



ARA POUTAMA AOTEAROA THE DEPARTMENT OF CORRECTIONS: SUBMISSION ON THE FAR NORTH PROPOSED DISTRICT PLAN

To: Proposed District Plan
Strategic Planning and Policy
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Ara Poutama Aotearoa the Department of Corrections (**Ara Poutama**) makes submissions on the Far North Proposed District Plan (**PDP**) 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 positioned above a horizontal line.

Andrea Millar – Manager, Resource Management and Land Management

For and behalf of Ara Poutama Aotearoa the Department of Corrections

Dated this 19th day of October 2022

Introduction

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.

Ara Poutama operates one custodial facility within the Far North district. This is a prison facility for men located at 5536 Ohaeawai Road (SH12), Kaikohe, known as the Northland Region Corrections Facility. The site is designated under the PDP by the Minister of Corrections for the purpose of "Northland Region Corrections Facility", designation identifier 'MCOR2'. The site's underlying zoning in the PDP is Rural Production.

Northland Region Corrections Facility is an important part of the corrections facility network which provides for the safety and security of all New Zealand communities and is of national significance. It is Ara Poutama's only custodial facility in the Northland region, and therefore has significance in a regional and district context. The facility plays a vital role in the region in allowing Ara Poutama to meet its responsibilities under the Corrections Act 2004 for enforcing sentences and orders of the criminal courts and the New Zealand parole board.

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 currently operates two non-custodial community corrections sites in the Far North district:

- Kaitaia Community Corrections, located at 51 North Park Drive, Kaitaia. This site is a community corrections service centre and community work facility, and is located within the Mixed Use Zone in the PDP.
- Kaikohe Community Corrections, located at 17-19 Station Road, Kaikohe. This site is a community corrections service centre and community work facility, and is located within the Mixed Use Zone in the PDP. The site is designated under the PDP by the Minister of Corrections for the purpose of “Community Correction Activity”, designation identifier ‘MCOR1’.

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

¹ Sentencing Act 2002, section 80E.

Ara Poutama's Submission on the Far North Proposed District Plan

Ara Poutama has an interest in the implications that the PDP will have on the establishment and operation of custodial facilities, non-custodial facilities, and residential accommodation (with support), in the Far North district.

Ara Poutama's specific submissions on the PDP are outlined in the following table.

Submissions

PDP Provision	Submission	Relief Sought (additions shown in <u>underline</u> , deletions shown in strikethrough)	
<p>Part 1 – Introduction and General Provisions / Interpretation / Definitions</p> <p>“Community corrections activity”</p>	<p>Support</p> <p>Ara Poutama requests that the definition of “community corrections activity” is retained.</p> <p>The definition is consistent with the wording provided for in the National Planning Standards.</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. Retain the definition of “community corrections activity”.</p>	<p>\$158.001</p>
<p>Part 1 – Introduction and General Provisions / Interpretation / Definitions</p> <p>“Household”</p>	<p>Oppose</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 PDP includes both of these definitions, which is supported.</p> <p>However, the definition of “residential unit” refers to a “household” which is not defined in the PDP. 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>1. Insert a 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>	<p>\$158.002</p>
<p>Part 1 – Introduction and General Provisions / Interpretation / Definitions</p> <p>“Non-custodial rehabilitation activity”</p>	<p>Oppose</p> <p>Ara Poutama requests that a definition of “non-custodial rehabilitation activity” be included in the District Plan.</p> <p>The definition is important in ‘capturing’ non-custodial rehabilitative and reintegration activities and programmes undertaken by, or on behalf of, Ara Poutama. Non-custodial rehabilitative and reintegration activities and programmes are an important component of the rehabilitative 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>2. Insert a definition of “non-custodial rehabilitation activity” as follows:</p> <p><u>NON-CUSTODIAL REHABILITATION ACTIVITY</u></p> <p><u>means the use of land and buildings for non-custodial rehabilitative and reintegration activities and programmes undertaken by, or on behalf of, Ara Poutama Aotearoa the Department of Corrections.</u></p>	<p>\$158.003</p>

PDP Provision	Submission	Relief Sought (additions shown in <u>underline</u> , deletions shown in strikethrough)	
Part 1 – Introduction and General Provisions / Interpretation / Definitions “Regionally significant infrastructure”	<p>Support</p> <p>Ara Poutama requests that the definition of “regionally significant infrastructure” is retained.</p> <p>The definition, which corresponds to Appendix 3 of the Northland Regional Policy Statement, identifies the Northland Region Corrections Facility as a piece of regionally significant infrastructure.</p> <p>Northland Region Corrections Facility is an essential piece of social infrastructure. It enables people and communities to provide for their social and cultural well-being and for their health and safety.</p>	1. Retain the definition of “regionally significant infrastructure”.	S158.004
Part 1 – Introduction and General Provisions / Interpretation / Definitions “Residential activity”	<p>Support</p> <p>Ara Poutama requests that the definition of “residential activity” is retained.</p> <p>The definition is consistent with the wording provided for in the National Planning Standards.</p> <p>This definition applies to supported and transitional 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. Providing reintegration and rehabilitation support is an important component of the reintegration process for people under Ara Poutama’s supervision. It enables people and communities to provide for their social and cultural well-being and for their health and safety.</p>	1. Retain the definition of “residential activity”.	S158.005
Part 1 – Introduction and General Provisions / Interpretation / Definitions “Supported residential care activity”	<p>Neutral</p> <p>Ara Poutama’s position is that the definition of “residential activity” entirely captures supported and transitional 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. That is, supported and transitional accommodation activities use “<i>land and building(s) for people’s living accommodation</i>” (as per the definition of “residential activity”). As such, there is no need for a separate and standalone definition of “supported residential care activity” and the associated provisions applying to such throughout the PDP.</p> <p>However, should Council see it as being absolutely necessary to implement the separate definition of “supported residential care activity”, and the associated provisions throughout the PDP, then the wording of the definition should be retained as notified.</p>	1. Remove the definition of “supported residential care activity”, and the associated provisions applying to such throughout the PDP; but 2. If Council are to retain the “supported residential care activity” definition and the associated PDP provisions, then the wording of the definition should be retained as notified.	S158.006
Part 2 – District-Wide Matters / Energy, Infrastructure, and	<p>Support</p> <p>The infrastructure policy framework, and in particular Objective I-O2, Policy</p>	1. Retain Objective I-O2, Policy I-P4 and Policy I-P7.	S158.007, S158.008 & S158.009

PDP Provision	Submission	Relief Sought (additions shown in <u>underline</u> , deletions shown in strikethrough)			
Transport / Infrastructure Objective I-O2, Policy I-P4 and Policy I-P7	I-P4 and Policy I-P7, appropriately provides recognition of the benefits of, and protection for, regionally significant infrastructure (i.e. including Northland Regional Corrections Facility).				
Part 3 – Area-Specific Matters / Zones Rules for “residential activities” in the General Residential Zone and Mixed Use Zone	Support Ara Poutama requests that the permitted rules applying to residential activities in the General Residential and Mixed Use zones are retained. The permitted activity status is appropriate in the context of the establishment and operation of supported and transitional 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.	1. Retain the land use activity rules applying to “residential activities” in the General Residential and Mixed Use zones. These include: <ul style="list-style-type: none"> • GRZ-R3 • MUZ-R4 	S158.010 & S158.012		
Part 3 – Area-Specific Matters / Zones / Residential Zones / General Residential Rule for “supported residential care activities” in the General Residential Zone	Neutral Ara Poutama’s position is that the definition of “residential activity” entirely captures supported and transitional 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, and therefore a separate definition of “supported residential care activities” is unnecessary. However, should Council see it as being absolutely necessary to implement the separate definition of “supported residential care activity”, then Ara Poutama requests that the permitted rule applying to supported residential care activities in the General Residential Zone is retained as notified. The permitted activity status is appropriate in the context of the establishment and operation of supported and transitional accommodation activities. Such activities 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.	1. Remove the reference to “supported residential care activity” from the General Residential Zone; but 2. If Council are to retain the “supported residential care activity” definition, then retain as notified the land use activity rule applying to “supported residential care activities” in the General Residential Zone (Rule GRZ-R7).	S158.013		
Part 3 – Area-Specific Matters / Zones / Commercial and Mixed Use Zones / Mixed Use Rule for “supported residential care activities” in the Mixed Use Zone	Neutral Ara Poutama’s position is that the definition of “residential activity” entirely captures supported and transitional 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, and therefore a separate definition of “supported residential care activities” is unnecessary. However, should Council see it as being absolutely necessary to	1. Retain as notified the provisions applicable to “residential activities” in the Mixed Use Zone; but 2. If Council are to retain the “supported residential care activity” definition, then amend the rule framework for the Mixed Use Zone to include a permitted rule applying to “supported residential care activity” as follows: <table border="1" data-bbox="1262 1338 1948 1382"> <tr> <td style="background-color: #d9ead3;">MUZ-RX</td> <td style="background-color: #d9ead3;"><u>Supported residential care activity</u></td> </tr> </table>	MUZ-RX	<u>Supported residential care activity</u>	S158.014
MUZ-RX	<u>Supported residential care activity</u>				

PDP Provision	Submission	Relief Sought (additions shown in <u>underline</u> , deletions shown in strikethrough)									
	<p>implement the separate definition of “supported residential care activity”, then Ara Poutama requests that the rules applying to supported and transitional accommodation activities in the Mixed Use Zone are amended. The zone framework would not otherwise enable supported residential care activities, and provides discretionary activity status for these activities in the zone, in accordance with the default “<i>activities not otherwise listed in this chapter</i>” rule MUZ-R17.</p> <p>Supported and transitional accommodation activities, such as those provided for 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> <p>The Mixed Use Zone includes suitable locations for supported and transitional accommodation activities; as they are close to civic amenities and services. This is apparent in that the zones provide for residential activities as permitted, including aligned activities such as visitor accommodation.</p> <p>Supported and transitional accommodation activities are a compatible and appropriate activity in the Mixed Use Zone. They are consistent with the character and amenity of the zone, and the effects of such can be managed through the imposition of a restriction on the maximum number of residents (six), as is the case in the General Residential Zone.</p> <p>Ara Poutama therefore requests that the enabled activities rule framework be amended to provide for supported and transitional accommodation activities as a permitted activity (should the definition of “support residential care activity” be retained).</p>	<table border="1"> <tr> <td data-bbox="1262 269 1409 318"><u>Mixed Use zone</u></td> <td data-bbox="1409 269 1677 797"> <u>Activity status: Permitted</u> <u>Where: PER-1</u> <u>The supported residential care activity is within a residential unit that is located above the ground floor level of a building unless the residential unit existed at 27 July 2022.</u> <u>PER-2</u> <u>The number of occupants does not exceed six.</u> </td> <td data-bbox="1677 269 1946 797"> <u>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</u> </td> </tr> </table>	<u>Mixed Use zone</u>	<u>Activity status: Permitted</u> <u>Where: PER-1</u> <u>The supported residential care activity is within a residential unit that is located above the ground floor level of a building unless the residential unit existed at 27 July 2022.</u> <u>PER-2</u> <u>The number of occupants does not exceed six.</u>	<u>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</u>						
<u>Mixed Use zone</u>	<u>Activity status: Permitted</u> <u>Where: PER-1</u> <u>The supported residential care activity is within a residential unit that is located above the ground floor level of a building unless the residential unit existed at 27 July 2022.</u> <u>PER-2</u> <u>The number of occupants does not exceed six.</u>	<u>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</u>									
<p>Part 3 – Area-Specific Matters / Zones</p> <p>Rules for “community corrections activities” in the Mixed Use Zone and Light Industrial Zone</p>	<p>Oppose</p> <p>Ara Poutama requests that the rules applying to community corrections activities in the Mixed Use and Light Industrial zones are amended. The zone frameworks do not enable community corrections activities, and provides discretionary activity status for these activities in the Mixed Use Zones (in accordance with the default “<i>activities not otherwise listed in this chapter</i>” rule MUZ-R17), and non-complying activity status in the Light Industrial Zone (in accordance with Rule LIZ-R16).</p> <p>There are no other zones within the PDP that provide for community corrections activities as permitted (likewise requiring resource consent as a discretionary or non-complying activity). Ara Poutama is not seeking amendment to the relevant rules for community corrections activities in any of these other zones.</p>	<p>1. Amend the rule framework for the Mixed Use Zone to include a permitted rule applying to “community corrections activity” as follows:</p> <table border="1"> <tr> <td data-bbox="1262 1081 1409 1122"><u>MUZ-RX</u></td> <td colspan="2" data-bbox="1409 1081 1946 1122"><u>Community corrections activity</u></td> </tr> <tr> <td data-bbox="1262 1122 1409 1243"><u>Mixed Use zone</u></td> <td data-bbox="1409 1122 1677 1243"> <u>Activity status: Permitted</u> </td> <td data-bbox="1677 1122 1946 1243"> <u>Activity status where compliance not achieved: Not applicable</u> </td> </tr> </table> <p>2. Amend the rule framework for the Light Industrial Zone to include a permitted rule applying to “community corrections activity” as follows:</p> <table border="1"> <tr> <td data-bbox="1262 1349 1409 1390"><u>LIZ-RX</u></td> <td colspan="2" data-bbox="1409 1349 1946 1390"><u>Community corrections activity</u></td> </tr> </table>	<u>MUZ-RX</u>	<u>Community corrections activity</u>		<u>Mixed Use zone</u>	<u>Activity status: Permitted</u>	<u>Activity status where compliance not achieved: Not applicable</u>	<u>LIZ-RX</u>	<u>Community corrections activity</u>	
<u>MUZ-RX</u>	<u>Community corrections activity</u>										
<u>Mixed Use zone</u>	<u>Activity status: Permitted</u>	<u>Activity status where compliance not achieved: Not applicable</u>									
<u>LIZ-RX</u>	<u>Community corrections activity</u>										

S158.015

S158.016

PDP Provision	Submission	Relief Sought (additions shown in <u>underline</u> , deletions shown in strikethrough)									
	<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. It is important that provision is made to enable non-custodial community corrections sites to establish, operate and redevelop, within appropriate areas.</p> <p>Industrial and commercial areas provide suitable sites for community corrections activities; in particular community work components often require large sites for yard-based activities and large equipment and/or vehicle storage.</p> <p>Community corrections activities are a compatible and appropriate activity in mixed use and industrial zones. They are consistent with the character and amenity of such zones. Furthermore, as community corrections facilities are not sensitive to the effects of commercial and industrial environments (e.g. noise, high traffic movements, etc), they are not prone to reverse sensitivity.</p> <p>Ara Poutama therefore requests that the respective rule frameworks for the Mixed Use and Light Industrial zones be amended to provide for “community corrections activities” as a permitted activity.</p>	<table border="1" data-bbox="1262 269 1948 386"> <tr> <td><u>Light Industrial zone</u></td> <td><u>Activity status: Permitted</u></td> <td><u>Activity status where compliance not achieved: Not applicable</u></td> </tr> </table> <p>3. Amend the rule framework for the Light Industrial Zone to remove Rule LIZ-R16 applying to “community corrections activity” as follows:</p> <table border="1" data-bbox="1262 496 1948 656"> <tr> <td>LIZ-R16</td> <td>Community corrections activity</td> <td></td> </tr> <tr> <td><u>Light Industrial zone</u></td> <td><u>Activity status: Non-complying</u></td> <td><u>Activity status where compliance not achieved: Not applicable</u></td> </tr> </table>	<u>Light Industrial zone</u>	<u>Activity status: Permitted</u>	<u>Activity status where compliance not achieved: Not applicable</u>	LIZ-R16	Community corrections activity		<u>Light Industrial zone</u>	<u>Activity status: Non-complying</u>	<u>Activity status where compliance not achieved: Not applicable</u>
<u>Light Industrial zone</u>	<u>Activity status: Permitted</u>	<u>Activity status where compliance not achieved: Not applicable</u>									
LIZ-R16	Community corrections activity										
<u>Light Industrial zone</u>	<u>Activity status: Non-complying</u>	<u>Activity status where compliance not achieved: Not applicable</u>									
<p>Part 3 – Area-Specific Matters / Special Purpose Zones</p> <p>Corrections Zone</p>	<p>Oppose</p> <p>Ara Poutama requests that a special purpose Corrections Zone be implemented in the District Plan.</p> <p>The Northland Region Corrections Facility site is located in the Rural Production Zone under the PDP. However, the application of the Rural Production zoning for the site is inconsistent with modern planning practice for management of custodial corrections sites. To ensure that the ongoing use and upgrading of the Northland Region Corrections Facility is provided for appropriately within the District Plan, Ara Poutama seeks that a customised special purpose zone applies to the site, in tandem with the designation.</p> <p>The National Planning Standards anticipate such a planning mechanism being implemented, with the Zone Framework Standard providing for a special purpose “Corrections Zone”.</p> <p>While custodial corrections facilities and ancillary activities are enabled under the designation, additional non-custodial justice sector activities are able to be enabled under the Corrections Zone provided that they are appropriate for the site and their effects on the surrounding environment are managed. This includes non-custodial rehabilitation activities, community corrections activities and residential activities (i.e. non-</p>	<p>1. Insert a special purpose Corrections Zone, as per Attachment 1 to this submission.</p>									

S158.016

S158.011

PDP Provision	Submission	Relief Sought (additions shown in <u>underline</u> , deletions shown in strikethrough)
	<p>custodial).</p> <p>Implementing the special purpose Corrections Zone over custodial corrections sites is an approach consistent with that being applied by local authorities under other recent Proposed District Plan processes around the country, including:</p> <ul style="list-style-type: none"> • The <i>Proposed Waikato District Plan – Decisions Version</i> (decisions notified 17 January 2022), whereby the Spring Hill Corrections Facility is subject to an operative Corrections Zone² and a designation;³ and • The <i>Wellington City Proposed District Plan</i> (notified 18 July 2022), whereby the Arohata Prison is subject to a proposed Corrections Zone⁴ and a designation.⁵ <p>Attachment 1 provides the proposed chapter for a new special purpose “Corrections Zone” for application to the Northland Region Corrections Facility, including appropriate objectives, policies, rules and standards. The proposed provisions follow the format of the other proposed special purpose zones in the PDP, and are informed largely by the proposed Rural Production Zone provisions. However the provisions are nuanced to provide for the above-mentioned non-custodial justice sector activities; i.e. non-custodial reintegration activities, community corrections activities and residential activities.</p>	
<p>Part 3 – Area-Specific Matters / Designations / MCOR – Minister of Corrections</p> <p>Kaikohe Community Corrections and Northland Region Corrections Facility designations</p>	<p>Support</p> <p>Ara Poutama requests that the two designations within the PDP where the Minister of Corrections is the Requiring Authority are retained, which includes:</p> <ul style="list-style-type: none"> • Community Corrections, Kaikohe (MCOR1); and • Northland Region Corrections Facility, Ngawha (MCOR2). <p>These designations have been rolled over from the Operative District Plan,</p>	<p>1. Retain designations MCOR1 and MCOR2.</p>

\$158.017 &
\$158.018

² [https://www.waikatodistrict.govt.nz/docs/default-source/your-council/plans-policies-and-bylaws/plans/district-plan-review/decisions/proposed-waikato-district-plan-\(decisions-version\)/part-3-area-specific-matters/special-purpose-zones/part-3_16-corz-corrections-zone.pdf?sfvrsn=5be59ac9_2](https://www.waikatodistrict.govt.nz/docs/default-source/your-council/plans-policies-and-bylaws/plans/district-plan-review/decisions/proposed-waikato-district-plan-(decisions-version)/part-3-area-specific-matters/special-purpose-zones/part-3_16-corz-corrections-zone.pdf?sfvrsn=5be59ac9_2)

³ [https://www.waikatodistrict.govt.nz/docs/default-source/your-council/plans-policies-and-bylaws/plans/district-plan-review/decisions/proposed-waikato-district-plan-\(decisions-version\)/part-3-area-specific-matters/designations/part-3_38-mcor-minister-of-corrections.pdf?sfvrsn=b7e39ac9_2](https://www.waikatodistrict.govt.nz/docs/default-source/your-council/plans-policies-and-bylaws/plans/district-plan-review/decisions/proposed-waikato-district-plan-(decisions-version)/part-3-area-specific-matters/designations/part-3_38-mcor-minister-of-corrections.pdf?sfvrsn=b7e39ac9_2)

⁴ <https://eplan.wellington.govt.nz/proposed/rules/0/300/0/0/0/31>

⁵ <https://eplan.wellington.govt.nz/proposed/rules/0/268/0/0/0/31>

PDP Provision	Submission	Relief Sought (additions shown in <u>underline</u> , deletions shown in strikethrough)
	and are an appropriate planning mechanism for managing these facilities.	

Attachment 1 : Proposed Special Purpose Corrections Zone

Overview

Ara Poutama Aotearoa the Department of Corrections operates a custodial prison facility located approximately five kilometres east of Kaikohe, accessed from State Highway 12, known as Northland Regional Corrections Facility. Ara Poutama Aotearoa the Department of Corrections is responsible for the operational management of the prison. The site is designated by the Minister of Corrections for the purpose of a "Northland Region Corrections Facility".

Northland Region Corrections Facility is an important part of the corrections facility network which provides for the safety and security of all New Zealand communities and is of national significance. It is one of just 15 men's prison facilities in the country and is the only prison in the Northland region. It therefore has significance in a regional and district context, and is recognised as 'regionally significant infrastructure' in the Northland Regional Policy Statement. The facility plays a vital role in the region in allowing Ara Poutama Aotearoa the Department of Corrections to meet its responsibilities under the Corrections Act 2004 for enforcing sentences and orders of the criminal courts and the New Zealand parole board.

In accordance with Section 176 of the RMA, the provisions of the District Plan shall apply in relation to the land that is subject to the designation only to the extent that the land is used for a purpose other than the designated purpose.

While custodial corrections facilities and ancillary activities are enabled under the designation, additional non-custodial justice sector activities are enabled under the Corrections Zone provided that they are appropriate for the site and their effects on the surrounding environment are managed. This includes non-custodial reintegration activities and community corrections activities. The Corrections Zone also adopts some of the provisions of the adjacent Rural Production Zone.

Objectives	
CORZ-01	The Corrections Zone provides for: <ol style="list-style-type: none"> a. The continued operation and development of Northland Region Corrections Facility; b. The ongoing maintenance, upgrading, and expansion of Northland Region Corrections Facility; and c. Activities with operational needs and functional needs to be located within the Corrections Zone without being constrained or compromised by incompatible activities.
CORZ-02	Adverse effects of activities and development in the Corrections Zone are managed effectively within the Zone and at interfaces with adjoining zones and public spaces.
CORZ-03	Northland Region Corrections Facility 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.
Policies	
CORZ-P1	Enable the ongoing operation and development of custodial corrections facilities and associated activities.
CORZ-P2	Provide for activities that are compatible with the purpose and function of the Corrections Zone, including: <ol style="list-style-type: none"> a. The following activities provided for as permitted activities in the Rural Production Zone: <ol style="list-style-type: none"> i. Farming activity; ii. Conservation activity; iii. Recreational activity; iv. Rural produce retail; v. Rural produce manufacturing; vi. Farm quarry; vii. Catteries and dog boarding kennels; viii. Cemeteries / Urūpa; ix. Plantation forestry and plantation forestry activity; x. Emergency service facility; and xi. Mineral prospecting and exploration. b. Non-custodial rehabilitation activities; c. Community corrections activities; and d. Residential activities.
CORZ-P3	Manage the effects of other activities which are otherwise compatible with the function and predominant character of the Rural Production Zone.
CORZ-P4	Manage activities within the Corrections Zone so that they do not unduly detract from the amenity values of properties beyond the Corrections Zone.

Rules

Notes:

1. There may be other rules in Part 2 - District-Wide Matters of the District Plan that apply to a proposed activity, in addition to the rules in this zone chapter, including the Transport, Hazardous substances, Natural character, Light, Noise and Sign chapters. These District-Wide rules may be more stringent than the rules in this chapter. Ensure that relevant District-Wide Matters chapters are also referred to in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
2. This zone chapter does not contain rules relating to setback to waterbodies for building and structures or setbacks to waterbodies for earthworks and indigenous vegetation clearance. The Natural character chapter contains rules relating to activities within wetlands, lakes and river margins. The Natural character chapter should be referred to in addition to this zone chapter.

CORZ-R1	New buildings or structures, and extensions or alterations to existing buildings or structures	
Corrections zone	<p>Activity status:</p> <p>Permitted Where:</p> <p>PER-1 The new building or structure, or extension or alteration to an existing building or structure, will accommodate a permitted activity.</p> <p>PER-2 The new building or structure, or extension or alteration to an existing building or structure complies with standards: CORZ-S1 Maximum height; CORZ-S2 Height in relation to boundary; CORZ-S3 Setback (excluding from MHWs or wetland, lake and river margins); CORZ-S4 Building or structure coverage; CORZ-S5 Buildings or structures used to house, milk or feed stock (excluding buildings or structures used for an intensive indoor primary production activity); CORZ-S6 Sensitive activities setback from boundaries of a Mineral extraction overlay.</p>	<p>Activity status where compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters of discretion of any infringed standard.</p>
CORZ-R2	Custodial corrections facilities	
Corrections zone	<p>Activity status:</p> <p>Permitted</p>	<p>Activity status where compliance not achieved: Not applicable</p>
CORZ-R3	Non-custodial rehabilitation activity	
Corrections zone	<p>Activity status:</p> <p>Permitted Where:</p> <p>PER-1 The loading and unloading of vehicles, or the receiving of deliveries, will only occur between the hours of 7:00am and 7:00pm on any day.</p> <p>PER-2: The operation of machinery only occurs between the hours of 7:00am and 7:00pm on any day.</p>	<p>Activity status where compliance not achieved with PER-1 or PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>a. the extent to which the intensity and scale of the activity adversely impacts on the amenity values of nearby properties.</p> <p>Notification status: An application for resource consent made in respect of rule CORZ-R3, PER-1 or PER-2 is precluded from being publicly notified.</p>

CORZ-R4	Community corrections activity	
Corrections zone	<p>Activity status: Permitted Where: PER-1 The hours of operation are between the hours of 7:00am and 7:00pm on any day.</p>	<p>Activity status where compliance not achieved with PER-1 or PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. the extent to which the intensity and scale of the activity adversely impacts on the amenity values of nearby properties. <p>Notification status: An application for resource consent made in respect of rule CORZ-R4, PER-1 is precluded from being publicly notified.</p>
CORZ-R5	Residential activity	
Corrections zone	Activity status: Permitted	Activity status where compliance not achieved: Non-applicable
CORZ-R6	Farming activity	
Corrections zone	Activity status: Permitted	Activity status where compliance not achieved: Non-applicable
CORZ-R7	Conservation activity	
Corrections zone	Activity status: Permitted	Activity status where compliance not achieved: Not applicable
CORZ-R8	Recreational activity	
Corrections zone	<p>Activity status: Permitted Where: PER-1 The recreational activity is not being operated as a commercial activity. PER-2 There is no motorsport activity.</p>	Activity status where compliance not achieved with PER-1 or PER-2: Discretionary
CORZ-R9	Rural produce retail	
Corrections zone	<p>Activity status: Permitted Where: PER-1 The activity does not exceed GBA of 100m² and is set back a minimum of 30m from any internal boundary. PER-2 The number of rural produce retail operations does</p>	Activity status where compliance not achieved with PER-1 or PER-2: Discretionary
CORZ-R10	Rural produce manufacturing	

Corrections zone	<p>Activity status:</p> <p>Permitted Where:</p> <p>PER-1 The building undertaking rural produce manufacturing does not exceed GFA of 100m².</p> <p>PER-2 The number of rural produce manufacturing operations does not exceed one per site.</p> <p>PER-3 All manufacturing, altering, repairing, dismantling or processing of any materials or articles is carried out within a building or screened from residential units on adjoining properties.</p>	<p>Activity status where compliance not achieved with PER-1, PER-2 or PER 3: Discretionary</p>
CORZ-R11 Farm quarry		
Corrections zone	<p>Activity status:</p> <p>Permitted Where:</p> <p>PER-1 1. The farm quarry is not within 30m of a site boundary; and 2. no more than 5,000m³ of material is extracted in a calendar year.</p>	<p>Activity status where compliance not achieved with PER-1: Discretionary</p>
CORZ-R12 Catteries and dog boarding kennels		
Corrections zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Any building, compound or part of a site used for a cattery, is located a minimum of: 1. 600m from the boundary of a site within the General Residential, Mixed Use, Kororāreka Russell Township, Rural Residential, Māori Purpose-Urban, Settlement zones; 2. 50m from the boundary of site for all other zones.</p> <p>PER-2 Any building, compound or part of a site used for a dog boarding kennel, is located a minimum of: 1. 600m from the boundary of a site within the General Residential, Mixed Use, Kororāreka Russell Township, Rural Residential, Māori Purpose-Urban, Settlement zones; 2. 300m from the boundary of a site for all other zones.</p>	<p>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</p>
CORZ-R13 Cemeteries / Uruupā		
Corrections zone	<p>Activity status: Permitted</p>	<p>Activity status where compliance not achieved: Not applicable</p>
CORZ-R14 Plantation forestry and plantation forestry activity		
Corrections zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 It is not located on versatile soils.</p>	<p>Activity status where compliance not achieved with PER-1: Discretionary</p>
CORZ-R15 Emergency service facility		

<p>Corrections zone</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The combined GFA of all buildings on the site does not exceed 150m².</p>	<p>Activity status where compliance not achieved with PER-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the character and appearance of the building; the siting of the building, decks and outdoor areas including parking relative to adjoining sites; whether the building creates a loss of privacy for surrounding residential units and their associated outdoor areas; ability of the supporting roading network to cater for the additional vehicular; servicing requirements and any constraints of the site; any lighting or noise effects; the frequency of the use, hours and days of operation and the number of people it can cater for; and any natural hazard affecting the site or surrounding area.
<p>CORZ-R16 Mineral prospecting and exploration</p>		
<p>Corrections zone</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 It is undertaken using handtools.</p>	<p>Activity status where compliance not achieved with PER-1: Discretionary</p>
<p>CORZ-R17 Papakāinga Housing</p>		
<p>Corrections zone</p>	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 The number of residential units per site does not exceed 10.</p> <p>RDIS-2 There is a legal mechanism in place to ensure that the land will stay in communal ownership and continue to be used in accordance with ancestral cultural practices.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the character and appearance of the residential unit(s) and any accessory building(s); the siting of the building(s), decks and outdoor 	<p>Activity status where compliance not achieved with RDIS-1: Discretionary</p>

	<ul style="list-style-type: none"> c. areas relative to adjoining sites; d. whether the building(s) are visually dominant and create a loss of privacy for surrounding residential units and their associated outdoor areas; e. ability of the supporting roading network to cater for the additional vehicular and if applicable cycling and pedestrian traffic; f. servicing requirements and any constraints of the site; g. each residential unit has sufficient outdoor open space, and there is sufficient room for any landscaping, egress and any accessory building(s) required; h. whether the location of the building(s) and residential activity could create reverse sensitivity effects on adjacent and surrounding primary production activities; i. whether the development will result in the site being unable to continue to undertake a primary production activity or undertake one in the future due to loss of productive land; j. whether the layout of the development reduces the risk of future land fragmentation or sterilisation while maintaining the existing rural character of the surrounding area; k. any natural hazard affecting the site or surrounding area. 	<p>Activity status where compliance not achieved with RDIS-2: Non-complying</p>
<p>CORZ-R18 Expansion of existing mineral extraction activity</p>		
<p>Corrections zone</p>	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 A Mineral Extraction Activity Management Plan has been provided that contains the information required in ME-S1 Mineral extraction activity management plan.</p> <p>RDIS-2 The hours of operation remain the same.</p> <p>RDIS-3 The extraction volumes do not increase by more than 10%.</p>	<p>Activity status where compliance not achieved with RDIS-1, RDIS-2, RDIS-3, RDIS-4 or RDIS-5: Discretionary</p>

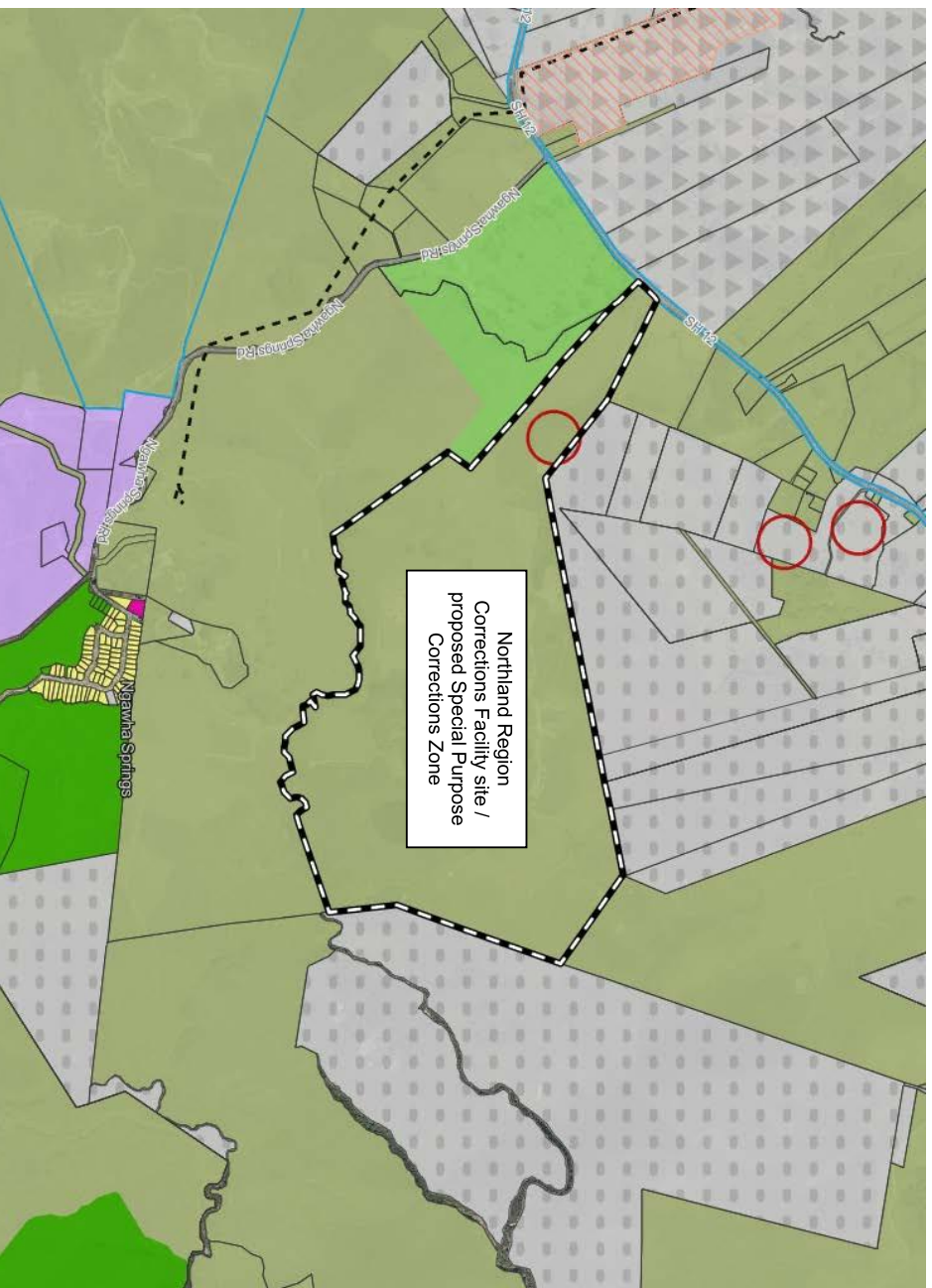
	<p>RDIS-4 Any expansion does not occur within 30m of the site boundary.</p> <p>RDIS-5 The vehicle access to the Mineral Extraction activity remains unchanged.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> measures to manage off-site effects including dust, odour, lighting, visual amenity, traffic generation, noise and vibration; landscaping and screening; the tenure of activities including extraction, processing and sales; any adverse effect on historic heritage or cultural values any adverse effect on natural environment values and the coastal environment. the proposed rehabilitation programme including provision for clean-filling, recontouring, revegetation; monitoring; and recommendations, proposed mitigation measures and conditions of the Mineral Extraction Activity Management Plan, including the means by which the Consent Holder will comply with the relevant rules in the Plan and the conditions of the consent. 	
<p>CORZ-R19 Corrections zone</p>	<p>Rural tourism activity</p> <p>Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the character and appearance of the building(s); the link between the tourism activity and the rural environment; the siting of the building(s), decks and outdoor areas including parking relative to adjoining sites; whether the building(s) are visually dominant and create a loss of privacy for surrounding residential units and their associated outdoor areas; ability of the supporting roading network to cater for the additional vehicular and if applicable cycling and pedestrian traffic; servicing requirements and any constraints of the site; whether the location of the building(s) and rural tourism activity could create reverse sensitivity effects on adjacent and surrounding primary production activities; whether the development will result in the site being unable to continue to undertake a primary production activity or undertake one in the future due to loss of productive land; whether the layout of the development maintains the existing rural character of the surrounding area; any lighting or noise effects; the frequency of the use, hours and days of operation and the number of people it can cater for; any natural hazard affecting the site or surrounding area. 	<p>Activity status where compliance not achieved: Not applicable</p>
<p>CORZ-R20 Corrections zone</p>	<p>Intensive indoor primary production</p> <p>Activity status: Restricted discretionary</p> <p>Where:</p>	<p>Activity status where compliance not achieved with RDIS-1: Non-complying</p>

	<p>RDIS-1</p> <p>Buildings or structures housing animals are setback at least 300m from any sensitive activity on a site under separate ownership.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> odour, noise and dust effects; impacts on the transport network; the scale, character and appearance of the building(s); the siting of the building(s) and outdoor areas relative to adjoining sites; whether the building(s) are visually dominant and create a loss of privacy for surrounding residential units and their associated outdoor areas; the number and types of animals; method of effluent management and disposal; likely presence of vermin; the frequency and nature of management and supervision; landscaping or screening; and any natural hazard affecting the site or surrounding area. 	
CORZ-R21	Commercial composting	
Corrections zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
CORZ-R22	New mineral extraction activity	
Corrections zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
CORZ-R23	Activities not otherwise listed in this chapter	
Corrections zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
CORZ-R24	Commercial activities not otherwise provided for as a permitted, restricted discretionary or discretionary activity	
Corrections zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
CORZ-R25	Landfill, including managed fill	
Corrections zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
CORZ-R26	Retirement Village	
Corrections zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
CORZ-R27	Offensive trade	
Corrections zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable

Standards	
CORZ-S1	Maximum height

<p>Corrections zone</p>	<p>The maximum height of a building or structure, or extension or alteration to an existing building or structure is 12m above ground level, except that artificial crop protection and support structures shall not exceed a height of 6m above ground level.</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation. chimney structures not exceeding 1.2m in width and 1m in height on any elevation. chimney structures not exceeding 1.2m in width and 1m in height on any elevation. architectural features (e.g. finials, spires) that do not exceed 1m in height on any elevation. 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the character and amenity of the surrounding environment; dominance in relation to the road and adjoining sites, including potential loss relation to vacant sites; loss of privacy to adjoining sites, including potential loss in relation to vacant sites; shading and loss of access to sunlight to adjoining sites; landscaping; and natural hazard mitigation and site constraints.
<p>CORZ-S2</p>	<p>Height in relation to boundary</p> <p>The building or structure, or extension or alteration to an existing building or structure must be contained within a building envelope defined by the following recession planes measured inwards from the respective boundary:</p> <ol style="list-style-type: none"> 55 degrees at 2m above ground level at the northern boundary of the site; 45 degrees at 2m above ground level at the eastern and western boundaries of the site; and 35 degrees at 2m above ground level at the southern boundary of the site. <p>This standard does not apply to:</p> <ol style="list-style-type: none"> solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation. chimney structures not exceeding 1.2m in width and 1m in height on any elevation. satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation. architectural features (e.g. finials, spires) that do not exceed 1m in height on any elevation. 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> loss of privacy to adjoining sites, including potential loss in relation to vacant sites; shading and loss of access to sunlight to adjoining sites, including buildings and outdoor areas; and natural hazard mitigation and site constraints.
<p>CORZ-S3</p>	<p>Setback (excluding from MHWS or wetland, lake and river margins)</p> <p>The building or structure, or extension or alteration to an existing building or structure must be setback at least 10m from all site boundaries, except:</p> <ol style="list-style-type: none"> on sites less than 5,000m² accessory buildings can be setback to a minimum of 3m for boundaries that do not adjoin a road; artificial crop protection and support structures must be setback at least 3m from all site boundaries; and habitable buildings must be setback at least 30m from the boundary of an unsealed road. <p>This standard does not apply to:</p> <ol style="list-style-type: none"> fences or walls no more than 2m in height above ground level; uncovered decks less than 1m in height above ground level; underground wastewater infrastructure; water tanks less than 2.7m in height above ground level. 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the character and amenity of the surrounding area; screening, planting and landscaping on the site; the design and siting of the building or structure with respect to privacy and shading; natural hazard mitigation and site constraints; the effectiveness of the proposed method for controlling stormwater; the safety and efficiency of the current or future access, egress on site and the roading network; and the impacts on existing and planned public walkways, reserves and esplanades.
<p>CORZ-S4</p>	<p>Building or structure coverage</p>	

<p>Corrections zone</p>	<p>The building or structure coverage of any site is no more than 12.5%.</p>	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the character and amenity of the surrounding area; b. any landscaping, planting and screening to mitigate any adverse effects; c. the extent to which private open space can be provided for future uses; d. the extent to which the siting, setback and design mitigate visual dominance on adjacent sites and surrounding environment; and e. natural hazard mitigation and site constraints.
<p>CORZ-S5</p>	<p>Buildings or structures used to house, milk or feed stock (excluding buildings or structures used for an intensive indoor primary production activity)</p>	
<p>Corrections zone</p>	<p>Stock holding and feeding areas, milking sheds and buildings used to house or feed stock must be set back at least:</p> <ol style="list-style-type: none"> 1. 30m from any boundary; or 2. 100m from a boundary of land zoned General Residential, Mixed Use, Kororareka Russell Township, Settlement, Māori Purpose-Urban, Rural Residential; 3. 100m from residential units on an adjoining site under separate ownership. 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. privacy of adjoining sites; b. scale and bulk of buildings; c. odour; d. noise, disturbance and loss of privacy effects on adjoining sites; e. the number and types of animals; f. method of effluent management and disposal; g. likely presence of vermin; h. the frequency and nature of management and supervision; and i. landscaping or screening.
<p>CORZ-S6</p>	<p>Sensitive activities setback from boundaries of a Mineral Extraction overlay</p>	
<p>Corrections zone</p>	<p>Sensitive activities (excluding non habitable accessory buildings) must be setback at least 100m from the boundary of a Mineral Extraction Overlay</p>	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. noise, disturbance and vibrations; b. scale and type of mineral extraction activity; c. the frequency and nature of any blasting or extraction method to obtain the mineral resource; d. hours of operation of the mineral extraction activity e. design of the building; f. whether there are alternative options for the location of the building; and g. temporary effects.



Proposed extent of the Special Purpose Corrections Zone (source: PDP Map Viewer)