

15 March 2019

Barry Mosley  
Principal Policy Planner  
Plans and Places – Central South  
Auckland Council

Boffa Miskell



Dear Barry,

**RE: Response to Further Information Request – Notices of Requirement by the Minister for Children to alter:**

- (a) Designation 3800 ‘Care and Protection Centre – Upper North’ (currently known as Whakatakakopai) at 398 Weymouth Road, Section 2 SO362124, Weymouth**  
**(b) Designation 3802 ‘Youth Justice Centre – Upper North’ (Korowai Manaaki) at 21-24 Kiwi Tamaki Road, Lot 2 DP448846, Wiri**

This letter is provided in response to the further information request prepared by Barry Mosley of Auckland Council dated 8 March 2019. The matters stated in the received letter are set out with the same numbers referenced in the s92 request letter and discussed below.

The Auckland Council s92 further information request letter received 8 March 2019 is provided as **Attachment 1** for reference.

**(1) General**

- (a) Could you please provide further information concerning the various statutes and statutory provisions governing intended placements of children/tamariki and young persons/rangatahi at both residences.*

It is noted that request 1 was responded to on Wednesday 13 March 2018 however for completeness the information is also provided in the full response. Provided in **Attachment 2 - Response s92 Request 1a** is an outline of the circumstances in which tamariki and rangatahi might reside in the proposed Youth Justice Residence at Weymouth Rd. This information is also valid for the placement of children/tamariki and young persons/rangatahi at the Korowai Manaaki Residence.

**(2) Noise**

Whakatakakopai

Requests 2(a) to (d) are addressed in **Attachment 3 - Noise s92 Response letter** and in **Attachment 4 - Updated Noise Whakatakakopai Rpt.** The amendments to the Updated Noise Whakatakakopai Report are in Section 3 – Noise Levels – Vehicles.

### Korowai Manaaki

Requests 2(e) to (g) are addressed in **Attachment 3 - Noise s92 Response Letter** and in **Attachment 5 - Updated Noise Korowai Manaaki Rpt.** The amendments to the Updated Noise Korowai Manaaki Report are in Section 4 – Assessment of Internal Noise Levels.

The amendments to the noise condition proposed for the Korowai Manaaki Residence arising from the response to the s92 request are incorporated into the AEE proposed condition as follows:

#### *Condition (4)*

*Noise sensitive spaces constructed or altered to the point that a building consent is required after July 2019 must be designed and constructed so that the internal noise levels do not exceed:*

- *35dB LAeq in bedrooms; and*
- *40dB LAeq in all other noise sensitive spaces.*

*Based on the assumption of an incident level at the site boundaries shared with Business zoned sites as shown below:*

	<i>Incident Noise at Business Zoned Site Boundaries, dB Leq</i>						
<i>Frequency</i>	<i>63Hz</i>	<i>125Hz</i>	<i>250Hz</i>	<i>500Hz</i>	<i>1kHz</i>	<i>2kHz</i>	<i>4kHz</i>
<i>Noise Level</i>	76	75	70	66	64	62	60

*Noise sensitive spaces are teaching spaces and residential spaces excluding any bathroom, water closet, laundry, pantry, walk in wardrobe, corridor, hallway, lobby, stairwell, clothes drying area, kitchens not part of a dwelling, garage or other space of a specialised nature occupied neither frequently nor for extended periods.*

*Noise sensitive spaces shall be adequately ventilated in accordance with a design provided by a mechanical engineer experienced in ventilation design.*

*That the parts of the facility existing at 1 July 2019 comprising the sleeping, living and learning areas shall be maintained in a state to ensure compliance with an internal noise limit of 43dB LAeq based on adjacent sites within the Business zone producing a level of 63dB LAeq when measured at, or within, the Korowai Manaaki boundary.*

### **(3) Social Impact Assessment**

#### *Both Residences – Korowai Manaaki and Whakatakapokai*

Requests 3(a) and (b) are addressed in **Attachment 6 - SIA s92 Response letter** and in **Attachment 7 - Updated SIA Weymouth Rd Report** and **Attachment 8 - Updated SIA Korowai Manaaki Report.**

### Whakatakapokai

Requests 3(c) to (g) are addressed in **Attachment 6 - SIA s92 Response letter** and in **Attachment 7 - Updated SIA Weymouth Rd Report**. In addition to the information in these responses the following additional information in relation to 3(c) ii and 3(d) is provided:

3(c) ii. What changes are proposed at Whakatakapokai (operational, structural, or otherwise) – the response to this is outlined in the response to 4(a), (b) and (c) below and in the Operating Model (**Attachment 9**).

*3(d) Evidence or information which may assist in assessing whether the neighbours and wider community understand what the proposed change in the role of the facility is, especially the difference between a solely care and protection facility and its proposed transformation to a largely youth justice facility with a 'care and protection' hub.*

Information letters and feedback forms were sent to residents adjoining the site and in the wider assessed extent of impact area provided by Council (within a 500m radius of the site). The feedback received is outlined in Section 10 of the AEE.

The information letters included details for a Point of Contact person who could be contacted for any questions local residents may have.

The Whakatakapokai Community Liaison Committee (CLC) which includes local community representatives was advised about proposed changes and the difference between a care and protection facility and a youth justice facility. Since the lodgement of the application a further meeting has been held with the CLC on Thursday 14 March 2019 to provide further information and answer questions raised by the community with the CLC members.

An article explaining the proposed changes to the designation has been provided to the Weymouth News.

An Open Day at the Whakatakapokai Residence was held on 9 March 2019. Flyers were delivered to 1500 households in the wider area following feedback from the CLC. The Open Day provided an opportunity for the local community to be briefed, ask questions and tour the site. Approximately 20 local residents attended the Open Day and engaged in explanations and discussions about the:

- Use of the site. The Minister's designation, once altered, will enable the site to be used in the immediate future for both care and protection (including transitional use) and/or youth justice (including some adult jurisdiction) purposes, whereby the existing Wharenui is proposed to be used as a care and protection hub for a maximum of 5 children/tamariki and young persons/rangatahi, with the balance of the existing buildings on the site to be used for youth justice purposes for a maximum of 25 children/tamariki and young persons/rangatahi. With the transition towards the new (non-institutionalised) model for care and protection residences, the expectation is that the care and protection hub may, in the medium term, be relocated from the Weymouth Rd site, in which case the residence would be used for the placement of a maximum of 30 tamariki/rangatahi for youth justice or certain adult jurisdiction reasons.
- Locations of the care and protection facilities and the youth justice facilities, noting that they would function separately and independently of each other. The youth justice facilities are contained within the secure area of the site and the care and protection facilities are at the Wharenui outside the fenced area of the site.

- Difference in the operating model and approach to managing safety and security for a youth justice facility was explained. The programmes that the children/ tamariki and young persons/rangatahi engage in daily was explained. The high staff to young person ratio and extent of supervision was discussed.
- Additional safety and security features proposed. These are discussed in detail in response 4(d) below.

The visitors visited then toured the facilities on the site.

**(4) Security (Community - Safety Health & Welfare)**

- (a) *It is noted that Whakatakapokai presently has fewer 'static' security features than exist at the other youth justice residences. It is understood that it is not intended to modify the facility significantly when it offers a service to youth justice. In light of the reduced static security features at the site, it is important for the Council's security evaluation to know what the operations will look like and how that may either create or mitigate risk for the community. Accordingly, please provide more detail on the proposed operating philosophy at Whakatakapokai and how this will be operationalised.*

The operating philosophy for the proposed Weymouth Youth Justice Residence is provided as **Attachment 9 – Whakatakapokai Operating Model**.

- (b) *The AEE refers broadly to some additional security features being introduced at Whakatakapokai (at 7.5). Please provide more detail concerning these features.*

The additional security features proposed at the proposed Weymouth Youth Justice Residence include:

- Glazing in areas where children and young people have access will be upgraded to the same standard as at other Youth Justice residences.
- Doors and locks in areas where children and young people have access will be upgraded to the same standard as at other Youth Justice residences.
- Low profile bollards will be installed set back from the street frontage to prevent vehicular access into the facility/carpark other than through the barrier arm.
- Additional CCTV will be installed and all CCTV will have 24-hour monitoring.
- Lock down functionality will be installed which allows secure doors to be locked from the central control room preventing keys being used to exit the secure areas.
- Interlock functionality will be installed as per other Youth Justice residences which will require internal doors to be secured before external doors can be opened.

- (c) *It is proposed that Whakatakapokai will be taking young offenders. Is it intended that they will be assessed as to their potential security risk so that lower risk offenders are held at Whakatakapokai, rather than at Korowai Manaaki? How will risk be assessed? Will demand pressure impact on risk assessment decisions?*

It is intended that each young person will be assessed to ensure they are placed appropriately. This includes consideration of their age, gender, offending, where their whānau/community is, vulnerability, their therapeutic needs, and the risk they present to staff, other tamariki and the public.

While the range of variables precludes being prescriptive the intent is that higher risk young people would be placed in existing residences (including Korowai Manaaki) with Whakatakopokai being used for those with a lower risk profile.

- (d) *Older young people bring a different set of challenges from a security perspective than younger ones. The NOR documentation indicates that there will be some 19 year olds held at the residence. Please provide more detail about this group, i.e. anticipated numbers, nature of offending, legal status in the justice system etc?*

It is not possible to determine anticipated numbers of 19 year olds who may be placed with Oranga Tamariki although such an occurrence would be rare and the expected number would be very low.

For information regards nature of offending and legal status of 19 year olds refer to information provided in response to information request 1(a) outlined above and contained in **Attachment 2 - Response s92 Request 1a**.

- (e) *Have there been any collective disruptions (incidents involving more than one young person) at the Whakatakopokai since the beginning of 2016? If so, what were they and did they lead to any changes in security-related behaviour?*

Since January 2016 there have been 11 'collective' disruptions at Whakatakopokai involving more than one child/young person and of a nature where local residents may be aware and/or police/fire service attended. This includes:

- Three in 2016, five in 2017, three in 2018 and none to date in 2019.
- Four took place outdoors in the courtyard area and 7 took place indoors.
- 10 involved police attendance.
- Two required fire service attendance; in one case a sprinkler was manually set off and in another a mattress was set alight.

In each case the existing security protocols were sufficient and appropriate for managing the incident, noting that these protocols allow for requesting police assistance.

- (f) *Please provide the following information for both Korowai Manaaki and Whakatakopokai:*
- i. *A description of escapes / abscondences from each facility from 2016 onwards broken down by those that occurred from the facility and those that occurred through off-site activity (e.g. visits, programmes etc.).*
  - ii. *Information concerning the investigated cause of the event / the way youth escaped / absconded, the actions taken to avoid or mitigate the risk of further escapes / abscondences, and the success of these actions.*
  - iii. *Where young people escaped / absconded, information concerning how often this resulted in known offending behaviour. What was the nature of the offending (if any)?*

We have responded to outline incidents of absconding which we have taken to include any instance where a young person(s) successfully left the residence without permission, including where they may only get a short distance away from the residence.

The number of absconding events from Youth Justice residential facilities (across all four current Youth Justice residences in New Zealand including Korowai Manaaki):

- 2016: 3 instances
- 2017: 1 instance
- 2018: 0 instance
- 2019 (up to 12 March): 1

Korowai Manaaki:

Three instances of absconding specifically from Korowai Manaaki (and information about the event and action taken):

- May 2016. Smashed window in visitor's suite. Metal chairs replaced with soft furnishings. Window reinforced.
- February 2017. Young person stole key from staff member (who had not secured in pouch as required). Additional staff training, CCTV placed in visitor's area, new harder leather pouches introduced with stronger key rings and correction standard belts.
- March 2019. Young person exited through window and a temporary building repair had allowed access to roof. All bedroom windows are being checked to confirm they are secure and remedial work being done to the repair to prevent its use for gaining access to the roof.

Whakatakapokai:

Number of absconding events from Whakatakapokai residence:

- 2016: 3 instances:
  - 16 January. Exited across gym roof. Immediately caught and returned.
  - 30 April. Exited across lounge roof.
  - 28 June. Human error in not correctly securing entrance door.
- 2017: 1 instance:
  - 21 May. Broke and exited through window.
- 2018: 0 instances
- 2019 (up to 12 March): 0 instances

The incident reports on these events do not indicate that the young people who absconded committed crime in the local area.

Oranga Tamariki have not included information relating to individuals absconding while off site (i.e. while in transit or at an offsite activity) as this is not considered relevant to security at the locations where the designation changes are sought.

*(g) Is there intended to be a relationship between Korowai Manaaki and the lower security Whakatakapokai that may mitigate potential risk, and if so how will this work?*

These will be staffed and operated as separate residences. However, CCTV coverage for both sites will be monitored from a central control room located at Korowai Manaaki and will be monitored 24 hrs per day.

**(5) Traffic / Parking**

Requests 5(a) to (c) are addressed in **Attachment 10 - Traffic s92 Response letter.**

The additional condition proposed for the Korowai Manaaki Residence arising from the response to the s92 request (5)(b) to address bicycle parking matters is as follows:

*Condition (6)*

*Two visitor bicycle parking spaces (one double-sided bicycle stand) are to be provided near the building entrance and five secure bicycle parking spaces are to be provided for staff members.*

We trust that this information is sufficient to enable the processing of these Notice of Requirement alterations applications to continue. Should you have any further queries, please do not hesitate to get in contact.

Yours sincerely

**BOFFA MISKELL LTD**

Nick Pollard

Senior Principal Planner

Attachments: Attachment 1 – S92 Further Information Request Letter (8 March 2019)  
Attachment 2 – Response s92 Request 1a  
Attachment 3 – Noise s92 Response Letter  
Attachment 4 – Updated Noise Whakatakopokai Rpt  
Attachment 5 – Updated Noise Korowai Manaaki Rpt  
Attachment 6 – SIA s92 Response Letter  
Attachment 7 – Updated SIA Weymouth Rd Rpt  
Attachment 8 – Updated SIA Korowai Manaaki Rpt  
Attachment 9 – Whakatakopokai Operating Model  
Attachment 10 – Traffic s92 Response Letter