

Submission on Proposed Regional Policy Statement for the Wellington Region, 2009

Pursuant to Clause 6 of the first Schedule and Section 79 of the Resource Management Act 1991

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Proposed Regional Policy Statement
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Name of Submitter: Department of Corrections
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(Note: Different address for service)

1. This is a submission on the Proposed Regional Policy Statement for Wellington Region, 2009:

- 1.1. Pursuant to Clause 6 of the first Schedule of the Resource Management Act 1991 (RMA), the Department of Corrections (Corrections) hereby lodges a submission on the Proposed Regional Policy Statement for Wellington Region, 2009 (RPS). Under the RMA Regional Councils are required to review their regional policy statements every 10 years. The Proposed RPS is the second Regional Policy Statement to be prepared by the Greater Wellington Regional Council (GW).

2. The specific provisions of the Proposed RPS that this submission relates to are:

- 2.1. Provisions in the Proposed RPS relating to social infrastructure and essential social services, urban centres, regional form, rural areas, landuse and infrastructure, and discharges to air.

3. Introduction:

- 3.1. Corrections is primarily responsible for managing custodial and non-custodial sentences imposed by the Courts, including prisons, home detention, and community based sentences.

- 3.2. Corrections is interested in controls or policies, or proposed developments, that affect any land near existing or proposed Corrections properties.
- 3.3. Recognising and providing for Corrections' activities in the Proposed RPS is essential to ensuring the social wellbeing of the Greater Wellington community.

4. Summary of issues:

- 4.1. Corrections is concerned that no recognition or specific reference is made in the objectives or policies of the Proposed RPS to social infrastructure or essential social services, such as those provided by Corrections.
- 4.2. Corrections is particularly concerned about:
 - Incorporating definitions and references to social infrastructure and essential social services;
 - Recognising the importance of social infrastructure in the same way as regionally significant infrastructure;
 - Providing for the development of social infrastructure and essential social services in urban areas and centres of regional significance;
 - Ensuring structure plans consider social infrastructure and essential social services;
 - Providing for the development of social infrastructure and essential social services in rural areas when needed;
 - Supporting the integration of landuse and infrastructure; and
 - Providing for the protection of Corrections properties from adverse discharges to air.
- 4.3. Corrections considers that it is a matter of public interest that Council demonstrates commitment to providing for social infrastructure and essential social services.

5. Corrections submits on the following specific matters:

Social infrastructure and essential social services:

- 5.1. Corrections notes that concepts such as social infrastructure and essential social services are not considered in the Proposed RPS. Although Corrections interests are likely to be encompassed under generic terms such as 'social equity' and 'access to civic services', this is not specific enough to provide policy guidance for Corrections interests when implementing District Plans.
- 5.2. Corrections requests that the concepts of social infrastructure and essential social services are incorporated into the Proposed RPS and adequately defined.
- 5.3. In addition, Corrections notes the Objective and Policies directly related to regionally significant infrastructure.

Objective 10: The social, economic, cultural and environmental benefits of regionally significant infrastructure are recognised and protected.

Policy 6: Recognising the benefits from regionally significant infrastructure and renewable energy – regional and district plans.

District and region plans shall include policies that recognise:

(a) the social, economic, cultural and environmental benefits of regionally significant infrastructure including:

- (i) people can travel to, from and around the region efficiently;*
- (ii) public health and safety is maintained through the provision of essential services, supply of potable water and the collection and transfer of sewage;*
- (iii) people have access to energy so as to meet their needs; and*
- (iv) people have access to telecommunication services.*

(b) the social, economic, cultural and environmental benefits of energy generated from renewable energy resources including:

- (i) security of supply and diversification of our energy sources;*
- (ii) reducing dependency on imported energy resources; and*
- (iii) reducing greenhouse gas emissions.*

Policy 7: Protecting regionally significant infrastructure – regional and district plans

District and regional plans shall include policies and rules that protect regionally significant infrastructure from incompatible new land uses or activities under, over, or alongside.

Policy 38: Recognising the benefits from regionally significant infrastructure and renewable energy – consideration

When considering an application for a resource consent, notice of requirement or a change, variation or replacement to a district or regional plan, particular regard shall be given to:

- (a) the social, economic, cultural and environmental benefits of regionally significant infrastructure and/or energy generated from renewable energy resources; and*
- (b) the nationally significant wind and marine renewable energy resources within the region and the need for electricity generation facilities to locate where these resources exist.*

- 5.4. Policies 6, 7 and 38 recognise the important benefits that regionally significant infrastructure can bring to a region.
- 5.5. The terminology used in the Policies suggests that social infrastructure could be included within the ambit of the Policies. However, it is clear that a limited view of utility-type infrastructure is contemplated.
- 5.6. There is therefore inadequate consideration of the important role of regionally significant social infrastructure or essential social services, such as those provided by Corrections.
- 5.7. It is requested that an addition be made to the Proposed RPS recognising the benefits of social infrastructure and ensuring that social infrastructure is protected in a similar manner to that promoted by Policies 6, 7 and 38 for regionally significant infrastructure.

Relief sought:

- 5.8. That the terms 'social infrastructure' and 'essential social infrastructure', or similar terminology, are defined in the Proposed RPS and are explicitly referenced where possible within descriptive, issues, or explanatory statements throughout the relevant parts of the Proposed RPS and are incorporated into the objectives and policies of the Proposed RPS.
- 5.9. That an additional objective and policies, similar to Objective 10 and Policies 6, 7 and 38, are included in the Proposed RPS to recognise the social, economic, cultural and environmental benefits of social infrastructure, and to provide for the protection of social infrastructure through district and regional plans, including policies and rules that protect social infrastructure from incompatible new land uses or activities.

Urban centres:

- 5.10. Corrections notes the Objective and Policies directly related to development within urban centres:

Objective 21: A compact well designed and sustainable regional form that has an integrated, safe and responsive transport network and:

- (a) a viable and vibrant regional central business district in Wellington city;*
- (b) an increased range and diversity of activities in and around the regionally significant centres;*
- (c) sufficient industrial-based employment locations or capacity to meet the region's needs;*
- (d) urban development in existing urban areas, or when beyond urban areas, development that reinforces the region's existing urban form;*
- (e) strategically planned rural development;*
- (f) a range of housing (including affordable housing);*
- (g) integrated public open spaces;*
- (h) integrated land use and transportation;*
- (i) improved east-west transport linkages; and*
- (j) efficient use of existing infrastructure (including transport network infrastructure).*

Policy 29: Maintaining and enhancing the viability and vibrancy of regional significant centres – district plans

District plans shall include policies, rules and/or methods that encourage a range of land use activities that maintain and enhance the viability and vibrancy of the regional central business district in Wellington city and the following centres of regional significance:

- (a) Upper Hutt city centre;*
- (b) Lower Hutt city centre;*
- (c) Porirua city centre;*
- (d) Paraparaumu town centre;*
- (e) Masterton town centre;*

- (f) *Petone;*
- (g) *Kilbirnie; and*
- (h) *Johnsonville.*

Policy 30: Identifying and promoting higher density and mixed use development – district plans

District plans shall:

- (a) *identify key centres suitable for higher density and/or mixed use development;*
- (b) *identify locations, with good access to the strategic public transport network, suitable for higher density and/or mixed use development; and*
- (c) *include policies, rules and/or methods that encourage higher density and/or mixed use development in and around these centres and locations,*

so as to maintain and enhance a compact, well designed and sustainable regional form.

- 5.11. Objective 21(b)(d)-(f), is supported by Policies 29 and 30. Policy 29 will require councils to consider the range of land uses that should be encouraged or facilitated in centres of regional significance.
- 5.12. Corrections provides an essential social service through the provision of prisons, home detention, and community based sentences etc. However, it is possible that these uses can be relegated to the outskirts of urban areas away from other services and public transport. It is important that there is a mix of uses in the centres of regional significance including essential social services.
- 5.13. Policy 30 also implements Objective 21. It promotes higher density and mixed use development in urban centres across the Greater Wellington region.
- 5.14. This can potentially result in positive benefits for Corrections as it will help ensure that urban areas have a mix of uses, including social infrastructure and essential social services, such as those provided by Corrections. In addition, higher density urban areas will help ensure that Corrections properties are close to other services and public transport.

Relief sought:

- 5.15. That Objective 21 be retained in part but amended to include:
(k) provides for social infrastructure and essential social services.
- 5.16. That Policy 29 be retained in part but amended to read:
*District plans shall include policies, rules and/or methods that encourage a range of land use activities **and social infrastructure** that maintain and enhance the viability and vibrancy of the regional central business district in Wellington city and the following centres of regional significance:*
- 5.17. That Policy 30 be retained in part but amended to include:
(d) includes policies, rules and/or methods that support locating social infrastructure and essential social services in areas of high density and mixed development.

Regional form:

5.18. Corrections notes the Policy directly related to regional form:

Policy 54: Maintaining a compact, well designed and sustainable regional form – consideration.

When considering an application for resource consent, or a change, variation or replacement to a district plan for urban development beyond the region's urban areas (as at March 2009), particular regard shall be given to whether:

- (a) the proposed development is the most appropriate option to achieve Objective 21;*
- (b) the proposed development is consistent with the Council's growth and/or development framework or strategy that describes where and how future urban development should occur in that district; and/or*
- (c) a structure plan has been prepared.*

5.19. Policy 54 requires that structure plans are prepared for urban development beyond the existing urban areas.

5.20. It is possible that Corrections may need to locate services outside existing urban areas or in new emerging areas. Structure planning should give regard to, and consideration of, social infrastructure and essential social services.

Relief sought:

5.21. That Policy 54 be retained in part but amended to include:

*(c) a structure plan has been prepared **that incorporates social infrastructure and essential social services as necessary.***

Rural areas:

5.22. Corrections notes the Policy directly related to development in rural areas:

Policy 55: Managing development in rural areas – consideration.

When considering an application for a resource consent or a change, variation or replacement to a district plan, in rural areas (as at March 2009), particular regard shall be given to whether:

- (a) the proposal will result in a loss of productivity of the rural area, including cumulative impacts that would reduce the potential for food and other primary production;*
- (b) the proposal will reduce aesthetic and open space values in rural areas between and around settlements;*
- (c) the proposal's location, design or density will minimise demand for non-renewable energy resources; and*
- (d) the proposal is consistent with the relevant city or district council growth and/or development framework or strategy that addresses future rural development; or*
- (e) in the absence of such a framework or strategy, the proposal will not increase pressure for public services and infrastructure beyond existing infrastructure capacity.*

5.23. Policy 55 places restrictions on development in rural areas.

- 5.24. Social infrastructure and essential social services, such as those provided by Corrections, are required throughout the Greater Wellington region. Although primarily located within urban areas, there may be a need for facilities to be located outside the urban footprint.

Relief sought:

- 5.25. That Policy 55 be retained in part but amended to read:

Policy 55: Managing development in rural areas – consideration.

When considering an application for a resource consent or a change, variation or replacement to a district plan, in rural areas (as at March 2009), particular regard shall be given to whether:

- (a) the proposal will result in a loss of productivity of the rural area, including cumulative impacts that would reduce the potential for food and other primary production;*
- (b) the proposal will reduce aesthetic and open space values in rural areas between and around settlements;*
- (c) the proposal's location, design or density will minimise demand for non-renewable energy resources;*
- (d) the proposal is for social infrastructure or essential social services that will benefit the Greater Wellington community; and***
- (e) the proposal is consistent with the relevant city or district council growth and/or development framework or strategy that addresses future rural development; or*
- (f) in the absence of such a framework or strategy, the proposal will not increase pressure for public services and infrastructure beyond existing infrastructure capacity.*

Integration of landuse and infrastructure:

- 5.26. Corrections notes the Policies directly related to the integration of landuse and infrastructure:

Policy 56: Integrating land use and transportation – consideration.

When considering an application for a resource consent, notice of requirement, or change, variation or replacement to a district plan, for subdivision, use or development, particular regard shall be given to the following matter, in making progress towards achieving the key outcomes of the Wellington Regional Land Transport Strategy:

- (a) whether traffic generated by the proposed development can be accommodated within the existing transport network and the impacts on the efficiency, reliability or safety of the network;*
- (b) connectivity with, or provision of access to, public services or activities, open spaces or recreational areas;*
- (c) whether there is good access to the strategic public transport network;*
- (d) provision of safe and attractive environments for walking and cycling; and*
- (e) minimising the demands for new, or upgrades to existing, transport network infrastructure.*

Policy 57: Co-ordinate land use with development and operation of infrastructure – consideration.

When considering an application for a resource consent, notice of requirement, or a plan change, variation or replacement to a district plan for subdivision, use or development, particular regard shall be given to whether the proposed subdivision, use or development is located and sequenced to:

(a) make efficient use of existing infrastructure capacity; and/or

(b) coordinate with the development and operation of new infrastructure.

- 5.27. Policies 56 and 57 promote development, including development by notices of requirement, to be located near existing infrastructure, including public transport.
- 5.28. Accessibility to public transport is highly beneficial for improving accessibility to social infrastructure and essential social services, such as those provided by Corrections.

Relief sought:

- 5.29. That Policy 56 and Policy 57 are retained in their current form without modification as they will potentially benefit Corrections by promoting the integration of land use and infrastructure.

Discharges to air:

- 5.30. Corrections notes the Objective and Policy that relate to discharges to air:

Objective 1: Discharges of odour, smoke and dust to air do not adversely affect amenity values and people's wellbeing.

Policy 1: Reverse sensitivity associated with odour, smoke and dust – district plans

District plans shall include policies and/or rules that discourage:

(a) new sensitive activities locating near land uses or activities that emit odour, smoke or dust, which can affect the health of people and lower the amenity values of the surrounding area; and

(b) new land uses or activities that emit odour, smoke or dust which can affect the health of people and lower the amenity value of the surrounding areas, locating near sensitive activities.

- 5.31. Policy 1 provides protection for sensitive activities from new land uses or activities that will result in adverse discharges to air.
- 5.32. Corrections has several properties in the Greater Wellington area that are located on the edge of urban areas or in proximity to areas where new land uses could occur that emit odour, smoke or dust etc.
- 5.33. Under the Proposed RPS (noting the definitions of *residential activity* and *sensitive activities*) Objective 1 and Policy 1 will ensure that Corrections residential properties, including prisons, home detention residences, and periodic detention centres, are protected against development that may impact on health or amenity locating nearby.

Relief sought:

- 5.34. That Objective 1 and Policy 1 are retained in their current form without modification as they will potentially benefit Corrections by ensuring that sensitive activities are protected from new land uses or activities that emit odour, smoke or dust.

6. Conclusion:

- 6.1. In conclusion Corrections submits that:
- a) Corrections provides social infrastructure and essential social services that benefit the Greater Wellington Community;
 - b) It is a matter of public interest that Council demonstrates commitment to providing for social infrastructure and essential social services; and
 - c) The relief sought by Corrections is reasonably necessary in order to ensure provision is made in the Proposed RPS for social infrastructure and essential social services.
- 6.2. Corrections seek that the Proposed RPS be amended to include the matters outlined in the relief sought sections in the above submission.
- 6.3. Corrections do not wish to be heard in support of this submission.



Signed

Laura Cameron (Opus International Consultants Ltd)

On behalf of

Department of Corrections

05/06/09

Dated

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