa will seek a Corrections Zone zoning of the Arohata Prison site; • The future of the wider Arohata prison site in relation to potential urban growth ambitions; • The need to provide for supported and transitional community

			accommodation in the District Plan.
Ara Poutama/ Department of Corrections	Direct engagement on development of draft District Plan chapters	September 2021	<ul style="list-style-type: none"> • Designation sought to be rolled over for Arohata Prison. • Amending the designation to encompass other non-core custodial functions is not preferred. • Discussion of non-custodial activities sought by Ara Poutama. • Appropriate to provide for activities that are compatible with neighbouring sites i.e. rural activities. • Drafting of and comment on draft District Plan chapter.
Feedback on Draft Plan	Feedback on Draft Plan, through submissions and targeted discussions	November - December 2021	<ul style="list-style-type: none"> • Supportive of the draft District Plan relating to the Corrections Zone. • Seeking a minor change to a definition to correct a drafting error.

A summary of specific feedback on this topic received during consultation on the Draft District Plan is contained in Appendix 1, including how it has been responded to in the Proposed District Plan. Additional detail concerning the wider consultation undertaken in preparing the Proposed District Plan is contained in the companion Section 32 Evaluation Overview Report.

In summary, the key findings arising from the consultation undertaken on this topic are:

- The Special Purpose Corrections zone is the appropriate zoning for the site.
- Ara Poutama seeks to undertake a number of activities on the Arohata Prison site beyond a core custodial corrections function.
- Ensuring that the effects of activities on the site are appropriate with reference to neighbouring sites.
- The draft District Plan provisions achieve the outcomes sought by Ara Poutama.

5.3 Summary of Relevant Resource Management Issues

Based on the research, analysis and consultation outlined above the following issues have been identified:

Issue	Comment	Response
Issue 1: Utilising an appropriate zoning	<ul style="list-style-type: none"> The current rural zoning is not tailored to the institutional nature of the site. 	<ul style="list-style-type: none"> Implementation of the Special Purpose Corrections Zone from the National Planning Standards.
Issue 2: The current District Plan does not sufficiently recognise the Arohata Prison	<ul style="list-style-type: none"> Aside from recording the site designation, the applicable rural zone provisions do not recognise the Arohata Prison. 	<ul style="list-style-type: none"> Clearly outline the purpose of the zone, the importance of the Arohata Prison, and the management of activities on the site. Carry over the designation of the site.
Issue 3: Providing for an appropriate suite of activities	<ul style="list-style-type: none"> The current District Plan does not specifically provide for any activities on the prison site beyond what is provided for by the Rural zone. 	<ul style="list-style-type: none"> Provide for a range of appropriate activities on the site and ensure such activities are appropriately managed with regard to surrounding properties.

6.0 Evaluation of the Proposal

This section of the report evaluates the objectives of the proposal to determine whether they are the most appropriate means to achieve the purpose of the RMA, as well as the associated policies, rules and standards relative to these objectives. It also assesses the level of detail required for the purposes of this evaluation, including the nature and extent to which the benefits and costs of the proposal have been quantified.

6.1 Scale and Significance

Section 32(1)(c) of the RMA requires that this report contain a level of detail that corresponds with the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.

The level of detail undertaken for this evaluation has been determined by assessing the scale and significance of the environmental, economic, social and cultural effects anticipated through introducing and implementing the proposed provisions (i.e. objectives, policies and rules) relative to a series of key criteria.

Based on this the scale and significance of anticipated effects associated with this proposal are identified below:

Criteria	Scale/Significance			Comment
	Low	Medium	High	
Basis for change	✓			<ul style="list-style-type: none"> Implementation of the Special Purpose Corrections Zone is a provided for in the National Planning Standards. The status quo does not sufficiently recognise the full range of functions of the Prison.
Addresses a resource management issue	✓			<ul style="list-style-type: none"> The proposal addresses a range of resource management issues particular to the prison site, including the management of the effects of activities on adjoining sites and reverse sensitivity effects.
Degree of shift from the status quo		✓		<ul style="list-style-type: none"> The proposed approach differs slightly from the status quo. However, the fundamental change proposed is provided for by the National Planning Standards and ensures the full range of corrections functions on the site are provided for and its national significance is recognised in the Plan.
Who and how many will be affected/ geographical scale of effect/s	✓			<ul style="list-style-type: none"> The prison site shares a boundary with approximately 40 residential properties along its northern side boundary. Rural zoning adjoins the site on other its southern and eastern boundary. Views into the site are generally from the east and are not widespread. The proposed provisions are a continuation of existing activities and make provision for compatible activities. Effects of built development and the activities provided for will be localised to the site.
Degree of impact on or interest from iwi/ Māori	✓			<ul style="list-style-type: none"> The proposal does not give rise to any s8 RMA considerations and there has been no specific feedback on this zone from direct consultation with iwi.
Timing and duration of effect/s	✓			<ul style="list-style-type: none"> Effects from building activity, should any occur, will be temporary. Any

Criteria	Scale/Significance			Comment
	Low	Medium	High	
				effects of operational activities will be ongoing.
Type of effect/s	✓			<ul style="list-style-type: none"> • Effects will be limited to construction effects if and when any new building work occurs, and any visual effects will be permanent. • The ongoing operation of activities on the site will relate to traffic movements and other operational effects such as temporary noise effects for example.
Degree of risk and uncertainty	✓			<ul style="list-style-type: none"> • The proposal has a low level of risk and uncertainty.

Overall, the scale and significance of the proposed provisions are considered to be low for the following reasons:

- The proposed zoning is in line with the intent of the National Planning Standards.
- The fundamental use of the site for prison purposes will continue under the existing designation for the site.
- The other non-custodial corrections activities proposed are considered to be compatible with the principal use of the site.
- The proposal does not represent a fundamental or significant shift in activities on the site or in the scale of effects envisaged by activities on the site.

Consequently, a high level evaluation of these provisions has been identified as appropriate for the purposes of this report.

6.2 Quantification of Benefits and Costs

Section 32(2)(b) requires that, where practicable, the benefits and costs of a proposal are to be quantified.

Based on the assessment of the scale and significance of the proposed provisions in section 6.1, specific quantification of the benefits and costs in this report is considered neither necessary, beneficial nor practicable in relation to this topic for the following reasons:

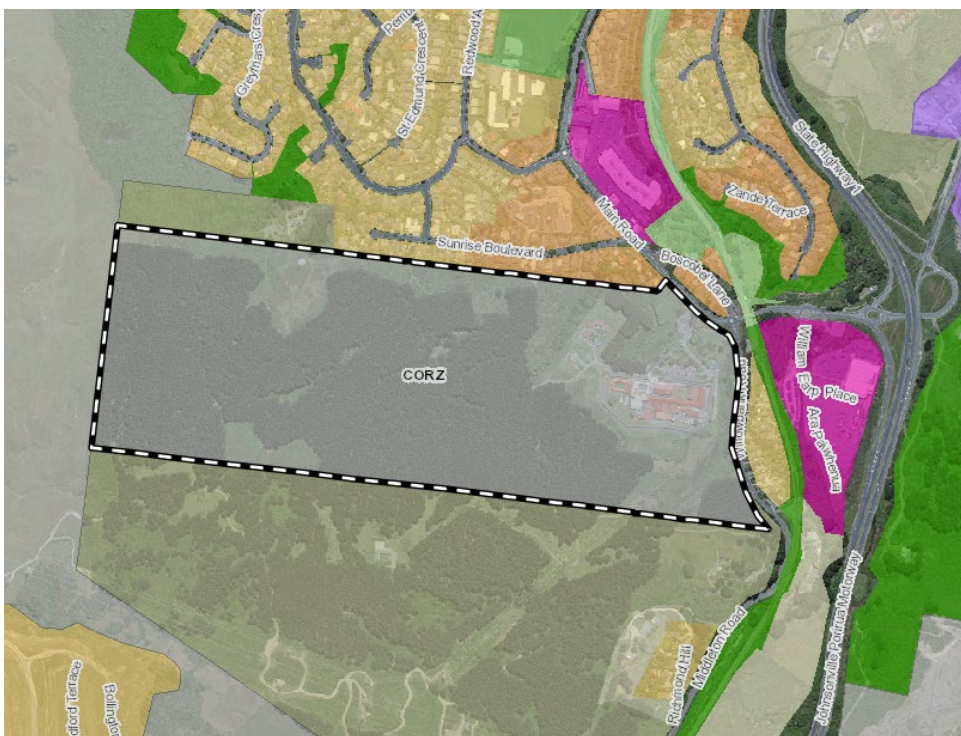
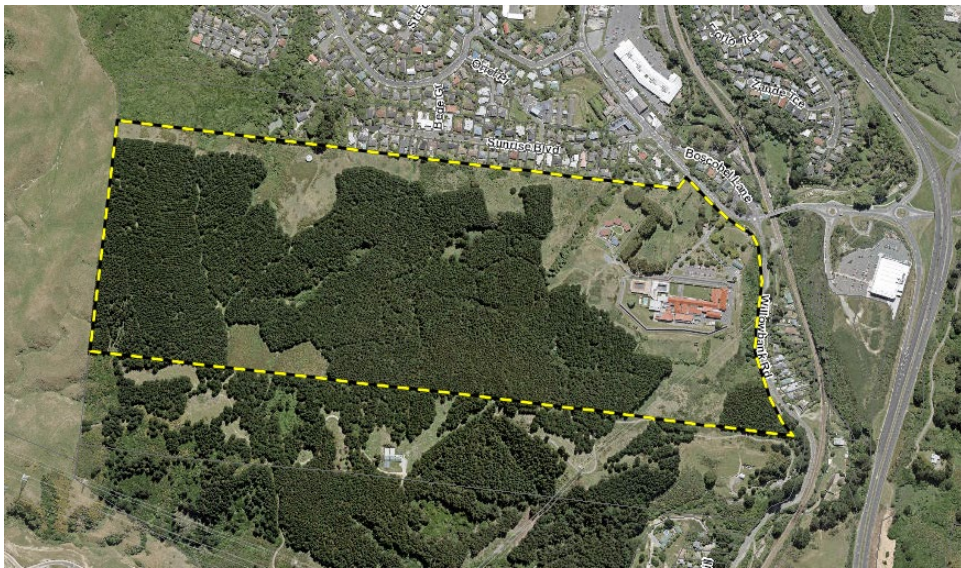
- The proposed zoning of the site relates to an existing activity.
- The Council does not have, nor can it anticipate, information on planned future activities on the site in terms of new built development or the scale of activities that will potentially occur on the site.

Instead, this report identifies more generally where any additional costs or cost may lie.

7.0 Zone Framework

Based on the issues analysis in section 5.3 of this report and the National Planning Standard zone options set out in section 4.4.5 the following zone framework has been selected in relation to this topic:

Zone	Reason/s
Special Purpose Corrections Zone	<ul style="list-style-type: none"> The National Planning Standards specifically identify this special purpose zone to be applied to correctional facilities.



8.0 Overview of Proposal

The proposed provisions relevant to this topic are set out in detail in the ePlan and should be referenced in conjunction with this evaluation report.

In summary, the proposed provisions include:

- Definitions
 - A set of relevant definitions, including:
 - Community Corrections Activity
 - Custodial Corrections Facility
 - Non-custodial Reintegration Activity
 - Supported Residential Care Activity
- Three objectives that address:
 - The purpose of the Corrections Zone with reference to the Arohata Prison.
 - Managing the effects of activities and development
 - The national importance of Arohata Prison.
- Four policies that:
 - Enable the ongoing operation and development of Arohata Prison.
 - Provide for activities that are compatible with the function of the zone.
 - Manage the effects of other activities that are compatible with the surrounding rural land use.
 - Manage the effects of activities on the amenity of the surrounding rural and residential land uses.
- A rule framework that manages land use and building and structure activities as follows:
 - Land use activities
 - Custodial Corrections Facilities – Permitted
 - Non-custodial reintegration activities – Permitted
 - Community corrections activities – Permitted
 - Supported residential accommodation – Permitted
 - Rural activities – Permitted
 - Cleanfill areas – Permitted
 - Conservation activity – Permitted
 - Rural industry – Discretionary
 - Intensive indoor primary production – Discretionary
 - Quarrying or mining activities – Discretionary
 - Any activity not otherwise provided for – Non-complying
 - Building and structure activities
 - Maintenance and repair of buildings and structures – Permitted
 - Demolition or removal of buildings and structures – Permitted
 - Construction, addition or alteration of buildings and structures – Permitted
- A complementary set of effects standards that address:
 - Maximum height – 8 metres
 - Minimum setback requirements – 6 metres from any boundary

9.0 Evaluation of Proposed Objective/s

9.1 Introduction

Section 32(1)(a) of the RMA requires that the evaluation report examine the extent to which the objectives of the proposal are the most appropriate way to promote the sustainable management of natural and physical resources.

An examination of the proposed objectives along with reasonable alternatives is included below, with the relative extent of their appropriateness based on an assessment against the following criteria:

1. Relevance (i.e. Is the objective related to addressing resource management issues and will it achieve one or more aspects of the purpose and principles of the RMA?)
2. Usefulness (i.e. Will the objective guide decision-making? Does it meet sound principles for writing objectives (i.e. does it clearly state the anticipated outcome?)
3. Reasonableness (i.e. What is the extent of the regulatory impact imposed on individuals, businesses or the wider community? Is it consistent with identified tangata whenua and community outcomes?)
4. Achievability (i.e. Can the objective be achieved with tools and resources available, or likely to be available, to the Council?)

9.2 Evaluation of Objectives CORZ-O1 and CORZ-O3

While not specifically required under s32, it is appropriate to also consider alternative objectives to those currently included in the Proposed District Plan, so as to ensure that the proposed objective(s) are the most appropriate to achieve the purpose of the RMA.

For the purposes of this evaluation, the Council has considered two potential objectives:

1. The proposed objective
2. The current most relevant objective - the status quo

Proposed objectives CORZ-O1 and CORZ-O3:		
CORZ-O1 – Corrections Zone		
The Corrections Zone provides for:		
<ol style="list-style-type: none"> 1. The continued operation and development of Arohata Prison. 2. The ongoing maintenance, upgrading and expansion of Arohata Prison. 3. Activities with operational needs and functional needs to be located within the Corrections Zone without being constrained or compromised by incompatible activities. 		
CORZ-O3 – National Importance		
Arohata Prison is recognised as a nationally important facility which contributes to the economic and social well-being, and health and safety of the region and district.		
General intent:		
Objectives CORZ-O1 and CORZ-O3 relate to the operation of the prison, its ongoing use and development, and stress the national importance of the facility. They seek to enable the ongoing operation of the prison and to highlight the importance of the prison as a national facility.		
Other potential objectives		
Status quo: There is no objective in the operative District Plan relating to the Arohata Prison.		
	Preferred objectives	Status quo
Relevance:		
Addresses a relevant resource management issue	The objectives seek to establish the importance of the prison and the need for its ongoing operation, maintenance and development which are relevant resource management issues.	There are currently no objectives in the District Plan particular to the prison site. Rather, the District Plan relies on the designation for the site and the underlying rural zoning. The underlying rural zoning does not specifically consider the prison and accordingly does not address the resource management issues relevant to the prison.
Assists the Council to undertake its functions under s31 RMA	The proposed objectives establish the outcomes sought for this site and assist the Council in achieving its functions under section 31(1)(a) of the RMA.	The absence of specific provisions relating to the prison site does not assist the Council in achieving the integrated management of the effects of the use, development, or protection of the prison site.

Gives effect to higher level documents	Not applicable.	Not applicable.
Usefulness:		
Guides decision-making	Both objectives state a clear outcome that will aid decision makers in considering any proposals within the zone.	The absence of specific objectives relevant to the prison site does not aid decision makers.
Meets best practice for objectives	Both objectives are written as clear outcome statements.	Not applicable.
Reasonableness:		
Will not impose unjustifiably high costs on the community/parts of the community	The objectives are site specific and will not impose costs on the wider community.	Not applicable.
Acceptable level of uncertainty and risk	The proposed objectives are clear and do not give rise to uncertainty. Resultingly there is a low level of risk associated with the objectives.	The current provisions do not provide the landowner with certainty about works that can be undertaken on the site. the absence of specific provisions creates a level of uncertainty and risk that is not acceptable, notwithstanding that the risk of unacceptable effects occurring is low.
Achievability:		
Consistent with identified tangata whenua and community outcomes	No specific tangata whenua or community outcomes have been identified.	Not applicable.
Realistically able to be achieved within the Council's powers, skills and resources	The proposed objectives are able to be achieved.	Not applicable.
Summary		
The proposed objectives establish the purpose of the zone and the national importance of the prison facility. They improve upon the status quo which is silent on the operation of the prison and assist the Council in fulfilling its functions under section 31 of the RMA. The proposed objectives are therefore considered to achieve the purpose of the RMA.		

9.3 Evaluation of Objective CORZ-O2

Proposed objective CORZ-O2: CORZ-O2 – Managing Effects

Adverse effects of activities and development in the Corrections Zone are managed effectively within the Zone and at interfaces with adjoining zones, scheduled sites, public spaces and key movement streets.		
General intent:		
Within the parameters of Objective CORZ-O1, Objective CORZ-O2 addresses the management of effects from the prison site, both within the site but with particular reference to surrounding sites.		
Other potential objectives		
Status quo: There is no objective in the operative District Plan relating to the Arohata Prison.		
	Preferred objectives	Status quo
Relevance:		
Addresses a relevant resource management issue	The objective seeks to outline the goal of managing the effects from activities within the prison site. It is a relevant resource management issue.	There is no equivalent or comparable objective in the operative District Plan.
Assists the Council to undertake its functions under s31 RMA	The objective assists the Council in addressing the integrated management of the effects of land use, particularly in respect of surrounding properties.	There is no equivalent or comparable objective in the operative District Plan.
Gives effect to higher level documents	Not applicable.	Not applicable.
Usefulness:		
Guides decision-making	The proposed objective is clear in its goal and its applicability. It accordingly provides clarity for decision makers.	The absence of specific objectives relating to the prison site creates an absence of decision-making guidance.
Meets best practice for objectives	The objective provides a clear outcome statement required of an objective.	Not applicable.
Reasonableness:		
Will not impose unjustifiably high costs on the community/parts of the community	The objective is site specific and seeks to manage the effects of development within the site.	Not applicable.
Acceptable level of uncertainty and risk	The proposed objective seeks to manage the effects of development within the prison site, with particular reference to neighbouring properties. It therefore seeks to reduce any uncertainty regarding future development	The level of uncertainty caused by the absence of specific provisions is not acceptable, notwithstanding that the risk of unacceptable effects occurring is low.

	and resultingly any associated risk is considered to be negligible.	
Achievability:		
Consistent with identified tangata whenua and community outcomes	No specific tangata whenua or community outcomes have been identified.	Not applicable.
Realistically able to be achieved within the Council's powers, skills and resources	The proposed objective is achievable within the Council's powers under the RMA.	Not applicable.
Summary		
<p>Objective CORZ-O2 seeks to establish the outcome sought to managing the effects of activities and building and structures on the site. It is the basis for a number of subsequent policies, rules and standards discussed in the following section.</p> <p>It is considered that Objective CORZ-O2 will serve to achieve the Council's functions under the RMA in respect of the Arohata Prison site and is the most appropriate objective to achieve the purpose of the RMA.</p>		

10.0 Evaluation of Reasonably Practicable Options and Associated Provisions

10.1 Introduction

Under s32(1)(b) of the RMA, reasonably practicable options to achieve the objectives associated with this proposal need to be identified and examined. This section of the report evaluates the proposed policies and rules, as they relate to the associated objectives.

Along with the proposed provisions, the Council has also considered maintaining the status quo as a reasonably practicable option to achieve the objective. Given the discrete nature of the zone and the matters addressed under the zone, no other alternative options were considered.

The technical and consultation input used to inform this process is outlined in section 5 of this report.

10.2 Evaluation method

For each potential approach an evaluation has been undertaken relating to the costs, benefits and the certainty and sufficiency of information (as informed by section 5 of this report) in order to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objective(s).

This evaluation is contained in the following sections.

10.3 Provisions to achieve Objectives CORZ-O1, CORZ-O2 and CORZ-O3

For the purpose of this evaluation, the Council has considered the following potential options:

1. The proposed provisions
2. The status quo

Objectives CORZ-O1, CORZ-O2 and CORZ-O3:

The three objectives address the purpose of the Corrections zone, the national importance of the Arohata prison facility and the management of effects from the prison site.

Option 1: Proposed approach (recommended)	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
<p>Policies:</p> <p>CORZ-P1 Operation and Development</p> <p>CORZ-P2 Compatible Activities</p> <p>CORZ-P3 Other Activities</p> <p>CORZ-P4 Amenity Values</p> <p>Rules:</p> <p><i>Activities</i></p> <p>CORZ-R1 Custodial corrections facilities – Permitted</p> <p>CORZ-R2 Non-custodial reintegration activities – Permitted/Restricted Discretionary</p> <p>CORZ-R3 Community corrections activities – Permitted/Restricted Discretionary</p> <p>CORZ-R4 Supported residential accommodation – Permitted/Restricted Discretionary</p> <p>CORZ-R5 Rural activities – Permitted</p> <p>CORZ-R6 Cleanfill areas – Permitted/Discretionary</p> <p>CORZ-R7 Conservation activity - Permitted</p> <p>CORZ-R8 Rural industry – Discretionary</p> <p>CORZ-R9 Intensive indoor primary production – Discretionary</p>	<p>Environmental</p> <ul style="list-style-type: none"> The environmental costs of the proposal relate to the ongoing operation and any further development of the site. Built development has the potential to impose costs both on immediately adjoining properties and the surrounding environment by way of visual effects, bulk and overshadowing. These costs can be addressed by controlling the bulk of buildings and their placement as proposed. The operation of the prison is existing meaning that its presence forms a part of the existing environment in the area in visual effect terms. Bulk and location controls to manage building height and building setbacks will ensure an appropriate relationship with neighbouring residential and rural land. The setback proposed mirrors that of the rural zone to ensure a consistency between the zones. Indirect costs will relate to traffic movement to and from the site and any other operation effects such as noise. <p>Economic</p> <ul style="list-style-type: none"> Economic costs of the proposed approach will fall on the Department of Corrections in terms of any resource consent requirement triggered by the proposed rules. No other direct or indirect economic costs have been identified. <p>Social</p> <ul style="list-style-type: none"> No direct or indirect costs have been identified. <p>Cultural</p> <ul style="list-style-type: none"> No direct or indirect costs have been identified. 	<p>Environmental</p> <ul style="list-style-type: none"> The environmental benefits of the proposal stem from the certainty provided through the proposed approach as contrasted with the current status quo. The proposal provides for an appropriate framework to manage activities on the site. No other direct or indirect benefits have been identified. <p>Economic</p> <ul style="list-style-type: none"> The Council does not have any information on potential economic growth/employment related benefits resulting from the proposal and accordingly such benefits have not been quantified or otherwise described. No other direct or indirect economic benefits have been identified. <p>Social</p> <ul style="list-style-type: none"> No direct or indirect benefits have been identified. <p>Cultural</p> <ul style="list-style-type: none"> No direct or indirect benefits have been identified. 	<p>It is considered that there is certain and sufficient information on which to base the proposed policies and methods as:</p> <ul style="list-style-type: none"> The prison is a long-established activity on the site, the effects of which are known. The proposed approach provides greater certainty in terms of the activities that can be undertaken on the site as compared to the status quo. The provisions have been developed in consultation with the Department of Corrections to ensure that the provisions are capturing both existing and potential future activities on the site.

<p>CORZ-R10 Quarrying or mining activities – Discretionary</p> <p>CORZ-R11 Any other activity – Non-complying</p> <p><i>Buildings and Structures</i></p> <p>CORZ-R12 Maintenance and repair of building and structures – Permitted</p> <p>CORZ-R13 Demolition or removal of buildings and structures – Permitted</p> <p>CORZ-R14 Construction, addition or alteration of buildings and structures relating to non-custodial reintegration, community corrections or supported residential accommodation – Permitted/Restricted Discretionary</p> <p><u>Other Methods:</u></p> <p>Building Standards</p> <p>CORZ-S1 Building Height</p> <p>CORZ-S2 Building Setbacks</p>			
<p><u>Effectiveness and efficiency</u></p>	<p><i>Effectiveness</i></p> <p>The proposed provisions are considered to be effective in achieving the proposed objectives. The proposed provisions provide for the activities anticipated in the zone and for activities that are compatible with surrounding land uses.</p>		<p><i>Efficiency</i></p> <p>The provisions are considered to be the most efficient to achieve the objectives. This is because the provisions seek to provide for the core activities associated with the purpose of the zone as a permitted activity.</p> <p>Resource consent triggers establish thresholds for some permitted activities, beyond which resource consent is required. This is considered appropriate in seeking to provide a permitted level of activity while seeking to manage the effects beyond those thresholds.</p>
<p><u>Overall evaluation</u></p>	<p>The proposed provisions mark a significant change from the current District Plan approach which relies on a site designation to manage the activities on the site, coupled with a rural zoning and the associated provisions for the rural zone. There are no specific provisions relating to the site currently.</p> <p>Utilising the National Planning Standards zone for the site, the proposed objectives recognise the national importance of the site, the purpose of the zone in providing for the ongoing operation and development of the site, and for the management of effects from the site. In turn, the proposed policies and rules support these objectives by providing for core activities</p>		

	<p>to occur on the site as a permitted activity (sometime subject to standards), compatible activities such as rural activities as a permitted activity, and built development relating to permitted activities also to occur as a permitted activity.</p> <p>The proposal strikes an appropriate balance between providing for development associated with the use of the site, activities that are compatible with surrounding rural land use, while ensuring that the effects of these activities are appropriately managed. The proposed provisions are considered the most appropriate to achieve the objectives of the zone and in turn the purpose of the RMA.</p>		
Option 2: Status Quo	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
<p><u>Policies:</u></p> <p>No specific policies relevant to the site</p> <p><u>Rules:</u></p> <p>No specific rules relevant to the site.</p> <p><u>Other Methods:</u></p> <p>Designation</p>	<p><i>Environmental</i></p> <ul style="list-style-type: none"> In the absence of specific provisions applying to the site, reliance would be placed on the site designation. While this would be a suitable way to manage the effects of the custodial corrections role of the site, it would not be effective in managing other appropriate land uses. While the site designation could be amended, providing for compatible activities by way of District Plan rules that provide clear definitions and permitted activity standards is a more efficient option. <p><i>Economic</i></p> <ul style="list-style-type: none"> The economic costs of continuing with the status quo relate to the imposition of resource consent costs to undertake works on the site, where these are outside of the scope of the designation. Economic costs specific to economic growth and employment have not been quantified or qualified in respect of this proposal. <p><i>Social</i></p> <ul style="list-style-type: none"> No direct or indirect costs have been identified. <p><i>Cultural</i></p> <ul style="list-style-type: none"> No direct or indirect costs have been identified. 	<p><i>Environmental</i></p> <ul style="list-style-type: none"> The application of rural zone provisions limits what can be undertaken on the site as a permitted activity. A benefit of this approach is that any activity not otherwise provided for by the rural zone would be subject to the scrutiny of a resource consent process to manage environmental effects. No other environmental benefits have been identified. <p><i>Economic</i></p> <ul style="list-style-type: none"> No direct or indirect economic benefits have been identified. <p><i>Social</i></p> <ul style="list-style-type: none"> No direct or indirect benefits have been identified. <p><i>Cultural</i></p> <ul style="list-style-type: none"> No direct or indirect benefits have been identified. 	<p>It is considered that there is certain and sufficient information on which to base the proposed approach as:</p> <ul style="list-style-type: none"> This option would be a continuation of the status quo and it is clear that the proposal would manage the custodial corrections role of the site; Other activities would be managed through a resource consent process as currently occurs.
<u>Effectiveness and efficiency</u>	<p><i>Effectiveness</i></p> <p>The effectiveness of this option is limited to providing for the core custodial corrections role of the site and ineffective in providing for any other activity that may be appropriate for the site such as any other ancillary corrections related activities.</p> <p>While a variation of this option would be to seek a different, expanded, designation for the site, such an option would not be as effective as the use of permitted activity standards as suggested by the preferred option as it would still necessitate an outline plan process.</p>		<p><i>Efficiency</i></p> <p>This option is not effective in managing any activity other than custodial correctional facilities. A continuation of the status quo would require a resource consent for any activity that is outside of the scope of the site designation meaning any ancillary activities such as those provided for by Option 1 would require a resource consent.</p> <p>As noted, a variation of this option would be for an expanded designation to be sought. This option is understood not to be preferred by Ara Poutama, nor is it considered to be any more efficient than the suggested approach proposed by the preferred option.</p>

Overall evaluation

This option would be effective and efficient in managing the core custodial corrections function of the site. However, it would be only partially effective and would be inefficient in managing the ancillary functions that are proposed to be permitted by Option 1. Implementation of this option (i.e. a designation coupled with an underlying Corrections zone that must be used) is therefore not supported as it will not achieve the proposed objectives and in turn would not achieve the purpose of the RMA.

10.4 Further Explanation of Proposed Approach to Provisions

Further explanation is not considered to be required for this topic.

11.0 Conclusion

The National Planning Standards provide for the use of the 'Special Purpose Corrections Zone' for the site given its corrections function. This zoning is proposed to be utilised in concert with a designation for the site by the Minister of Corrections, being a continuation of the existing designation for the site.

Two options have been considered for the zone provisions for the site. A continuation of the status quo would involve a reliance on the designation with an underlying Rural Zone but no specific provisions for Corrections activities that fall outside of the designation purpose. This option is not preferred and instead a set of more comprehensive provisions that enable a range of other compatible activities are preferred.

This evaluation has been undertaken in accordance with section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that the preferred proposal is the most appropriate option as it:

- Recognises the national importance of the facility;
- Provides for the core correctional facility use of the site and associated uses not currently provided for;
- Provides for other activities that would be compatible with surrounding land uses such as rural activities;
- Provides a higher degree of certainty than is currently provided for by the District Plan;
- Resultingly achieves the purpose of the RMA.

Appendix 1: Feedback on Draft District Plan 2021

[Submission Summary Document Corrections Zone.docx](#)

Who	Feedback Received	Response
<i>Ara Poutama/Department of Corrections</i>	<p>Supportive of the Corrections Zone provisions overall and seeks retention of them.</p> <p>Reference within the chapter to 'supported residential activities' needs to be amended to 'supported residential care activities' which is the definition included in the draft DP.</p> <p>Seeks retention of existing designations (Arohata and Mt Crawford)</p>	<p>Changes made for the following reason/s:</p> <p>The minor change to the wording has been made, this was necessary to align the rule with the correct naming of the definition.</p>

