

Subject: Revised Attachment B to the Evidence of Maurice Dale for Ara Poutama Department of Corrections
Sent: 23/11/2023, 4:08:19 pm
From: Maurice Dale<Maurice.Dale@boffamiskell.co.nz>
To: IHP Info
Attachments: [Christchurch PC14 - Revised Appendix B to the primary evidence of Maurice Dale \(planning\) - Ara Poutama.pdf](#)

Good afternoon,

As requested by Commissioner McMahan during Ara Poutama Department of Corrections presentation to the panel on the 15th of November, please find attached a revised Attachment B to the planning evidence of Maurice Dale which sets out:

- The primary relief seeking deletion of the exclusion for residents detained on the site in the definitions of “residential activity” and “sheltered housing”; and
- The alternative relief seeking amendment of the definition of “residential activity” and “sheltered housing” to exclude custodial facilities (a corrections prison).

Kind regards

Maurice Dale | Planner | Senior Principal

E: maurice.dale@boffamiskell.co.nz | D: +64 3 364 4217 | M: +64 27 801 8072 | LEVEL 1 | 141 CAMBRIDGE TERRACE | CHRISTCHURCH 8013 | NEW ZEALAND

**BOFFA
MISKELL**

VISIT OUR > [Website](#) | [LinkedIn](#) | [Facebook](#) | [Instagram](#)

WHANGĀREI | AUCKLAND | HAMILTON | TAURANGA | WELLINGTON | NELSON | CHRISTCHURCH |
QUEENSTOWN | DUNEDIN

Boffa Miskell is proudly a Toitū net carbonzero® certified consultancy, [learn more>](#)

This electronic message together with any attachments is confidential. If you receive it in error: (i) you must not use, disclose, copy or retain it; (ii) please contact the sender immediately by reply email and then delete the emails. Views expressed in this email may not be those of Boffa Miskell Limited. **Electronic Data.** By accepting or using electronic data files provided by Boffa Miskell Limited, you acknowledge and agree that (i) The purpose for which the files were prepared may differ from the purpose that you intend to use the files, and Boffa Miskell makes no representation that the files are suitable for your intended use; (ii) Boffa Miskell gives no representation as to the accuracy, completeness or correctness of the information in the files. You acknowledge that it is your responsibility to confirm all measurements and data in the files; (iii) The provision of the files does not transfer any copyright or other intellectual property rights in the files or any information contained therein. All references to Boffa Miskell shall be removed if any information in the files is copied or altered in any way; and (iv) To the full extent permitted by law, Boffa Miskell accepts and shall have no liability whatsoever (including in negligence) for any loss, damage or liability arising from the receipt or use of the files. This e-mail message has been scanned for Viruses and Content.

APPENDIX B

PROPOSED AMENDMENTS TO CDP

Black Text – Original wording of the CDP.

Red Text – Additional changes proposed (Additions underlined, deletions ~~crossed out.~~)

Primary Relief Deleting Exclusion for Residents Detained on the Site

Chapter 2 Abbreviations and Definitions

Residential activity

means the use of land and/or buildings for the purpose of living accommodation. It includes:

- (a) *a residential unit, boarding house, student hostel or a family flat (including accessory buildings);*
- (b) *emergency and refuge accommodation;*
- (c) *use of a residential unit as a holiday home where a payment in money, goods or services is not exchanged;*
- (d) *house-sitting and direct home exchanges where a tariff is not charged;*
- (e) *rented accommodation and serviced apartments not covered by clause (g) and where individual bookings are for a minimum of 28 consecutive days (except in the Specific Purpose (Golf Resort Zone) and*
- (f) *sheltered housing;*

excludes:

- (g) *visitor accommodation including hotels, resorts, motels, motor and tourist lodges, backpackers, hostels, farm stays, camping grounds, hosted visitor accommodation in a residential unit and unhosted visitor accommodation;*

~~(h) — the use of land and/or buildings for custodial and/or supervised living accommodation where residents are detained on the site.~~

Sheltered housing

means a residential unit or units used solely for the accommodation of persons for whom on-site professional emergency care, assistance or response is available, ~~but not where residents are detained on the site.~~

Alternative Relief Excluding Custodial Facilities

Chapter 2 Abbreviations and Definitions

Residential activity

means the use of land and/or buildings for the purpose of living accommodation. It includes:

- (a) *a residential unit, boarding house, student hostel or a family flat (including accessory buildings);*
- (b) *emergency and refuge accommodation;*
- (c) *use of a residential unit as a holiday home where a payment in money, goods or services is not exchanged;*
- (d) *house-sitting and direct home exchanges where a tariff is not charged;*
- (e) *rented accommodation and serviced apartments not covered by clause (g) and where individual bookings are for a minimum of 28 consecutive days (except in the Specific Purpose (Golf Resort Zone) and*
- (f) *sheltered housing;*

excludes:

- (g) *visitor accommodation including hotels, resorts, motels, motor and tourist lodges, backpackers, hostels, farmstays, camping grounds, hosted visitor accommodation in a residential unit and unhosted visitor accommodation;*

- (h) *the use of land and/or buildings for a corrections prison as defined in the Corrections Act 2004~~custodial and/or supervised living accommodation where residents are detained on the site.~~*

Sheltered housing

means a residential unit or units used solely for the accommodation of persons for whom on-site professional emergency care, assistance or response is available, but excludes a corrections prison as defined in the Corrections Act 2004~~not where residents are detained on the site.~~