

Proposed District Plan
Strategic Planning and Policy
Far North District Council
Private Bag 752

Your reference

Our reference
1414650

By email pdp@fndc@govt.nz

17 September 2024

Further Submitter:

Ara Poutama Aotearoa the Department of Corrections
Private Box 1206
Wellington 6140

Ara Poutama Aotearoa the Department of Corrections - Further submission on the Far North Proposed District Plan

Introduction

- 1 This is further submission on the Far North Proposed District Plan (**PDP**) made on behalf of Ara Poutama Aotearoa the Department of Corrections (**Ara Poutama**).
- 2 Ara Poutama is a submitter (#158) and a further submitter (#42) on the PDP.
- 3 As a Central Government agency administering custodial and non-custodial corrections services in the Far North District, Ara Poutama has an interest in the PDP greater than the interest that the general public has.
- 4 Ara Poutama opposes the two original submission points on the PDP by Ngāwhā Generation Limited (**NGL**) requesting rezoning that was not shown on the Far North District Council (**Council**) 'PDP Submissions Explorer', and therefore was not identified by Ara Poutama until engagement (outside of the formal PDP process) was entered into with NGL.
- 5 Ara Poutama would like to be heard in support of this further submission at a hearing. If others make a similar submission, Ara Poutama will consider presenting a joint case with them at the hearing.
- 6 Ara Poutama lodges this further submission alongside an application for waiver of the time limit to make a further submission (**attached**).

Background

- 7 On 19 October 2022, Ara Poutama made a submission on the PDP (#158). On 4 September 2023, Ara Poutama made further submissions (#42). The time period to lodge any further submissions on the PDP closed on 4 September 2023.
- 8 On 3 November 2023, Ara Poutama made a late second further submission in opposition to two original submission points on the PDP by NGL requesting rezoning that was not shown on the Far North District Council 'PDP Submissions Explorer', and therefore was not identified by Ara Poutama until engagement (outside of the formal PDP process) was entered into with NGL.

- 9 On 9 February 2024, the Independent Hearings Panel (**Panel**) issued a Minute (**Minute 2**) which considered and made a finding on late submissions and further submissions received by the Far North District Council (**Council**) to the PDP. Minute 2 confirmed that the Panel rejected Ara Poutama's out-of-time further submission dated 3 November 2023.
- 10 This further submission is filed afresh (in the same form) together with an application for a waiver. We seek a reasoned decision from the Council on the waiver application that is filed in support of this re-lodged further submission.

Submission

- 11 This re-lodged further submission is in the same form as the further submission lodged by Ara Poutama on 3 November 2023. The further submission opposes NGL's submission seeking that the land located adjacent to the Northland Region Corrections Facility (**NRCF**) be rezoned to Light Industrial or Special Purpose.
- 12 Ara Poutama's re-lodged further submission seeks that:
- 12.1 The rezoning proposals in their current form be rejected; and
 - 12.2 If rezoning of the NGL land is to be implemented, that specific provisions be procured to recognise NRCF's designation and its status as "regionally significant infrastructure", and manage the potential effects associated with the activities enabled in the zone.
- 13 This further submission is **attached**.

Waiver of time limit for submission

- 14 An application for a waiver of the time limit to make a further submission on the PDP is filed on behalf of Ara Poutama alongside this submission. It respectfully seeks that the Panel waives the time limit for lodging submissions in this instance for this re-lodged further submission, and consequently that the Panel accepts this further submission.
- 15 The application for waiver sets out the reasons why Ara Poutama considers that the Panel should accept the late filing of this re-lodged further submission. Ara Poutama wishes to be heard if this waiver application is not granted, and requests to be provided with, and respond to, any further material that the Council takes into account in determining the waiver application.

Yours sincerely



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

To: Proposed District Plan
Strategic Planning and Policy
Far North District Council
Private Bag 752
Kaikohe 0440

Email: pdp@fndc.govt.nz

**Further
Submitter:** Ara Poutama Aotearoa the Department of Corrections
Private Box 1206
Wellington 6140

Attention: Andrea Millar – Manager, Resource Management and Land Management
Phone: 027 216 7741
Email: andrea.millar@corrections.govt.nz

Ara Poutama Aotearoa the Department of Corrections (**Ara Poutama**) makes further submissions on the Far North Proposed District Plan (**PDP**) in the **attached** document.

Ara Poutama is a submitter on the PDP (#158), and as a Central Government agency administering custodial and non-custodial corrections services in the Far North District, has an interest in the PDP greater than the interest that the general public has.

Ara Poutama would like to be heard in support of its further submission at a hearing. If others make a similar submission, Ara Poutama will consider presenting a joint case with them at the hearing.

Please note that Ara Poutama made an earlier further submission on the PDP, dated 4 September 2023. This is an additional further submission which relates to a primary submission point requesting rezoning that was not shown on the 'FNDC PDP Submissions Explorer', and thus was not identified by Ara Poutama until engagement (outside of the formal PDP process) was entered into with the submitter.

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

Andrea Millar – Manager, Resource Management and Land Management

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

Dated this 3rd day of November 2023

Further Submissions

Submitter's name, address and email who Ara Poutama are further submitting on	Submission no and point	Support / neutral / oppose	Submission description	Reason for support or opposition	Decision sought
<p>Ngawha Generation Limited C/- Taryn Collins and David Badham taryn.collins@topenergy.co.nz / davidb@barker.co.nz</p>	<p>S432.001 and S432.029</p>	<p>Oppose</p>	<p>Ngawha Generation Limited (NGL) has sought that the land located adjacent to the Northland Region Corrections Facility (NRCF) be rezoned to Light Industrial or Special Purpose. If the land is zoned as Special Purpose Zone, NGL have sought to include a bespoke set of provisions in the Plan which make light industrial activities and activities related to the construction, operation and maintenance of structures associated with renewable electricity generation and the activities undertaken by NGL as permitted activities. The provisions themselves have not been proposed / outlined.</p>	<p>Under the PDP the land subject to NGL's submission is zoned as Rural Production and Sport and Active Recreation. A change in the zoning to Light Industrial, or a Special Purpose zoning which is akin in nature to Light Industrial, would likely enable a range of activities to establish as of right which could impact Ara Poutama's ability to operate the NRCF in accordance with its designated purpose (as per designation <i>MCO230</i> under the Operative District Plan and <i>MCOR2</i> under the PDP).</p> <p>Effects typically associated with industrial activities, such as noise emissions, light emissions, odour and air discharges, have the potential to impact inmates and staff who reside and work at the NRCF site on a full time ('24/7') basis. Likewise, future development or expansion of facilities on the NRCF site could be affected by industrial activities being enabled and undertaken on the adjacent land.</p> <p>As such, any rezoning of the subject land must be subject to appropriate controls to manage effects on the NRCF site – recognising that NRCF is subject to a designation enabling full time accommodation activities (and a range of other activities associated with operating a major prison facility), as well as its status as "regionally significant infrastructure" under the Regional Policy Statement for Northland and the PDP.</p> <p>There is currently not enough detail in the relief sought by NGL to suggest that any mitigation of effects on the NRCF site would be provided for through the rezoning.</p>	<p>Ara Poutama seeks that:</p> <ol style="list-style-type: none"> The rezoning proposals in their current form be rejected. If rezoning of the NGL land is to be implemented, that specific provisions be procured to recognise NRCF's designation and its status as "regionally significant infrastructure", and manage the potential effects associated with the activities enabled in the zone. <p style="text-align: center; color: red;">FS571.001-.002</p>