

**Report under section 198D of
the Resource Management
Act 1991 on notice of
requirement by the Minister
for Children to alter
designations 3800 relating to
Whakatakopai at 398
Weymouth Road, Auckland**

Prepared by:

Barry Mosley MRRP (Otago) MNZPI

Principal Policy Planner

Auckland Council

Contents:

Title	Page
Part A – Report	
Introduction	3
The Notice of Requirement & Site - Information	4
Site and Locality, including current use of site	5
Complaint history	6
Proposal	6
Reasons for the Notice of Requirement	6
Council Processing	7
Statutory Considerations (Sections 171 and 181 RMA)	7
Analysis of Statutory Considerations	9
- RMA Instruments (s171(1)(a))	9
- Alternatives (s171(1)(b))	15
- Reasonable necessity (s171(1)(c))	16
- Other matters (s171(1)(d))	17
- Effects on the Environment	17
Response to specific matters raised in submissions	32
Part II RMA	33
Recommended amendments to conditions	34
Conclusion	36
Part B – Appendices	
B1	Recommended amended set of designation conditions
B2	Table summarising submissions
B3	Manurewa Local Board feedback
B4	Extracts from the Auckland Unitary Plan
Part C – Specialists’ Reports	
C1	Social impacts (Robert Quigley)
C2	Security (Chris Polaschek) <i>[NB: Subject to Confidentiality Orders]</i>
C3	Transport (Terry Church)
C4	Noise (Jon Styles)

INTRODUCTION

1. My name is Barry Kenneth Mosley. I am a Principal Policy Planner employed by the Auckland Council. I have prepared this report under section 198D of the Resource Management Act 1991 (**RMA**) on a Notice of Requirement (**NoR**) by the Minister for Children seeking alterations to existing designation 3800 in the Auckland Unitary Plan – Operative in Part (**AUP**) relating to the Oranga Tamariki residence currently known as Whakatakopokai, which it is understood the Minister wishes to directly refer to the Environment Court for a decision.
2. I hold a Master of Regional & Resource Planning degree from Otago University and am a full member of the New Zealand Planning Institute. I have some 28 years planning/resource management experience in local and central government and planning consultancy, including 8 years in the Auckland Region where I have predominantly worked in the south of Auckland.
3. I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note and I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express. This report is within my area of expertise, except where I state that I am relying on the report / advice of another person.
4. I visited the site at 398 Weymouth Road, where I participated in a tour through the facility, on 4 February 2019. I also visited the neighbourhood which surrounds the site on 22 January 2019.
5. This report sets out my advice as a reporting planner and is written to assist the Environment Court to determine the NoR. The recommendations are not the decision on the NoR. Assuming the NoR is directly referred to the Environment Court, a decision will only be made after the Environment Court has considered the NoR and submissions received, and heard the requiring authority, the Council, and any submitters.
6. The fundamental purposes of this report are, as required by section 198D of the RMA to:
 - a. address issues that are set out in section 171 of the RMA to the extent that they are relevant to the requirement;
 - b. suggest conditions that I consider should be imposed if the Environment Court confirms the requirement (with or without modifications); and
 - c. provide a summary of submissions received.
7. This report concludes with a recommendation that the NoR for Whakatakopokai should only be confirmed subject to an amended and

substantially more detailed set of conditions, addressing a range of potential effects (as set out at **Appendix B1** to my report). The reasons for my recommendations are set out in the report.

8. For completeness, I note that I have prepared a separate report under section 198D in relation to a different NoR issued by Minister for the facility known as Korowai Manaaki, located in Wiri.

THE NOTICE OF REQUIREMENT & SITE - INFORMATION

Designation Numbers:	3800
Applicant's Name:	Minister for Children
Site Address:	398 Weymouth Road, Weymouth
Legal Description:	Section 2 SO362124
Site Area:	3.9930ha
Operative Plan:	Auckland Unitary Plan (Operative in Part)
Auckland Unitary Plan Zoning:	Residential Mixed Housing Suburban

Designations:

Designation - 3800, Care and protection residential centre, Designations, Minister for Social Development.

Designation: Airspace Restriction Designation - ID 1102, Protection of aeronautical functions - obstacle limitation surfaces, Auckland International Airport Ltd.

PAUP Special features, overlays etc:

Modification

Notice of Requirements, NoR 7: Proposed Northern Runway, Airspace Restriction Designations, Notified, 15/02/2018

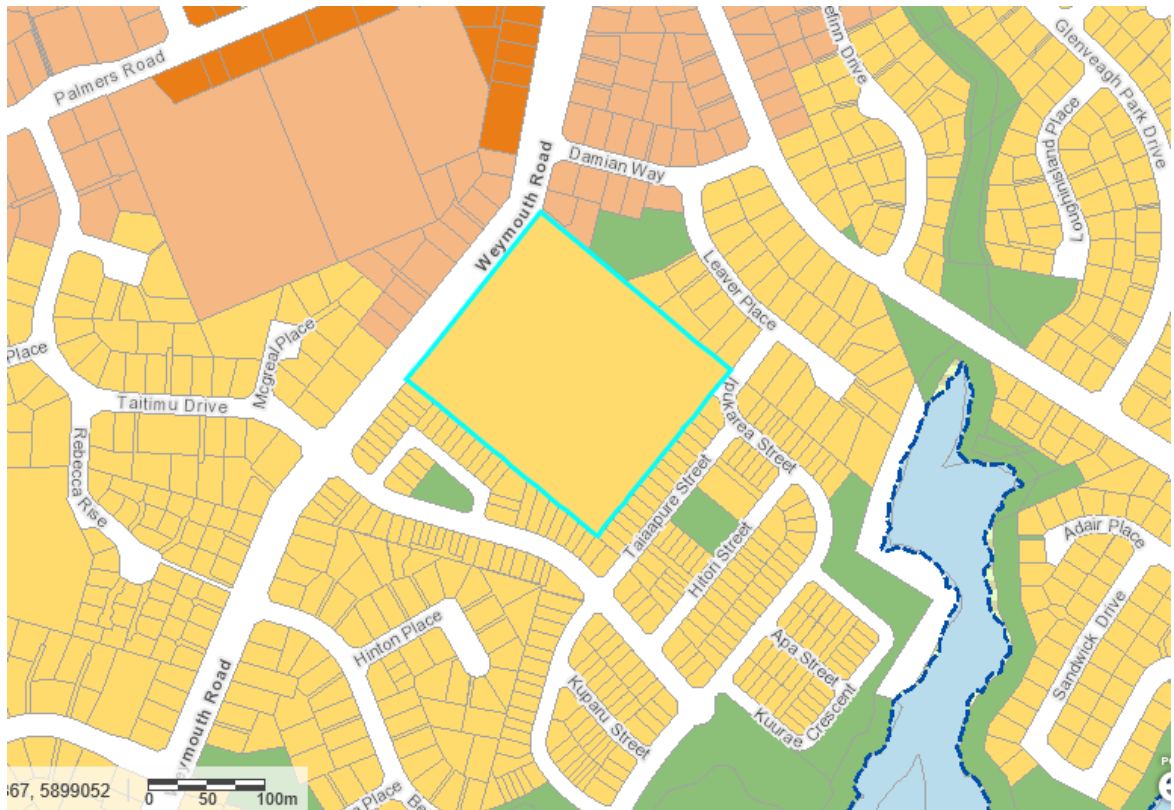
Overlays

Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Clevedon West Waitemata Aquifer

Controls-

Controls: Macroinvertebrate Community Index – Urban.

Locality Plan:



SITE & LOCALITY, INCLUDING CURRENT USE OF SITE

9. Whakatakapokai is located on Weymouth Road approximately 270 metres from the roundabout at the intersection of Palmers-Roscommon-Weymouth Roads.
10. Located in a predominantly residential neighbourhood the facility is surrounded by residential housing on all its boundaries. Directly across Weymouth Road to the north west and a few streets over in this same direction is located the Weymouth Intermediate school. There are also a number of childcare facilities in the locality.
11. The site comprises approximately 9 buildings, a swimming pool and has relatively spacious grounds with large grassed areas. The site is surrounded by an external wooden fence and also has internal perimeter security fencing which is located between buildings providing on site containment.
12. Whakatakapokai currently operates as a care and protection residence in terms of section 364 of the Children, Young Persons and their Families Act 1989 for tamariki and rangatahi up to but not including 17 years of age.
13. The designation in place in the AUP for Whakatakapokai (named as the Care and Protection Residential Centre — Upper North) provides for the placement of up to 20 children and young persons for the purpose of providing care (including secure care), protection, control and treatment; and

ancillary educational, recreational, rehabilitative, administrative, visitor accommodation and cultural facilities.

14. Also provided for within this same designation are activities consistent with and ancillary to the establishment, operation and maintenance of the Care and Protection Residential Centre — Upper North, including buildings, fixed plant and service infrastructure, fencing, landscaping, earthworks, outdoor recreation areas, access and car parking.

COMPLAINT HISTORY HELD BY COUNCIL

15. Business Intelligence was used to extract data from a data warehouse which holds all of Council's systems which capture community complaints. This analysis was performed for the period from early 2013 to March 2019. Two noise complaints were able to be extracted for Whakatakapokai. Neither were considered to be excessive and occurred on 12 December 2016 and 22 December 2016.

THE PROPOSAL

16. The fundamental changes in the designation proposed by the Minister for Children at Whakatakapokai are:
 - A shift in focus in providing for the placement of young persons for principally care and protection reasons to those of youth justice, adult jurisdictional and transitional reasons;
 - An increase in the limit on the number of young persons that may be placed at the facility from 20 to 30 persons;
 - An increase in the age of residents up to 19 years of age, allowing for an older population of young people to be accommodated at the facility.

REASONS FOR THE NOTICE OF REQUIREMENT

17. Under the Raising the Age changes to the Oranga Tamariki Act 1989 that come into force on 1 July 2019, Oranga Tamariki will be required to accept young persons/rangatahi who are aged up to and including 17 years of age where the Youth Court has ordered that they be detained in the custody of the Chief Executive or they are subject to certain orders requiring placement in a residence.
18. This change means that most of the young people that Oranga Tamariki will be responsible for will be under 18 years, however, there are a small number of young adults aged between 18 and 19 (inclusive) who Oranga Tamariki may also be asked by the adult or youth courts (or Police or Corrections) to provide care for.
19. This means that Whakatakapokai may be required to accommodate young persons/rangatahi who are aged up to and including 19 years when they are placed in the custody of the Chief Executive of Oranga Tamariki. In order to

accommodate the additional demand for placements generated by the changes to the Oranga Tamariki Act, the Minister is seeking to alter Designation 3800 to enable an increase in the number of residential beds available at Whakatakapokai from 20 to 30.

20. Oranga Tamariki is transitioning towards a new model for care and protection residences and is looking to develop alternative community-based placement options for tamariki and rangatahi in need. Although some care and protection presence will remain at Whakatakapokai (the 'care and protection hub' referred to in the Assessment of Environment Effects (**AEE**) prepared by Boffa Miskell), it will look to serve a greater demand that is associated with youth justice and some adult jurisdictional placements.

COUNCIL PROCESSING

21. The NoR was lodged by the Minister on 22 February 2019, contemporaneously with the separate NoR relating to Korowai Manaaki.
22. Both NoRs were publicly notified for submissions on 1 March 2019. The closing date for submissions was 29 March 2019. The Council received 110 submissions on the NoR for Whakatakapokai, as discussed in more detail below. A table summarising the submissions received is provided in Part B (**Appendix B2**).
23. The Manurewa Local Board has provided feedback on the proposal (opposing the NoR), which is set out in **Appendix B3**.
24. The Council issued a single request for further information to the Minister on 8 March relating to both NoRs, and received a response from the Minister on 13 March 2019.

STATUTORY CONSIDERATIONS (sections 198D, 171 and 181 RMA)

Section 198D

25. Section 198D(3) of the RMA requires the Council to prepare a report on the NoR. Subsection (4) provides that:

In the report, the territorial authority must—

- (a) *address issues that are set out in section 171 or 191 to the extent that they are relevant to the requirement; and*
- (b) *suggest conditions that it considers should be imposed if the Environment Court confirms the requirement (with or without modifications); and*
- (c) *provide a summary of submissions received.*

Section 171

26. Section 171 RMA is accordingly relevant to this NoR. Subsections (1A) to (2) provide as follows:

171 Recommendation by territorial authority

- (1A) *When considering a requirement and any submissions received, a territorial authority must not have regard to trade competition or the effects of trade competition.*
- (1) *When considering a requirement and any submissions received, a territorial authority must, subject to Part 2, consider the effects on the environment of allowing the requirement, having particular regard to—*
- (a) *any relevant provisions of—*
 - (i) *a national policy statement;*
 - (ii) *a New Zealand coastal policy statement;*
 - (iii) *a regional policy statement or proposed regional policy statement;*
 - (iv) *a plan or proposed plan; and*
 - (b) *whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if—*
 - (i) *the requiring authority does not have an interest in the land sufficient for undertaking the work; or*
 - (ii) *it is likely that the work will have a significant adverse effect on the environment; and*
 - (c) *whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and*
 - (d) *any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.*
- (1B) *The effects to be considered under subsection (1) may include any positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from the activity enabled by the designation, as long as those effects result from measures proposed or agreed to by the requiring authority.*

Section 181

27. Section 181 RMA is also relevant to this NoR. It provides (relevantly):

181 Alteration of designation

- (1) *A requiring authority that is responsible for a designation may at any time give notice to the territorial authority of its requirement to alter the designation.*
- (2) *Subject to subsection (3), sections 168 to 179 and 198AA to 198AD shall, with all necessary modifications, apply to a requirement referred to in subsection (1) as if it were a requirement for a new designation.*
- (3) *A territorial authority may at any time alter a designation in its district plan or a requirement in its proposed district plan if—*
- (a) *the alteration—*
 - (i) *involves no more than a minor change to the effects on the environment associated with the use or proposed use of land or any water concerned; or*
 - (ii) *involves only minor changes or adjustments to the boundaries of the designation or requirement; and*
 - (b) *written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners or occupiers agree with the alteration; and*
 - (c) *both the territorial authority and the requiring authority agree with the alteration—*

and sections 168 to 179 and 198AA to 198AD shall not apply to any such alteration.

...

28. I note that the Environment Court has held, in the context of section 181 alterations to existing designations, that the existing environment is the physical environment inclusive of the current designations, and that the appropriate comparison is between the existing designations and the new designations (**City Rail Link Ltd v Auckland Council** [2017] NZEnvC 204, at [43]).

ANALYSIS OF STATUTORY CONSIDERATIONS

RMA Instruments (section 171(1)(a))

29. Section 171(1)(a) requires that particular regard be had to any relevant provisions of a national policy statement, a New Zealand coastal policy statement (**NZCPS**), a regional policy statement or proposed regional policy statement, and a plan or proposed plan. The NZCPS is not relevant to this proposal. I have included relevant extracts from the AUP in **Appendix B4** of this report.

National Policy Statement on Urban Development Capacity 2016 (NPSUDC)

30. The NPSUDC is about recognising the national significance of:
- a. urban environments and the need to enable such environments to develop and change;
 - b. providing sufficient development capacity to meet the needs of people and communities and future generations in urban environments¹.
31. The fundamental drivers for the NPSUDC relate to ensuring that there is adequate business and residential land including infrastructure available as communities grow. The NPS, whilst recognising the need to plan for growth, also recognises that this must occur in a way that provides for the social, economic and cultural wellbeing of people and communities².
32. In the context of the NoR, I consider that the NPSUDC could only be considered to have some level of broad relevance, and that the Regional Policy Statement and District Plan provisions of the AUP contain the most relevant objectives and policy provisions for assessing the NoR.

¹ NPSUDC, page 9.

² Refer e.g. to NPSUDC, Objectives OA1 and OC1, and Policy PA3.

Auckland Unitary Plan

Definitions Relevant to NoR

33. There are a number of definitions in Chapter J1 of the AUP, which are relevant to the NoR:

Community facilities

Facilities for the wellbeing of the community, generally on a not for profit basis.

Includes:...

- community correction facilities; and
- justice facilities.....

Community correction facility

Buildings and land used for administrative and non-custodial services. Services may include probation, rehabilitation and reintegration services, assessments, reporting, workshops and programmes, and offices may be used for the administration of and a meeting point for community work groups.

Justice facilities

Facility used for judicial, court, or tribunal purposes, and/or activities including collection of fines and reparation, administration and support, together with custodial services as part of the operation of New Zealand's justice system.

34. In addition, while not a Chapter J1 definition, I note that the explanation accompanying the Regional Policy Statement provisions in the AUP relating to “social facilities” at B2.8 states:

Social facilities include public and private facilities which provide for services such as education, health, justice, corrections, community and cultural facilities. ...

AUP – Regional Policy Statement (RPS)

35. The RPS provisions in the AUP identify that Auckland’s growing population increases the demand for the provision of social facilities and services. The RPS signals that growth needs to be provided in a way that: enhances the quality of life for individuals and communities; optimises the efficient use of the existing urban area; encourages the efficient use of existing social facilities and provides for new facilities; and maintains and enhances the quality of the environment, both natural and built³.
36. Moreover, the RPS identifies the need for development to respond to the intrinsic qualities and physical characteristics of sites and areas including its setting. Whilst the RPS places importance on development maximising resource efficiency and being capable of adapting to changing needs it

³ Auckland Unitary Plan, Section B2.1 Issues, Urban Growth and Form, page 1.

recognises that it must also contribute to the safety of sites, streets and neighbourhoods⁴.

37. The RPS has an objective which promotes social facilities being close to residential intensification but also has another objective that residential areas are attractive, healthy and safe with quality development which is in keeping with the planned built character of the area. Specifically, non-residential activities are to be of a scale and form that are in keeping with the existing and built character of areas⁵.
38. In terms of social facilities specifically, the RPS is encouraging of these where they meet the needs of people and communities and provide for their social, economic and cultural wellbeing and their health and safety. The RPS signals that reverse sensitivity effects between social facilities and neighbouring land uses are to be avoided, remedied or mitigated. At the policy level the RPS promotes small scale social facilities being located within or close to their local communities⁶.
39. The RPS recognises the importance of Mana Whenua values and the need to provide opportunities for Mana Whenua to participate in resource management decision making. Moreover the RPS recognises the role that Mana Whenua have in terms of Kaitiakitanga (guardianship) and seeks to ensure that sufficient weight and acknowledgement is given to matauranga (Maori knowledge) and tikanga (Maori custom) in resource management decision making.⁷
40. The locational character of social facilities, reverse sensitivity objectives around social facilities identified in objectives and policies within the RPS are further amplified in the environmental results anticipated for the Auckland urban area⁸.
41. Section 8.3 of the AEE provides an assessment of RPS objectives and policies on behalf of the Minister⁹. I disagree with the assessment in the AEE to the extent that it places too much emphasis on the benefits of the Minister's NoR to residents of the facility and the community from the existence of a Whakatakapokai, without considering adequately the potential impacts on the neighbourhood and immediate area. While I agree that the various matters identified in the AEE (such as providing secure and safe care for children and young persons) are benefits, the potential adverse impacts – particularly social and security effects – also require consideration as part of a balanced assessment of RPS objectives and policies. This is borne out in the expert reports attached in **Part C** of this report, and particularly those by

⁴ Auckland Unitary Plan, Section B2.3 A Quality Built Environment, pages 4-5.

⁵ Auckland Unitary Plan, Sections B2.4.1, B2.4.2 Residential Growth, pages 5-6.

⁶ Auckland Unitary Plan, Section B2.8, B2.8.1 and Section B2.8.2, Social Facilities, pages 12-13.

⁷ Auckland Unitary Plan, Section B6 Mana Whenua, pages 1-10.

⁸ Auckland Unitary Plan, Section B11 Monitoring & Environmental Results Anticipated, Table B11.1, Rows B2.4.1(3), B2.8.1(3), pages 2-3.

⁹ Refer to AEE, section 8.3, pages 35-37.

Robert Quigley (social impacts) and Chris Polaschek (security issues), which I discuss further below.

42. In terms of the RPS objectives and policies and Whakatakapokai I consider that the NoR is an efficient use of land in that a care and protection facility currently exists at the site and the Minister's NoR seeks to utilise existing physical buildings and infrastructure in a new way.
43. However, I consider that the NoR for Whakatakapokai could only be considered to align with the RPS objectives and policies if the proposal could be considered to:
 - enhance the quality of life for individuals and communities;
 - maintain and enhance the quality of the environment, both natural and built;
 - respond to the intrinsic qualities and physical characteristics of the site and setting;
 - contribute to the safety of sites, streets and neighbourhoods; and
 - be of a scale and form that keeps with the existing and built character of the area.
44. I consider that the NoR for Whakatakapokai would not be capable of achieving most of these elements unless a number of additional conditions are imposed and implemented as recommended in this report.
45. I do note that support for Whakatakapokai has been provided by the local iwi in a submission. As Mana Whenua Puukaki ki te Aakitai support the proposed changes to allow Whakatakapokai to be used as a Youth Justice Residence. The support is stated in the submission by a Puukaki ki te Aakitai (submission #3) as being based on a belief that tamariki and rangatahi would be better served in a facility like Whakatakapokai than a conventional prison facility.

AUP – District Plan

46. Chapter E of the AUP contains Auckland-wide rules which address matters such as artificial lighting (Chapter E24), noise (Chapter E25), and transport (Chapter E27). Relevant to this NoR:
 - a. Chapter E24 seeks to ensure that artificial lighting does not create adverse effects for adjoining properties through light spill and glare¹⁰;
 - b. Chapter E25 seeks to ensure that people are protected from unreasonable levels of noise, that the amenity values of residential zones are protected from unreasonable noise, particularly at night, and that

¹⁰ See e.g. Policy E24.3(2).

existing land uses are protected from reverse sensitivity effects where it is reasonable to do so¹¹.

- c. Chapter E27 seeks to ensure that land use activities provide for safe and efficient parking which is commensurate with the character, intensity and scale of the relevant zone¹², support increased cycling by requiring larger developments to provide bicycle parking¹³, and require access to be designed and located to provide for safe, effective and efficient movement to and from sites and minimise potential conflicts¹⁴.
47. The Residential – Mixed Housing Suburban (**MHS**) zone, in which Whakatakapokai is located, is the most widespread residential zone covering many established suburbs and some “greenfields” areas. Much of the existing development in the zone is characterised by one or two storey, mainly standalone buildings, set back from site boundaries with landscaped gardens.
48. The MHS zone enables intensification, while retaining a suburban built character. Development within the zone is generally “two storey” detached and attached housing in a variety of types and sizes to provide housing choice. The height of permitted buildings is the main difference between this zone and the Residential – Mixed Housing Urban Zone which generally provides for “three storey”, predominately attached dwellings. Up to three dwellings are permitted as of right subject to compliance with the standards. This is to ensure a quality outcome for adjoining sites and the neighbourhood, as well as residents within any development site.
49. The District Plan provisions within the AUP outline that development within the MHS zone is to be in keeping with the neighbourhood’s planned suburban built character¹⁵ and provide quality on-site residential amenity for residents and adjoining sites and the street¹⁶.
50. Non-residential activities are to provide for the communities social economic and cultural wellbeing, whilst being compatible with the scale and intensity of development anticipated by the MHS zone so as to contribute to the amenity of the neighbourhood¹⁷.
51. At the policy level the district plan requires sufficient setbacks and landscaped areas¹⁸. Front yard areas are to be optimised in terms of landscaping¹⁹. The height, bulk and location of development is required to

¹¹ See Objectives E25.2(1) to (3).

¹² Objective E27.2(4).

¹³ Policy E27.3(14)(a).

¹⁴ Policy E27.3(20).

¹⁵ Objective H4.2(2).

¹⁶ Objective H4.2(3).

¹⁷ Objective H4.2(4).

¹⁸ Policy H4.3(2)(c).

¹⁹ Policy H4.3(3)(b).

maintain a reasonable standard of sunlight access and privacy and to minimise visual dominance effects to adjoining sites²⁰.

52. The district plan seeks that functional and operational requirements of development and activities be recognised²¹ and that non-residential activities be provided for that support the social and economic well-being of the community and possess a scale and intensity of development that is anticipated within the zone, and avoid, remedy or mitigate adverse effects on residential amenity²².
53. I consider that the Minister's NoR for Whakatakapokai could only be considered to align with AUP District Plan objectives and policies if the proposal could be considered to:
- Be in keeping with the neighbourhood's character and provide quality on-site residential amenity;
 - Be compatible with the scale and intensity of development anticipated by the MHS zone;
 - Contain sufficient setbacks and landscaped areas, maintain a reasonable standard of sunlight access and privacy, and minimise visual dominance effects to adjoining sites; and
 - Possess a scale and intensity of development that is anticipated within the zone, and avoid, remedy or mitigate adverse effects on residential amenity.
54. I consider that the Minister's NoR for Whakatakapokai would not be capable of achieving most of these elements unless a number of additional conditions are imposed and implemented as recommended in this report.
55. The AEE assessment of District Plan objectives and policies is set out in section 8.4²³. I do not agree with the AEE presented by the Minister to the extent that it does not go far enough to adequately mitigate and address the potential range of effects on adjoining neighbours in terms of residential amenity, noise, visual and traffic effects. The Council's expert reports attached in **Part C** of this report on social impacts, security issues, traffic and noise propose a range of conditions designed to address many of the interrelated matters identified above, which I support.
56. In the MHS zone "community facilities", which as noted at paragraph 33 above includes custodial services, are a restricted discretionary activity for which discretion has been reserved over the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: building intensity, scale, location, form and

²⁰ Policy H4.3(4).

²¹ Policy H4.3(10).

²² Policy H4.3(9).

²³ AEE, section 8.4, pages 37-38.

appearance; traffic; design of parking and access; and noise, lighting and hours of operation, infrastructure and servicing²⁴. Many of these effects are discussed below in the section dealing with effects on the environment.

Alternatives (section 171(1)(b))

57. Section 171(1)(b) of the RMA requires that particular regard be had to whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if:
- the requiring authority does not have an interest in the land sufficient for undertaking the work; or
 - it is likely that the work will have a significant adverse effect on the environment.
58. The AEE adopts the position that section 171(1)(b) RMA does not apply to this designation process as the Minister for Children has an interest in the land sufficient for undertaking the alteration to designation and that there will be no significant adverse effects on the environment²⁵.
59. On the first point I would concur. Section 2 SO362124 being the land upon which Whakatakakopai is located is in the ownership of the Crown and the title is noted with the words “for an institution established under the Children, Young Persons and their Families Act 1989”.
60. On the second point the updated social impact assessment prepared by Beca (March 2019) identifies a range of potential “high” adverse social impacts, on a scale of effects ranging from “very low (negligible)” through to “very high”. I consider that high adverse social impacts can be construed as “significant” if unmitigated. In this regard, I note Beca’s statement that *“[i]n all cases it is noted that the potential impacts have the potential to be reduced, remedied or mitigated by project design and implementation of management and/or mitigation strategies”*²⁶.
61. My assessment of the proposal’s potential social effects is set out below. In short, drawing on the peer review of the SIA carried out by Robert Quigley for the Council, I consider that, in relation to the anticipated “high” social effects:
- There are some high adverse social effects, which will be able to be directly reduced/mitigated by the conditions and which will become acceptable (those relating to ‘quality of environment’ and ‘residential amenity and privacy’).

²⁴ Auckland Unitary Plan, Section H4 Residential – Mixed Housing Suburban Zone, Section H4.8. Assessment – restricted discretionary activities, pages 21-22.

²⁵ AEE, section 9.1, page 38 onwards.

²⁶ Beca SIA, section 6.1, page 20.

- However, as Mr Quigley explains, there are potential high adverse social effects associated with 'sense of place', 'wellbeing, fears and aspirations' and 'way of life', which are not easily directly mitigated given the type of effects and the location of the proposed facility to a residential area.
- I am guided by Mr Quigley's conclusion at page 12 of his report:

A combination of monitoring and stakeholder response as detailed in conditions may mitigate these effects somewhat, and may offset the effects somewhat, but in my opinion (and before I have seen the Minister's evidence in response to this review and potential additional mitigations) these will remain an adverse high social effect despite these best efforts.

62. In view of the possibility that the proposal may give rise to unmitigated, potentially high social effects, and taking into account potential legal constraints associated with any condition requiring the establishment of a community fund, unless volunteered by the Minister (something suggested by Mr Quigley – I return to this below), I consider that it would be a very marginal call to make that:
- a. The second limb of the statutory test in section 171(1)(b) of the RMA (relating to significant adverse effects) could be considered to have been satisfied; and
 - b. The Minister is not obliged to consider alternative sites, routes, or methods of undertaking the work with regard to the alteration of the designation for Whakatakāpokai.

Reasonable necessity (section 171(1)(c))

63. Section 171(1)(c) of the RMA requires that particular regard be had to whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought.
64. Section 5.0 of the AEE addresses the Minister's objectives. The AEE states (at page 10) that:

This alteration to the existing designation is required to enable Oranga Tamariki to achieve the purposes of the Oranga Tamariki Act relating to care and custody of young persons placed in the custody of the Chief Executive for care and protection, transitional, youth justice or certain adult jurisdiction reasons, and to provide for the additional demand generated by the amendments due to take effect on 1 July 2019.

65. Section 9.2 of the AEE further states that (at page 39):

... in order to respond to legislative changes that will increase demand for youth justice placements, the Minister's objective is to enable an increase in

the number of placements available at the residence so as to enable the Chief Executive of Oranga Tamariki to meet his or her responsibilities where tamariki or rangatahi have been placed in his or her care or custody. Without the alteration to the designation, there is a risk that there will be insufficient beds to place tamariki or rangatahi in the Chief Executive's care or custody for youth justice or certain adult jurisdiction purposes meaning that the Minister would be unable to meet her objectives as outlined above.

66. I consider that the Minister has adequately demonstrated in the NoR and AEE that reasonable necessity exists for the alteration of the designation at Whakatakapokai. The need for the alterations has been derived from legislative changes outlined above. These legislative changes have resulted in a greater demand and need for additional capacity for youth justice residential care.

Other matters (section 171(1)(d))

67. Section 171(1)(d) of the RMA requires particular regard to be had to any other matter considered reasonably necessary in order to make a recommendation (here a decision) on the requirement.
68. The Auckland Plan 2050 signals as a focus area that it seeks to ensure that accessible services and social and cultural infrastructure are provided that are responsive in meeting people's evolving needs²⁷.
69. The Auckland Plan 2050 recognises that population growth and demographic change will put pressure on existing services and facilities and that it is essential that this is proactively planned for, and that social and cultural infrastructure is developed in tandem with physical infrastructure, if communities and neighbourhoods are to be liveable and successful for everyone²⁸.

Effects on the Environment

70. Section 7.11 of the AEE concludes that with mitigation measures the proposed change in designation will have acceptable effects on the environment.
71. **Part C** of this section 198D report contains Council specialist reports addressing actual and potential social, security, transport and noise effects associated with the alteration of designation at Whakatakapokai. Reports have been prepared by:
- a. Robert Quigley – social impacts (**Attachment C1**);

²⁷ Auckland Plan 2050, Outcome Area: Belonging & Participation, Focus Area 2: Provide accessible services and social and cultural infrastructure that are responsive in meeting people's evolving needs.

²⁸ Ibid.

- b. Chris Polaschek – security (**Attachment C2**);
 - c. Terry Church – transport (**Attachment C3**);
 - d. Jon Styles – noise (**Attachment C4**).
72. These reports conclude that any adverse effects on the environment arising from the alterations to the designation for Whakatakapokai are capable of being managed by conditions, which propose mitigation to achieve a spectrum of environmental adverse effects that are at an acceptable level, save that, as noted above, there is a degree of uncertainty as to whether certain categories of anticipated high adverse social effects can be adequately mitigated.
73. I address the proposal's potential effects below in more detail.

Social Impacts

74. The social impact assessment prepared by Beca which forms part of the AEE outlines that the NoR by the Minister will likely produce a range of potentially low to high adverse social effects.
75. These potential adverse social effects relate to:²⁹
- Effects on how people in the Weymouth area perceive the quality of the environment with changes in visibility arising from the transition of the residence.
 - Effects on wellbeing, fears and aspirations for people in the community, particularly families and children residing in the adjoining Waimahia Inlet development, arising from uncertainties as the transition is implemented and a concern that there will be a change in the crime rate in the area.
 - Effects of the way of life including residential amenity and privacy for adjoining neighbours as a result of the proximity of these properties to the change Residence.
 - Effects on the perception of the quality of the environment and sense of place for neighbours and the more immediate neighbourhood with changes in the Residence impacting on property values.
76. As noted above, the SIA identifies some of these potential adverse social effects as “high”.

²⁹ AEE, section 7.11, page 28.

77. To address the potential adverse social effects the SIA makes a number of recommendations, broadly involving the implementation of two management measures, as follows:³⁰
- 1 *Community Engagement: to require involvement of the community to further consider and respond to potential issues and impacts which concern them, through the existing CLC as well as a specialised forum for adjoining neighbouring properties (either in conjunction or addition to the CLC); and*
 - 2 *A Social Impact Management Plan (SIMP): to require the preparation of a further SIMP to inform physical works and operational process design phases.*
78. In relation to community engagement, it is recommended that Oranga Tamariki continues the Community Liaison Committee and broaden its function and membership for the duration of the transition to provide the community with information and a system for feedback to ensure that concerns are addressed as the transition is implemented.
79. In relation to the proposed SIMP process, the SIMP is intended to provide a process to review social impacts as they are identified and develop and implement measures to avoid, remedy or mitigate adverse social effects. These measures are designed to ensure that an appropriate positive relationship is maintained with the surrounding community, and that monitoring of the effects of the Residence are monitored, with information disseminated and that concerns raised by the community are responded to³¹.
80. Council commissioned Robert Quigley, a social impact specialist, to review the SIA provided by the Minister for Children (refer Part C, **Attachment C1**).
81. Mr Quigley's review³² agrees that there is potential for high adverse effects (from social impacts) to arise from the alterations to the designation at Whakatakapokai as proposed by the Minister for Children. Mr Quigley concludes that additional specificity of effects for directly affected populations, backed up by empirical evidence, would further likely cement the analysis of the Minister and reaffirm the findings.
82. Mr Quigley states³³ that such findings are rare in a New Zealand context and that this likely reflects the uniqueness of the proposal to site a Youth Justice facility within a residential area. He notes that all other Youth Justice facilities are either in rural zones or zoned industrial/heavy industrial and that Corrections facilities are also typically in similar zones.

³⁰ See section 7 of the updated SIA dated March 2019, page 27 onwards.

³¹ See AEE, Section 7.11, page 28.

³² Report by R Quigley, page 5.

³³ Report by R Quigley, page 10.

83. Mr Quigley considers that effects which can largely be mitigated include the following:
- i. Potential impacts on the quality of the environment can potentially be addressed through managing physical changes to the look of the site and via operational procedures.
 - ii. Potential impacts on residential amenity and privacy, which – similarly – he says can potentially be addressed through managing physical changes to the look of the site and via operational changes.
84. However, Mr Quigley considers that there will be a number of effects which will not be adequately mitigated by the current conditions proposed by the Minister, and that these include:
- i. Potential impacts on wellbeing, fears and aspirations arising from personal safety fears relating to families and children in adjacent residential housing and consequent effects on wellbeing and anxiety. Personal sense of safety is also unlikely to be assuaged unless additional and stringent conditions are imposed.
 - ii. Potential impacts on way of life. There is no evidence presented nor little analysis on this topic.
 - iii. Potential impacts on sense of place for Weymouth and local neighbours. Placing a youth justice facility within a residential area is a substantial impact on sense of place that will not be addressed by current conditions.
85. Mr Quigley's expert review recommends a number of conditions which include:
- i. Continue the Community Liaison Committee (as proposed in the SIA).
 - ii. Oranga Tamariki to commission, develop and implement a SIMP from designation through to at least three years following first opening of the facility (as proposed in the SIA). It is recommended that the conditions provide flexibility for the requiring authority and the CLC to agree that the SIMP processes and obligations should continue on an ongoing basis or for a fixed period beyond three years. In addition, it is recommended that the SIMP conditions should be 're-engaged' in the event that the requiring authority proposes new buildings and/or repurposing of the Wharenuī for youth justice offender purposes (unless the CLC agrees otherwise).
 - iii. Requiring the Minister to adequately resource the Community Liaison Committee, including any subcommittee or Community Impact Forum, which may be established. In Mr Quigley's opinion, this obligation should extend to ensuring that members of the Community Liaison Committee have access to independent professional advice so as to

enable them to participate fully in, and engage with, the SIMP processes in particular. He states that, as a minimum, he envisages this would require independent expert assistance from a SIA specialist (separate to any advice given to the Minister), although the Committee may require other forms of professional support and advice as well³⁴. He notes that, due to the severity of the anticipated adverse social effects, the community also requires expert support.

iv. Extensive and comprehensive safety and security measures, recognising that the local community want assurance of safety.

86. Mr Quigley also identifies a potential social effect that has not been explored in the March 2019 SIA, namely the release of offenders into the local area who are not from the area³⁵. He states that consideration of a cumulative effect arising from the nearby Korowai Manaaki (and its proposed increase in capacity) is worthwhile, prior to the Environment Court hearing. Policy and practice must also align to ensure offenders from outside the area are not placed in South Auckland. Otherwise, Mr Quigley notes³⁶, the change to a youth justice offender facility has the potential to have far reaching social effects on the South Auckland community e.g. demand on social services, supportive housing, crime, etc. He suggests that, if policies and practices align, the maintenance of these policies and practices can be ensured via monitoring in the SIMP.

87. It is apparent from the analysis of Mr Quigley and Beca that several social impacts are difficult to quantify and are difficult to mitigate. I am unable to propose an offset within the framework of the RMA, as suggested by Mr Quigley, in the form of a perpetual community fund, unless volunteered by the Minister, but I do propose and support a number of conditions which directly relate to the mitigation of social effects. Notwithstanding any legal constraints concerning the suggestion of a community fund, I consider that there would be merit in the Minister and the community entering into dialogue to explore the possibility of a mutually agreeable offset for those social impacts identified by Mr Quigley, for which mitigation for the community is likely to prove problematic.

88. I consider that there are other conditions and aspects of conditions of Mr Quigley's report which are worth noting as being significant to managing social impacts arising from the Minister's proposed alteration of designation at Whakatakopokai. These include:

- The Community Liaison Committee has a critical role in: the development and monitoring of security and emergency management plans; providing input into any risk management assessment methodology for the placement of offenders at Whakatakopokai; and communications with Oranga Tamariki;

³⁴ Report of R Quigley, page 11.

³⁵ Report of R Quigley, page 10.

³⁶ Report of R Quigley, page 4.

- There is a need for a warning system to be in place for the immediate community when any abscondence does occur, and a 'hotline' for members of the community to call;
- The SIMP may need to be extended to cover any additional changes which occur at the site over time, in which case a three yearly time frame may need to be capable of extension by way of additional triggers;
- How the release of offenders into the local area who are not from the area should be managed or whether alternative arrangements should be derived;
- Landscaping may be a critical means by which to promote integration of the facility into the neighbourhood and maintain residential amenity and the existing sense of place.

89. I support Mr Quigley's recommendations, and have proposed appropriate conditions in **Part B** of my report (**Appendix B1**, see conditions 23 and 24 in particular).

Transport

90. With regard to transport, the AEE prepared for the Minister identifies (drawing on a transport assessment by Stantec), that as a result of the change in capacity arising from the alterations to the designation, weekday trips will increase by an additional 54 trips with weekends increasing by 14 trips.
91. The AEE notes that these increases are unlikely to be noticeable in terms of current weekday traffic volumes on Weymouth Road nor be noticeable in terms of the operation of the surrounding road network. The AEE comments on parking noting that there are currently 57 spaces and that this exceeds the AUP standards for a similar activity in the zone³⁷.
92. Council commissioned traffic engineer Terry Church to review the traffic assessment provided by the Minister (Refer Part C, **Attachment C3**). Mr Church agrees with Stantec's conclusion that the additional volumes generated by the designation alterations proposed can be accommodated on the surrounding road network without adverse effects on safety and efficiency. However, in some other respects, the conclusions formed by Stantec on traffic matters diverge from the views of Mr Church. The nature of differences in views and the reasons are outlined below:

Access

- a. On the issue of pedestrian access, Mr Church notes that footpaths are not provided from the road to the Whakatakakopakai facility. Mr Church's assessment outlines that the existing car park provides a pedestrian route from the first parking aisle to the front entrance to the facility, but there is no formed connection with Weymouth Road for those who walk, cycle or use public transport. Mr Church considers that the transport

³⁷ AEE, Section 7.11, pages 28-29.

assessment and further information response provided on behalf of the Minister (letter from Stantec dated 14 March 2019) does acknowledge the heavy reliance on private vehicle travel to and from the facility. To encourage the use of alternative travel modes, and to improve the attractiveness of other transport modes, Mr Church recommends that a condition be imposed on the designation that requires a safe and direct connection between Weymouth Road and the main entrance to the facility be provided.

Parking

- b. Mr Church noted, following a site visit to Whakatakopokai, that the rear parking area was full, with vehicles being parked on the grass verge about the car park. Mr Church considers in his assessment that the current parking provision on site only just meets current demand and that further growth will need to provide for additional parking to manage off site effects.
- c. Mr Church's assessment considers that the Minister's assessment provided in the further information response from Stantec does not consider the parking requirements on site when ground staff change over occurs. Mr Church quantifies the shortfall in parking spaces at Whakatakopokai as a maximum of 10 spaces.
- d. Based on the above matters, Mr Church recommends that the parking provision on site be addressed as part of the designation alteration, with a provision for parking being based on staff numbers predicted on site during normal business hours and visitor numbers. He concludes that the facility would need to provide 67 parking spaces on site when further developed, this being an increase of 10 parking spaces, with 57 parking spaces already provided for on site.

Travel Management Plan / Parking Management Plan

- e. Mr Church proposes that a Travel Management Plan and a Parking Management Plan be required by conditions so that staff are encouraged to use alternative transport modes and for effects on site related to the operation of the car park (and particularly night time noise) can be adequately managed. Refer also to Mr Styles' report for discussion of the proposed Parking Management Plan condition.

Cycling facilities

- f. In response to the heavy reliance on private vehicle travel to Whakatakopokai by visitors and staff, Mr Church recommends that cycle parking is provided for staff. Mr Church is of the view that one secure

bicycle parking space per 15 full time employees will provide a sufficient number of bicycle spaces for staff.

93. I support Mr Church's recommendations and have proposed appropriate conditions in **Part B** of my report which deal with these matters (**Appendix B1**, proposed conditions 25 to 29).

Noise

94. The AEE acknowledges that given the location of the Residence with close proximity to sensitive residential uses that there is the potential for noise generated by activities on the site to adversely affect nearby residential properties³⁸.
95. The Minister proposes a condition to ensure that noise levels do not exceed acceptable standards. The Minister advises that the condition proposed has been reviewed by an acoustic specialist, Rhys Hegley, who has recommended changes to align the measurement units with more contemporary metrics. The AEE concludes that the condition proposed would provide an appropriate level of protection to neighbouring properties and that no effects are likely to arise as a result of the change in terms of noise³⁹.
96. Council commissioned acoustic engineer Jon Styles to review the noise assessment provided by the Minister for Children (refer Part C, **Attachment C4**). Mr Styles through Council's further information request to the Minister asked for additional clarification of the proposed noise condition. In response the Minister provided further refinement of the condition⁴⁰.
97. Specifically, the Minister has refined the proposed noise assessment by confirming that:
- noise levels associated with a night time staff handover and vehicular movement from the south western carpark are adequately considered in terms of the noise condition proposed;
 - noise levels have not been averaged or assessed as having a special audible characteristic;
 - a duration adjustment has not been made;
 - reliance on a curfew was not made in assessing noise.
98. Mr Styles generally agrees with Mr Hegley's assessment, but considers that additional conditions are required to address two specific noise effects, being noisy behaviour and noise from the use of the southern car parks:
- a. Noisy behaviour: Mr Styles considers there remains a real possibility that young persons could generate noise levels higher than those predicted

³⁸ AEE, section 7.11, page 29.

³⁹ AEE, section 7.11, page 29.

⁴⁰ Letter from Rhys Hegley dated 14 March 2019 and updated noise report dated March 2019.

in Mr Hegley's report by shouting, playing music or similar, especially close to the boundaries and if after 10pm (or before 7am). In order to ensure that such behaviour does not occur (in particular outdoors and near to boundaries), Mr Styles notes that the staff and management of the facility will need to be aware of the need to minimise noise and will need to be prepared to take action to reduce noise levels, or move noisy activities inside or further from boundaries. He recommends that a designation condition be imposed requiring a Noise Management Plan, which would e.g. require all staff to be aware of the need to manage noisy behaviour, particularly for outdoor activity and any activity at night.

- b. Noise from use of southern car parks: Mr Styles records his understanding that Mr Hegley is in the process of reviewing traffic noise level predictions at the time of finalising his report, but notes in any event that the car park noise predictions do not take into account any noise that may be generated by people talking in or near to the car park area as they are moving to or from vehicles (which submissions indicate may be generated at times). He recommends that, given the uncertainty about the traffic noise predictions, and the potential for other noise sources (not just car noise) to be generated in the car park at night, a condition to reduce the use of the southern car parks at night be imposed. He agrees with the Parking Management Plan condition proposed in Mr Church's transport report, to address this issue.

99. Otherwise, Mr Styles considers that, with the additional conditions proposed, the alteration to the designation will not give rise to unreasonable noise effects. I support Mr Styles' proposed amendments to the conditions, and have incorporated these into the set of conditions at **Appendix B1**.

Cultural

100. The assessment of effects provided by the Minister for Children outlines that consultation is ongoing with Mana Whenua but at the time of lodging the alteration to designation for Whakatakakopai no matters had arisen which indicated that the change would result in adverse effects on cultural values⁴¹.

101. Section 10.5 of the AEE states that:

Oranga Tamariki has engaged with local Mana Whenua representatives with whom it has an on-going relationship. These representatives have been supportive of the proposed changes. Oranga Tamariki will be requesting these representatives have discussions with other interested Iwi to ensure their views are considered.

102. It is unclear from the AEE which Mana Whenua representatives specifically were engaged by the requiring authority. However, I note that Puukaki ki te Aakitai has lodged a submission in support of the NoR (submission #3). Based on the information presently before me, I have no reason to query the

⁴¹ AEE, Section 7.11, page 29.

view expressed in the AEE that the proposed alterations would not result in adverse effects on cultural values.

Community Safety & Wellbeing

103. I consider that the following three factors in particular point to the need for a very close consideration of both current and proposed security arrangements at Whakatakapokai if the Minister's proposed alteration to the current designation at Whakatakapokai is to occur:

- An existing security facility, which at best can be described as low security (although Mr Polaschek notes at paragraph 26 of his report that it is significantly lower than a 'low security' prison);
- A sensitive surrounding residential environment, which I consider to be more susceptible to any risks arising from the operation of a youth justice facility than a rural or heavy industrial location;
- The housing of young offenders, some of whom can be considered, in a youth justice sense, to be the most serious and persistent of criminal offenders (as Mr Polaschek notes in his report).

104. These factors individually and in combination could be considered quite undesirable elements as they have the potential to lead to abscondences from the facility and expose immediate neighbours and the wider Auckland community to risk and potential harm. Mr Polaschek in his report notes that although evidence shows that the likelihood of an event occurring that causes harm to the local community is low, an increased incidence of absconding will increase the risk proportionally⁴².

105. The SIA by Beca (March 2019) records that a press release by the Public Service Association raised concerns of unsafe security conditions caused by inadequate staffing in 2003 at Whakatakapokai⁴³. A chronology of events outlined in the SIA can be summarised as follows:

- In November 2003 six young offenders escape from the residence by attacking a social worker and stealing her keys. The New Zealand Herald reports that a local resident who had lived on Weymouth Road for 16 years said that there were regular escapes and that local residents were not always notified.
- Act Social Welfare Spokesman Muriel Newman revealed that there were 27 escapes from the Northern Residential Centre between April 2001 and October 2002, 12 of which lasted longer than one week.
- In 2006, the residence was opened as a care and protection residence (Whakatakapokai). This was followed by the surrounding farmland of the site being sold to Housing New Zealand and the Ministry of Education.
- Waimahia Inlet development was subsequently developed by Tamaki Makaurau Community Housing, a partnership of not for profit

⁴² Report of C Polaschek, paragraph 51.

⁴³ Beca SIA, Section 5.1 Site History.

organisation including New Zealand Housing Foundation, CORT Community Housing, Ngā Mana Whenua o Tāmaki Makaurau-Tāmaki Collective and Auckland and Onehunga Hostel Endowment Trust, to provide affordable houses for first home buyers. The development was completed in 2017. As of 2016, Waimahia Inlet was New Zealand's largest third sector housing development.

- Since the new residence was opened in 2006 there have been no media articles published about escapes or issues at Whakatakāpokai in particular, and no specific media evidence of community concerns regarding its use for care and protection purposes from the community.

106. However, in response to a Council request for further information, the Minister advised⁴⁴ that, with regard to absconding, there were three instances in 2016 where an individual left the facility via a roof or due to human error by way of an open door. In 2017 one absconding resulted from an individual breaking out through a window. In 2018 and to date in 2019 the Minister reported in the information response supplied, that there had been no absconding from Whakatakāpokai.

107. In this same information request response, the Minister advises⁴⁵ that, with regard to Whakatakāpokai, there have been 11 collective disruptions since 2016. Three incidents occurred in 2016, five in 2017 and three in 2018 (with none to date in 2019). Ten involved Police attendance and one involved the fire service and resulted from a sprinkler being activated.

108. The AEE records that a meeting was held with the Community Liaison Committee (CLC) for Whakatakāpokai on 13 February 2019 to discuss the changes proposed to the designation to provide for part of the site to be used for care and protection placements and a separate part of the site for youth justice and certain adult jurisdiction placements and to seek feedback⁴⁶. The AEE records that the main matters raised at the meeting surrounding safety and security were:

- Concerns about absconding and other issues when the site was previously a Youth Justice residence.
- Concerns that young people would be able to leave the residence and go into the local area.
- Concerns about the raise in age of young people who could be placed at the Residence.
- The difference in relative security between the Korowai Manaaki Residence and the Weymouth Road Oranga Tamariki Residence was raised and a question was asked as to whether additional security would be put in place at Whakatakāpokai.

⁴⁴ Letter dated 15 March 2019 from Boffa Miskell to Barry Mosley, page 6.

⁴⁵ Letter dated 15 March 2019 from Boffa Miskell to Barry Mosley, page 5.

⁴⁶ See AEE, Section 10.3, page 41.

- The placement of children and young people at Whakatakapokai who were from 'out of town' and the issues that can arise with people visiting them from 'out of town'.
109. The AEE outlines that safety and security within Oranga Tamariki youth justice residences is achieved through a range of different components.⁴⁷ These are described in the AEE as follows:
- Placement decisions are based on a robust assessment of each child/young person's circumstances and profile and matching this to the right location.
 - A range of factors are considered in this assessment including whether remanded or sentenced; nature of offending; age, vulnerability. Importantly many of the children and young people placed for youth justice purposes are already known to Oranga Tamariki having had a care and protection status – this allows an accurate assessment to be made based on their behavioural history.
 - Oranga Tamariki operate secure residences (e.g. Korowai Manaaki) which are suited to children and young people with a higher risk profile; and community-based homes which are suited to low risk children and young people. This residence provides an opportunity to place and care for children and young people whose assessed needs show they are suitable for placement in this environment.
 - Close supervision:
 - High staff child/young person ratio. The minimum ratio for floor staff is 1 staff member per 3 children/young people and in practice the ratio is often higher where units are not full. This ratio does not include the other administrative, management, caretaking and specialist staff on site.
 - A line of site policy requires children and young people to always be within line of sight of a staff member.
 - Children and young people are always escorted when outside their secure accommodation (e.g. if accessing the classrooms, gym etc.).
 - Effective relationships and behaviour management. Staff work to achieve a relationship with children and young people that enables them to identify any warning signs and manage behaviour appropriately. The behaviour management system includes use of a tiered reward system to incentivise good behaviour.
 - Relevant programmes that may include structured education and vocational activities, intervention programmes, and tikanga

⁴⁷ See AEE, Section 7.5, pages 19-20.

programmes. This, together with the structured day they receive at a residence are key elements to establishing a safe and secure environment.

- Effective preparation for transitioning children and young people who will be leaving the residence. Oranga Tamariki access local community groups and programmes to provide interesting activities for the children and young people and establish a connection for them with the community to which they will return. These will vary but may include cultural groups, sports groups or a local chess club.
- Physical security features including secure doors and locks, high specification glazing, controlled entry and exit points, live CCTV monitoring, lockdown functionality (that permits doors/access points to be locked from a central location) and fencing. Oranga Tamariki will complete some additional security enhancements to this residence that are considered appropriate for the profile of children and young people that would be placed there, including upgrading the doors and locks to the same standard as other youth justice residences, increasing the specification of glazing, enhancing the live CCTV coverage and inserting bollards set back from the street front. The AEE states that no physical changes will impact the visual amenity of the residence.
- The use of designated secure rooms where children and young people can be placed when behaviour requires it (this is managed within strict legislative requirements and internal protocols).
- Effective incident management. Detailed emergency and security management plans are required at all sites that provide clear guidance for staff in relation to a range of potential events (such as fire or absconding).

110. Council commissioned security consultant Chris Polaschek to review the safety and security assessment provided by the Minister for Children in the assessment of effects for the alteration of designation for Whakatakapokai (refer Part C, **Attachment C2**).

111. Mr Polaschek in his report concludes in relation to the Minister's proposal that the likelihood of abscondings from Whakatakapokai is high, with the risk of such events being higher in the first year of operations⁴⁸.

112. While Mr Polaschek notes that evidence shows that the likelihood of an event occurring that causes harm to the local community is low, he also considers that an increase in the number of abscondings will increase the risk that this might happen. He further states in his conclusion that if any event that causes harm to a local community member occurs in the course of an absconding, the impact on the community is likely to be high.

113. In light of Mr Polaschek's conclusions, Mr Quigley's observation from a social impact perspective that safety and security are paramount, and the sensitive

⁴⁸ Report of C Polaschek, paragraph 51.

location of the facility, I consider that, to avoid, remedy and mitigate adverse effects on both the local neighbourhood, and wider community of Auckland, a number of conditions aimed at safety and security would be necessary.

114. I consider that conditions should be imposed on any approval of the alterations to the existing designation which at least require the following:
- a. Placement of low risk offenders only and not including any persons detained for, or convicted of, a violent or sexual offence (I comment further on this below);
 - b. Alteration of the geometric characteristics of the inner wire fences (both 3m and 5m) so that they are not readily scalable (for instance, through the addition of (but not limited to) an angled 'anti-climb' extension to the tops of fences);
 - c. Placement of bollards at the entry of the facility to prevent access to the car park by vehicles;
 - d. Repair and upgrade of the existing outer wooden fence, for instance to ensure that any rotten boards and missing boards are replaced;
 - e. Upgrading of windows to the latest Youth Justice standards;
 - f. Upgrading of locks to the latest Youth Justice standards;
 - g. Install lock down functionality allowing secure doors to be locked from the control room and preventing keys being used to exit secure areas;
 - h. Install interlock functionality as at other Youth Justice residences which will require internal doors to be secured before external doors can be opened (including as a minimum for all doors opening onto unfenced areas);
 - i. Comprehensive use of 24/7 CCTV which is managed and monitored on site at Whakatakapokai (not from Korowai Manaaki) and which includes but is not limited to complete coverage of areas immediately adjacent the internal wire/mesh fence and perimeter buildings;
 - j. Installation of a sally port at the site (i.e. a secure, controlled entryway) to ensure that any children or young people being admitted directly from Court to the site's secure unit cannot escape / abscond;
 - k. Audit and reporting on any abscondence with adaptive responses identified to prevent reoccurrence;
 - l. Quarterly audit of security and emergency management plans for the first 12 months;
 - m. Effective barriers that avoid escape over building roof tops;
 - n. Separate visitation areas isolated from residential areas;
 - o. Installation of appropriate security measures at the proposed care and protection hub to be located in the Wharenui.
115. To ensure that appropriate measures, as outlined above, are implemented, I propose that a detailed plan be provided to the Council for certification. I consider it is important that these additional security measures be designed and located to minimise visual and amenity effects on neighbours to the

greatest extent possible, and have incorporated this into the relevant condition (condition 13 in **Appendix B1**) as an objective.

116. At paragraph 114a above, I recommend placement of low risk offenders only at the site, and that any persons detained for, or convicted of, any violent or sexual offence be excluded. I have recommended a condition, proposed condition 2 in **Appendix B1** of this report, to address this. My recommendation requires further explanation, as I acknowledge that it is inconsistent with the Minister's preference, conveyed in Ellis Gould's letter dated 13 March 2019 (in response to Council's further information request) that⁴⁹:

From the perspective of Oranga Tamariki, it is important that there is no designation condition which seeks to specify the circumstances in which tamariki and rangatahi might reside at the proposed youth justice residence at Weymouth Rd. ...

117. Boffa Miskell's letter on behalf of the Minister dated 15 March 2019, also responding to the Council's further information request, states that⁵⁰:

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 Whakatakapokai being used for those with a lower risk profile.

118. While I acknowledge the Minister's preference and the reasons for it, in my opinion it is appropriate to impose some restrictions on placements at this facility, taking into account:
- a. The clear intention that the facility be used for those with a lower risk profile (as stated above);
 - b. The three factors listed at paragraph 103 above;
 - c. The social impact and security concerns raised in Mr Quigley's and Mr Polaschek's reports;
 - d. The concerns expressed by submitters (discussed further below); and
 - e. The importance of promoting the objectives of community health and safety through planning processes under the RMA (section 5 RMA).

⁴⁹ Letter from Ellis Gould, 13 March 2019, paragraph 9.

⁵⁰ Letter from Boffa Miskell, 15 March 2019, top of page 5.

119. My proposal focuses on offenders who are being detained or have been convicted of any violent or sexual offence.
120. While my recommendation may be seen as conservative, I consider that a more conservative and cautious approach is justified given the circumstances / factors described in paragraph 118 above.
121. Should the Court decide that my recommendation is too conservative, there may be some other mechanisms that could be explored, such as a condition requiring the Minister to actively seek the input of a CLC community / resident representative into any decision-making concerning violent offenders, **before** any decision is made and before the child/tamariki or young person/rangatahi in question is placed at the facility. The CLC could nominate one or more community / resident members of the CLC to act as delegate(s) for this purpose.
122. As matters stand, however, and acknowledging that I have not yet seen the Minister's evidence, my preference is that no violent or sexual offenders be accommodated at this site, and that such persons are placed at Korowai Manaaki.

RESPONSE TO SPECIFIC MATTERS RAISED IN SUBMISSIONS

123. The Council received 110 submissions in response to the NoR for Whakatakapokai. A table summarising the submissions is provided at **Appendix B2**. Apart from one resident, Puukaka ki te Aakitai and the Minister of Education, the remaining submissions are all in opposition, with virtually all those submitters requesting that the NoR be declined.
124. Many submitters query why a Youth Justice facility should be placed in a residential area when a purpose-built Youth Justice facility exists at Korowai Manaaki and all other Youth Justice facilities in New Zealand are either located in a rural or business zoned area. Many consider that their neighbourhood which already contains 3 prison facilities is becoming a "dumping ground" and also query why other Auckland neighbourhoods seem to be exempt from consideration for these types of facilities.
125. Most submitters express fear resulting from potential absconding from the facility. They fear that absconding (and visitation) from/to the facility will increase crime in their neighbourhood and increase risk to the community. Specifically, they fear long term anxiety and fear that they, the community, their children and the elderly will incur harm in the form of violence, sexual offending and property crime.
126. Many submitters identify the sensitive location of the area with families, childcare facilities and schools being located nearby. Submitters identify the lack of security at Whakatakapokai and point to how the area has become increasingly urbanised over time and how they fear that the NoR would

destroy their sense of place and residential amenity. Furthermore, they express concerns that if the Minister's NoR is confirmed that Whakatakapokai would likely develop further resulting in: a loss of privacy for neighbours from additional buildings; a loss of onsite green space buffers; and a loss of residential character and amenity as security features and buildings are added over time.

127. I believe that the concerns raised by submitters are legitimate. Whakatakapokai sits in a sensitive residential location and is currently a low security facility at best. The most critical element of the recommendation that I have put forward (and which if absent would materially change my recommendation with regard to the NoR) is that no person be placed in the facility (if it is to transition to a Youth Justice facility) who has been remanded for and/or convicted of any sexual or violent offence (refer proposed condition 2 in **Appendix B1**).
128. Beyond this I consider conditions which improve the security of the site, mitigate visual, transport, potential noise sources and adverse social effects appropriate if Whakatakapokai is to assume a Youth Justice function.

PART II RMA

129. I consider that, subject to the detailed conditions set out in **Appendix B1** being imposed, the NoR would be in accordance with Part II of the RMA.
130. Specifically, I consider that, with the conditions I have recommended, the NoR to alter the designation at Whakatakapokai to enable a Youth Justice facility would represent sustainable management by providing for use and development of natural and physical resources in a way which enabled people and communities to provide for their social, economic and cultural well-being and for their health and safety while avoiding, remedying, or mitigating any adverse effects of activities on the environment.
131. In preparing the draft conditions set out in **Appendix B1**, I have been particularly mindful of the social and community wellbeing / health and safety objectives of section 5 of the RMA, and also section 7(c) (maintenance and enhancement of amenity values) and section 7(f) (maintenance and enhancement of the quality of the environment). My conclusion that the proposal will achieve the purpose of the RMA is underpinned by the full suite of proposed conditions set out in **Appendix B1**.
132. In terms of other relevant Part II matters, I consider that the NoR represents an efficient use of natural and physical resources (section 7(b) RMA), as it makes efficient use of an existing resource/facility.

RECOMMENDED AMENDMENTS TO CONDITIONS

133. I have prepared a set of draft amended conditions for the designation, which I consider should be imposed if the Court confirms the NoR. These are set out at **Appendix B1** of this report and are tracked against the current conditions.
134. I have endeavoured to take in aspects of the Minister's proposed conditions, where appropriate. I have also included comment boxes to explain some of the changes, and assist the reader. These comments do not form part of the conditions.
135. I have already touched on several of the proposed conditions, however a brief overview is provided below under several subheadings. I do not repeat the detailed comments included in the comment boxes in **Appendix B1**.

Definitions

136. I suggest including definitions for a number of terms and abbreviations, which are used frequently in the conditions.

Conditions relating to placements (conditions 1 and 2)

137. Other than a condition allowing for an increase in the number of children/tamariki and young persons/rangatahi at the site from 20 to 30 (condition 1), I suggest a condition prohibiting the placement of anyone being held or who has been convicted of any violent offence or sexual offence (condition 2). I have discussed the reasons for this recommendation above.

Community Liaison Committee conditions (conditions 3 – 7)

138. I suggest strengthening the CLC conditions in a number of respects. Some of the changes ensure that mitigation recommended in the Minister's SIA is captured, while others are additional conditions suggested to ensure that the CLC operates effectively, meets with sufficient frequency (particularly during the 'bedding in' period), and has input into key matters such as security arrangements and the SIMP.
139. I have proposed a condition (condition 7) requiring the CLC and any subcommittee or Community Impact Forum established by the CLC to be adequately resourced by the Minister. The same condition also requires monthly reports to be provided by the Minister to the CLC concerning the status of all current placements at the site, and requires the Minister to take into account any recommendations from the CLC when making decisions.

Security conditions (condition 8 to 14)

140. I have already discussed the proposed security conditions in detail above. In light of Mr Polascheck's report, I consider these proposed conditions to be

essential, if the NoR is to be confirmed, to ensure section 5 RMA health and safety considerations are appropriately addressed.

Noise-related conditions (conditions 15A and 29)

141. I have already discussed the additional conditions recommended by Mr Styles to address two specific noise effects, being noisy behaviour (through the requirement for a Noise Management Plan) and noise from the use of the southern car parks (through a Parking Management Plan).

Landscaping conditions (condition 17)

142. There is an existing landscaping condition in the designation (condition 16 in **Appendix B1**). A number of submitters have raised the need for a landscaping strip along the boundary, a suggestion I agree with. I propose that an updated landscaping plan be lodged with the Council for certification, providing for a 2m wide landscaping strip, with two objectives: reducing the visual impact of additional security measures or physical changes required at the site, and filling any 'gaps' in current landscaping at the boundary of the site.

Conditions relating to future buildings / change in use of Wharenui (conditions 19 to 22)

143. The AEE clearly foreshadows the possibility of future buildings on the site. The Minister proposes a condition with a 12 metre set back for new buildings. A number of submitters suggest that no new buildings be allowed beyond the existing wire fences. While I consider that may be overly restrictive, I do agree that a more generous set back is justified to ensure that an appropriate level of residential amenity and privacy will be maintained. I recommend a 20m setback (condition 19). Some submitters seek a condition that there be no windows on future buildings facing dwellings, for privacy reasons. Again, I consider that may be unduly restrictive, and suggest instead a condition requiring glazing of any such windows to be translucent and to be to Youth Justice standard (condition 20).
144. Otherwise, the Minister's conditions do not provide for a security evaluation to be undertaken in the event that future buildings are proposed, or if the Wharenui is repurposed for youth justice purposes. I have proposed conditions (conditions 21 and 22) to enable an appropriate review of security measures to be undertaken in these circumstances.

Social Impact Management Plan conditions (conditions 23 and 24)

145. The Minister's proposed SIMP condition is fairly basic and, as worded, imposes no obligation to implement the SIMP.
146. I have suggested much more detailed SIMP conditions, including a requirement to implement mitigation measures identified in the SIMP. While the SIMP obligations are proposed to continue for a minimum period of 3

years initially, condition 24 puts in place a framework in terms of which the conditions may apply on an ongoing basis, and also may be 'reactivated' in the event of any change (e.g. a new building being proposed, or the Wharenui being repurposed). Condition 24 also makes it clear that any mitigation measures identified in the SIMP which are intended to be of a continuing nature, will have to be complied with on an ongoing basis.

Transport conditions (conditions 25 to 29)

147. I have already addressed the proposed transport conditions above, including the proposed Parking Management Plan condition, which is primarily intended to address noise impacts on neighbours.

Certification process (condition 30)

148. Finally, a number of conditions require plans to be 'certified' (rather than 'approved'). A condition is proposed to make it clear that if the Council refuses to certify a plan, the Minister must submit a revised plan or report for certification as soon as practicable.

CONCLUSION

149. The fundamental issue that the NoR by the Minister to establish a Youth Justice facility at Whakatakapokai raises relates to whether the health, safety and wellbeing of the immediate and wider Auckland community can be maintained. The health, safety and wellbeing of communities is a fundamental tenet of the RMA (section 5), which is also reflected in the AUP's RPS objectives and policies in particular.
150. Given the characteristics of the site at Whakatakapokai, and the surrounding sensitive residential land uses, and the inevitability of some abscondings from the facility once established, it is critical that robust mitigating conditions be put in place to ensure that the facility is low risk and maintains the residential character and amenity of the area.

PART B: APPENDICES

B1. Recommended Conditions

Proposed Conditions			Comments
Designation Schedule – Minister for Children			
Number	Purpose	Location	
3800	<u>Oranga Tamariki Residence</u> Care and protection residential centre – Upper North	398 Weymouth Road, Weymouth	
3800 Care and Protection Residential Centre			
Designation Number	3800		
Requiring Authority	Minister for Children		
Location	398 Weymouth Road, <u>Weymouth</u> Section 2 SO362124		
Rollover Designation	Yes		
Legacy Reference	Designation 283, Auckland Council District Plan (Manukau Section) 2002 <u>Designation 5900 in the Auckland Unitary Plan (Operative in Part)</u>		
Lapse Date	Given effect to (i.e. no lapse date)		

Purpose

Oranga Tamariki Residence

An Oranga Tamariki residence operated to fulfil the current and future obligations and duties of the Chief Executive of Oranga Tamariki for Children for care and protection, youth justice and certain adult jurisdiction or transitional reasons including for:

- (a) The placement of children/tamariki and young persons/rangatahi for the purpose of providing care (including secure care), protection, control, treatment and transitional services; and
- (b) Ancillary educational, recreational, rehabilitative administrative, visitor accommodation, cultural and transitional facilities; and
- (c) Activities consistent with and ancillary to the establishment, operation and maintenance of the residence, including buildings, fixed plant and service infrastructure, fencing, landscaping, earthworks, outdoor recreation areas, shared services, access and car parking.

~~Care and Protection Residential Centre — Upper North, being a residence in terms of section 364 of the Children, Young Persons, and Their Families Act 1989 for:~~

- ~~(a) The placement of up to 20 children and young persons for the purpose of providing care (including secure care), protection, control and treatment; and~~
- ~~(b) Ancillary educational, recreational, rehabilitative, administrative, visitor accommodation and cultural facilities; and~~
- ~~(c) Activities consistent with and ancillary to the establishment, operation and maintenance of the Care and Protection Residential Centre — Upper North, including buildings, fixed plant and service infrastructure, fencing, landscaping, earthworks, outdoor recreation areas, access and car parking.~~

Conditions

Definitions:

CLC: Community Liaison Committee

EMP: Emergency Management Plan

NMP: Noise Management Plan

PMP: Parking Management Plan

Regulations: the Oranga Tamariki (Residential Care) Regulations 1996

SIA: Social Impact Assessment

SIMP: Social Impact Management Plan

SMP: Security Management Plan

TMP: Travel Management Plan

Placements

1. That the Care and Protection Residential Centre - Upper North shall provide residential care for The placement of up to ~~20~~ 30 children/tamariki and young persons/rangatahi at any one time shall be permitted at the site.

2. There shall be no placement of children/tamariki or young people/rangatahi at the site who are either being detained / held on remand for, or who have at any time been convicted of, any violent offence or sexual offence of any kind.

Advice Note: Condition 2 reflects the requiring authority's intention that the facility should only accommodate children/tamariki and young persons/rangatahi with a lower risk profile.

Community Liaison Committee

3. A CLC Community Liaison Committee shall be convened established in accordance with regulations 34 to 36 of the Regulations (relating to the establishment, function and operation of CLCs) and in accordance with conditions 4 to 8 below. to assist in the promotion of a positive relationship between the Care and Protection

Comments on condition 2 and advice note: Proposed restrictions on placements respond to B Mosley's recommendation. Also, the s92 response from Boffa Miskell dated 15 March 2019 states (top of page 5) that the intent is that Whakatakapokai is only used for those with a lower risk profile. This advice note captures this.

Comment on CLC conditions generally: Council's proposed CLC conditions differ from the Minister's proposed

~~Residential Centre – Upper North and the local community. The Community Liaison Committee shall be kept informed of current and proposed programmes at the Care and Protection Residential Centre – Upper North and include two representatives of the local community.~~

4. The CLC shall enable opportunities for concerns and issues to be reported to and responded to by the requiring authority. Furthermore, and in addition to the functions specified in regulation 35 of the Regulations, the CLC's functions shall include reviewing, having input into, and making recommendations to the requiring authority concerning the following matters:

- a) Physical works proposed to the facility, particularly (but without limitation) where such physical works may impact on either the security or the overall appearance of the facility;
- b) Any proposal to remove the care and protection hub in the Wharenui from the site and repurpose that building for youth justice use(s);
- c) Safety and security arrangements at the facility generally, including:
 - i. the SMP and EMP required by condition 8 (as well as periodic reviews of those plans); and
 - ii. responses to emergencies or security incidents at the facility;
 - iii. any report prepared in accordance with conditions 14, 21 and 22;
- d) The development of the initial SIMP, and annual reviews of the SIMP, and implementation of the SIMP;
- e) The risk assessment methodology applied by the requiring authority for placements of children/tamariki or young people/rangatahi at the facility.

5. Meetings of the CLC shall be held at least 4 times a year, however:

- a) The CLC shall consider whether it is necessary to hold additional meetings, or establish a sub-committee or specific "Community Impact Forum", to consider and respond to issues raised by the local community in relation to any matter, including the matters in condition 4 above; and
- b) During the period from 1 June 2019 to 1 June 2021, unless the CLC decides otherwise, meetings of the CLC shall be held as a minimum every two months. The purpose of meetings convened during this period shall include (without limitation) discussion of any 'bedding in' issues, including any specific incidents or issues that have arisen operationally, and to provide a forum for the community and stakeholders to raise any issues of community interest or concern, and for the requiring authority to consider and identify actions to be taken in response to those issues.

conditions, addressing e.g. issues as to structure, and ensuring the SIA recommendations taken in.

Condition 4: Expands on CLC functions, taking in Minister's text in places (e.g. 4a) and c)), but Council's version proposes additional requirements.

Condition 4b): deals with the possibility signalled in the AEE at page 18 that the hub may be relocated.

Condition 4c)i): the CLC should have input into both the SMP and EMP, as recommended by C Polaschek. Similarly, the CLC should have input into any reports prepared under conditions 14, 21 and 22.

Condition 4d): This is recommended at 7.1.1 of the SIA.

Condition 4e): Given the residential environment, and the present lack of information concerning the risk assessment methodology, it is appropriate that there is transparency and CLC input.

Condition 5a): The SIA suggested a CIF, however this was not explicitly provided for in Minister's conditions. Addressed by Council's proposed wording.

Condition 5b): This reflects the two year period in the Minister's conditions. Council team suggests more frequent meetings in this period to address bedding in issues.

6. In addition to the membership requirements specified in regulation 34(2) of the Regulations and the existing members of the established CLC as at **[date the NOR is confirmed]**, invitations shall be sent to immediate neighbours of the facility, Waimahia Intermediate School, and a representative of the Ministry of Education (to represent other schools in the area) to join the CLC.

7. The requiring authority shall:

- a) Take into account the recommendations of the CLC when making decisions;
- b) Ensure that the CLC, and any subcommittee or Community Impact Forum established pursuant to condition 5a), is adequately resourced to enable it to carry out its functions and to ensure effective community participation, including (without limitation) ensuring that the CLC has direct access to independent advice from a suitably qualified and experienced social impact assessment expert to enable the CLC to participate effectively in the SIMP process established by conditions 23 and 24; and
- c) Ensure that monthly reports are provided promptly to the CLC setting out full details of all current placements at the facility (including the reason for each placement/details of charge(s)) and the outcome of the risk assessment for each child/tamariki or young person/rangatahi.

Security

~~3-8. A SMP and EMP for the facility for the Care and Protection Residential Centre – Upper North shall be formulated and implemented in consultation with key stakeholders including the Council, the NZ Police and relevant emergency services and the CLC Community Liaison Committee Children, Young Persons, and Their Families.~~

9. The requiring authority shall complete a review of both the SMP and EMP prior to commencement of any youth justice use of the site. During the 12 month period following completion of that review, the requiring authority shall review the SMP and EMP for the site every three months. Otherwise, the SMP and EMP shall be reviewed at intervals of not more than 6 months as required by regulations 32 and 33 of the Regulations.

Condition 6: Specific reference to Waimahia Intermediate added, as this is the closest school.

Condition 7a): Responds to C Polaschek's comments concerning strengthening the role of the CLC, and increasing the obligation on OT to give effect to recommendations by the CLC.

Condition 7b): It is important that the CLC, and any subcommittee or CIF, is adequately resourced by the Minister so that it can function as intended, particularly given reliance on CLC (and SIMP) processes to address social effects. Responds to R Quigley's report.

Condition 7c): Some submitters have raised a concern about a lack of clarity about who may be accommodated. Council team recommends monthly 'status reports' to ensure community is aware of placements, reasons for placements, and the assessed risk.

Condition 8: Reference to the EMP added, given C Polaschek's comment that there is a clear relationship between the SMP and EMP.

Condition 9: During the initial period of 12 months, reviews should be more frequent. An initial review should also be completed, with CLC input, prior to implementing the change to youth justice.

10. All visitor areas shall be separated from the residential areas within the facility.

11. In the event of any security-related emergency or escape / abscondence from the facility, the requiring authority shall ensure that, as a minimum, the following requirements are met:

- a) Notification of those persons included on the notification list required by condition 11(d) shall commence immediately upon the control room being notified of such an event;
- b) A 24 hour hotline shall be provided for the community to ask questions during incidents, report concerns and/or provide information to the residence;
- c) All persons on the notification list are to be provided with the number of the hotline.
- d) The notification list and those persons provided with the hotline number will be determined by the CLC and updated, as necessary, from time to time.

12. Prior to commencement of any youth justice use of the site, and subject to condition 13, the following additional security measures shall be implemented at the site:

- a) Upgrade the existing 3m and 5m wire fences on the site to reduce the risk of children/tamariki or young people/rangatahi scaling them (for instance, through the addition of an angled 'anti-climb' extension to the tops of fences);
- b) Introduce effective barriers or other 'anti-climb' measures to minimise the risk of escape over building roof tops;
- c) Install low profile bollards set back from the street frontage to prevent vehicular access into the facility/carpark other than through the barrier arm;
- d) Upgrade all glazing, doors and locks in all areas where children/tamariki or young people/rangatahi have access to the latest standard used at Youth Justice residences;
- e) Install lock down functionality allowing secure doors to be locked from the control room and preventing keys being used to exit secure areas;
- f) Install interlock functionality as at other Youth Justice residences which will require internal doors to be secured before external doors can be opened (including as a minimum for all doors opening onto unfenced areas);
- g) Upgrade/repair the existing perimeter wooden fence as necessary to provide a continuous fence at the boundary;
- h) Install additional CCTV at the site, monitored on-site at the facility on a 24 hour basis, so as to ensure comprehensive CCTV coverage of the site, including the entire perimeter of the site;
- i) A sally port shall be installed at the site to ensure that any children or young people being admitted directly from Court to the site's secure unit cannot escape / abscond;

Condition 10: C Polaschek has identified a security risk in this regard, and it is considered appropriate that these areas be separated.

Condition 11: Refer to C Polaschek's report for discussion of these measures.

Condition 12: These security measures capture specific measures proposed in the AEE, together with some additional measures recommended by C Polaschek.

Conditions 12a) and b): Respond to C Polaschek's comments concerning upgrades, e.g. at para 50.

Condition 12h): The Minister had proposed monitoring from Korowai Manaaki. For reasons stated in C Polaschek's report (para 70), this function should occur on site at Whakatakapokai.

Condition 12i): C Polaschek recommends installation of a sally port, paras 55 and 129.

j) Appropriate security measures shall be installed at the proposed care and protection hub to be located in the Wharenui.

13. Prior to the additional security measures required by condition 12 being installed and implemented, the requiring authority shall lodge with the Council a detailed plan providing full details of the proposed measures for certification by the Council that the proposed measures will meet the requirements and objectives specified in condition 12 above and in this condition. In addition to the requirements / objectives specified in condition 12, all additional security measures shall be designed and located to minimise visual and amenity effects for neighbours to the greatest possible extent. The requiring authority shall implement the measures in accordance with the certified plan.

14. Immediately following any security-related emergency or escape / abscondence from the site, a detailed security review shall be undertaken and a report prepared by a suitably qualified and experienced security specialist to identify the circumstances of the event and any further mitigation or security measures which need to be undertaken in response. The report shall be provided to the CLC and the Council for input as soon as practicable following the event. The requiring authority shall promptly implement any recommended mitigation or security measures (taking into account any input / recommendations made by the CLC or the Council).

Noise

4.15A. Activities (other than construction) on the site shall be so conducted as to ensure that noise from the site shall not exceed the following noise limits at any point within the boundary of any neighbouring residential site:

<u>Time</u>	<u>Noise Level</u>
<u>Monday to Saturday 7am – 10pm</u>	<u>50 dB LAeq</u>
<u>Sunday 9am – 6pm</u>	
<u>All Other Times</u>	<u>46dB LAeq</u> <u>75 dB LAFmax</u>

Condition 13: Council team recommends that a plan be submitted for certification prior to youth justice uses commencing.

Condition 14: This condition puts in place what is in essence an adaptive management regime for security.

Monday to Sunday (inclusive)	
7am to 10pm	L 10-55 dBA
10pm to 7am	L 10-45 dBA
10pm to 7am	Lmax 75 dBA

Noise (other than construction noise) shall be measured ~~and assessed~~ in accordance with ~~the requirements of the New Zealand Standard~~ NZS6801:2008 "Acoustic Measurement of Environmental Sound" and assessed in accordance with NZS 6802:2008 "Acoustics – Environmental Noise".

15B. The requiring authority shall prepare and submit to the Council a NMP for the site. The objective of the NMP is to ensure that noise generated outdoors and at night is minimised as far as practicable. The NMP shall set out procedures for:

- a) The minimisation of noise from children and young persons undertaking activities outdoors, and procedures for dealing with unnecessarily noisy behaviour or activities;
- b) The minimisation of noise from all activities occurring between 10pm and 7am that may be audible beyond the site boundaries, including curfews;
- c) Making all staff aware of the need to take all practicable steps to minimise noise effects on the neighbours of the facility;
- d) Ensuring that staff are aware of the need to minimise their own noise, particularly during shift changes at night; and
- e) Regular maintenance of any noise-generating plant or machinery on the site that is audible beyond the boundaries of the site to minimise the noise emissions.

The NMP shall be submitted to the Council for certification by 1 July 2019, and shall be implemented and complied with thereafter, as certified.

Landscaping

5-16. The site shall be landscaped generally in accordance with the landscape concept plan prepared by Opus International Consultants marked AC116.00 (September 2002) contained within Appendix B of the Notice of Requirement (2002). All planting associated with this landscape concept shall be maintained regularly and kept in a tidy condition.

Condition 15B: J Styles recommends this condition to address noise management of children/young persons.

17. An updated landscaping plan shall be lodged with the Council for certification, contemporaneously with the plan required by condition 13, providing for a 2 metre wide landscape strip along the wooden fence line at the site boundaries, in order to:

- a) Reduce the visual impact of additional security measures or physical changes required at the site; and
- b) Fill any 'gaps' in current landscaping at the boundary of the site.

The certified updated landscaping plan shall be implemented as soon as possible following certification. All additional planting associated with this updated landscaping plan shall similarly be maintained regularly and kept in a tidy condition.

Lighting

6-18. The lighting on site shall be sufficient for operational and security purposes and shall be designed to prevent the intrusion of direct light into neighbouring properties.

Future buildings / change in use of Wharenui

19. Any new buildings or building extensions shall not exceed 8m in height or project beyond a 45-degree recession plane measured from a point 2.5m vertically above ground level along the side and rear boundaries, and shall be set back from all side, rear and front boundaries by at least 20 metres.

20. Any windows facing side or rear boundaries shall be glazed with translucent glass to maintain the privacy of residential neighbours.

21. When submitting an outline plan to the Council under section 176A of the Resource Management Act 1991 for any new buildings on the site, the requiring authority shall contemporaneously lodge a detailed security report with the Council, prepared by a suitably qualified and experienced security specialist, for assessment by the Council in conjunction with the outline plan. The security report shall provide full details of all security measures to be implemented in conjunction with the proposed work, including any consequential amendments required to existing security measures.

22. Prior to any change in use of the Wharenui from care and protection to youth justice, the requiring authority shall engage a suitably qualified and experienced security specialist to prepare a detailed security report, providing full details of all security measures to be implemented in conjunction with the proposed change, including any consequential amendments required to existing security measures. The security report shall be

Condition 17: A number of submitters raise the need for a landscaping strip along the boundary. B Mosley recommends a 2m wide strip be provided and maintained.

Condition 19: The requiring authority proposes 12m. Barry Mosley considers this provides an inadequate 'buffer' given the residential environment, and proposes at least a 20m set back for future buildings.

Condition 20: A number of submitters raise concerns about windows in future buildings facing dwellings. Rather a complete prohibition on windows, Barry Mosley proposes a requirement that translucent glass be used.

Condition 21: A fresh security evaluation will be required for any future buildings.

Condition 22: Similarly, if the care and protection hub is relocated and the Wharenui is repurposed for youth justice, a security evaluation will be required.

lodged with the Council for certification that the security measures proposed in the report will maintain an adequate level of security at the facility. The requiring authority shall implement the certified report.

Social Impact Management Plan

23. A suitably qualified independent SIA specialist (whose appointment shall be agreed by the Council and CLC) shall be engaged by the requiring authority to prepare a SIMP. The following conditions shall apply to the preparation, implementation and review of the SIMP:

- a) The initial SIMP shall be prepared prior to 1 July 2019 by the independent SIA specialist with the participation and input of the requiring authority and the CLC.
- b) The purposes of the SIMP are as follows:
 - i. to provide a framework to identify, assess, monitor, manage, and re-assess the social effects (positive and negative) of the facility on neighbours, the Weymouth community and other stakeholders. This shall include, without limitation, any social effects which may arise from the release of young offenders;
 - ii. to set out the requiring authority's commitments to avoid, remedy or mitigate any adverse social impacts on neighbours, the Weymouth community and other stakeholders during construction and operation of the residence; and
 - iii. to identify the measures to be undertaken to avoid, remedy or mitigate any potential adverse social impacts on neighbours, the community, and other stakeholders arising from the facility.
- c) The SIMP will be based on best practice guidelines and procedures for social impact assessment and shall include:
 - i. A SIA, which shall be undertaken by the independent SIA specialist, to provide a baseline of potential effects; and
 - ii. An annual report on the identification, monitoring, evaluation and management of the effects outlined in the SIMP.
- d) The SIMP shall be reviewed by an independent SIA specialist:
 - i. At any time in the 12 month period from 1 July 2019 to 30 June 2020, if the requiring authority and CLC decide this is necessary; or
 - ii. Otherwise, annually with the participation and input of the requiring authority and CLC.
- e) Both the initial SIMP and subsequent annual reviews will be made publicly available through the requiring authority's website and by any other suitable means, and shall be forwarded to the Council and the CLC.
- f) The SIMP, including any measures identified in the SIMP to avoid, remedy or mitigate any adverse social impacts on neighbours, the Weymouth community, and other stakeholders shall be implemented within the timeframe(s) identified in the SIMP, or (in the absence of any specific timeframe) as soon as reasonably practicable.

Conditions 23 and 24: R Quigley notes in his report that the SIA recommendations in relation to mitigation haven't been carried through into the recommended conditions. A much more detailed framework is proposed by the Council team for the SIMP process. CLC input into the process is required.

Condition 23b)i): The second sentence responds to R Quigley's identification of a potential social, not explored in the March 2019 SIA, relating to the release of offenders into the local area who are not from the area.

Condition 23d)i): Provision is made for more regular reviews of the SIMP during the initial 12 month 'bedding in' period.

Condition 23e): Council team considers the SIMP should be made available, to ensure transparency.

Condition 23f): The Minister's condition did not expressly deal with implementation of the SIMP – this condition addresses that.

24. The obligations in condition 23 above shall continue until the later of 30 June 2022 or the date on which any measures identified in the SIMP to avoid, remedy or mitigate any adverse social impacts on neighbours, the Weymouth community, and other stakeholders have been fully implemented, subject always to the following:

- a) The obligations in condition 23 may continue to apply on an ongoing basis or for a fixed period, if the requiring authority and CLC jointly agree that is appropriate;
- b) In the event of any new building being proposed and/or the Wharenui being proposed to be repurposed for youth justice use(s), then (unless the CLC agrees that this is unnecessary), the requiring authority shall update the SIMP and all the requirements of condition 23 shall apply;
- c) Any measures implemented in accordance with the SIMP which are intended to be of continuing effect/remain in place, shall be maintained and continue to be complied with by the requiring authority.

Transport

25. Provide a safe and direct connection between the main entrance and Weymouth Road for those who walk, cycle and use public transport.

26. On-site car parking shall be provided at the rate of 0.8 car park spaces per full time equivalent staff expected on site at any one time (including ground staff change over periods). Additional car parking shall also be provided at a rate of one car park space per visitor/whanau room provided for on-site for family/whanau or professional visits.

27. Secure cycle parking spaces shall be provided at the rate of one cycle space per 15 full time equivalent staff expected on site at any time (including ground staff change over periods).

28. A staff TMP shall be prepared and lodged with the Council for certification by 1 July 2019. The TMP shall generally follow the 'Workplace Travel Plan Guidelines' (NZTA 2011). The objective of the TMP is to encourage staff to use alternative transport modes (walking, cycling and public transport) for commuting to and from the site. The TMP shall include provisions requiring regular monitoring of the performance of the TMP. The TMP shall be implemented and regularly monitored, as certified.

29. A PMP shall be prepared for the site and lodged with the Council for certification by 1 July 2019. The objective of the PMP is to manage the use of parking areas located immediately adjacent to the residential boundary during the hours of 7pm and 7am to minimise noise and amenity impacts on neighbours. The PMP shall be implemented, as certified.

Certification process

30. Should the Council refuse to certify any plan or report required to be certified by these conditions, the requiring authority shall submit a revised plan or report for certification as soon as practicable.

Condition 24: It is suggested that the SIMP obligations apply for at least 3 years, with provision made for the obligations to continue, and for the obligations to be 're-engaged' in the event of future changes. Also, any measures intended to be of continuing effect should be maintained.

Conditions 25-28: These respond to the recommendations in T Church's report on transport.

Condition 29: This is proposed in T Church's report on transport, however it is primarily recommended to address noise effects on neighbours. Refer to report of J Styles for discussion.

Condition 30: A process condition to make it clear what should happen in the event that the Council refuses to certify any plan pursuant to these conditions.

B2. Table Summarising Submissions

Sub #	Submitter Name	Oppose/Support	Wish to be heard	Summary of Key Issues	Relief Sought	Submitter Address
1	TeRata Boldy	Support	Did not state (subsequently confirmed wishes to be heard)	Complete support for both NoRs (submission relates to Korowai Manaaki NoR also).	Approve both NoRs	16 Palmers Road Clendon Park Auckland 2103
2	Sarah Catherine Sionepeni	Oppose	No	Older kids will increase risk.	Decline	81 Kaimoana Street Weymouth Auckland 2103
3	Puukaki ki te Aakitai	Support	Yes	Will provide better care for tamariki and rangatahi.	Approve	87/17b Pukaki Rd Mangere Mangere Manukau 2022
4	Rangi McLean	Oppose	Yes	Submitter objects to the name of the residence because of the raise in age policy. The submitter believes that the full department name "Oranga Tamariki Whakatakapokai", and the use of the word "tamariki" (children) in particular, is not a true representation of who will be accepted into the residence. Youth aged 17, 18 and 19 are not described as tamariki to Māori, so the name is incorrect to the submitter.	The name 'Oranga Tamariki Whakatakapokai' displayed at the entrance of the building should be removed because, to Māori, it is incorrect to portray the facility as a childrens residence when in fact 17, 18 and 19 year olds will reside there as well.	54 Blanes Road Weymouth Auckland 2103
5	Ashley Ward	Oppose	No	Too close to residential property.	Decline and expand Korowai Manaaki	Weymouth Auckland 2103
6	Tracey Alenepi	Oppose	Yes	Violent offenders will be a risk to family safety.	Decline and explore alternative locations like Korowai Manaaki	14 Taiaapure Street Weymouth Auckland 2103
7	Adam Steve Whitefield	Oppose	No	Too close to young families, should be in an industrial or urban area.	Decline	Weymouth Auckland 2103

8	Kelvin	Oppose	No	Concern about escapes and risk to community. Should be in an industrial or business area.	Move operation to a business or industrial area	Weymouth Auckland 2103
9	Elaine Betonio	Oppose	Yes	Too close to young families, concern regarding effect on house prices, will increase crime, and will damage the sense of place.	Locate to an area away from residential activity.	41 Becker Dr Weymouth Auckland 2103
10	Gestalt play therapy	Oppose	No	Would be a danger to young children especially if sexual offenders are located at the facility.	Decline	Weymouth Auckland 2103
11	Rockford Betonio	Oppose	Yes	Threat to family and community in terms of personal safety.	Reloacte to a location 15-20km away from any residential area.	41 Becker Dr. Weymouth Auckland 2103
12	Lisa-Matee Takuira	Oppose	No	Threat to family and community from undesirable persons visiting the area and adverse effect on propert values.	Relocate the facility to a non residential area.	10 Kohi Kai Place Weymouth Auckland 2102
13	Tracey Reneti	Oppose	Yes	Should be in a non residential area due to the possibility of escapes and risk to the safety of the community and children and property. Concerned also about effects on property values.	Decline	10 Kohi Kai Place Weymouth Auckland 2102
14	Jojo Badenas	Oppose	No	The proposal is inappropriate as the area is full of families with small children. It is also in the same street as Weymouth Primary School and a Choice kids childcare which is just few steps away.	Decline	424 Weymouth Rd Weymouth Auckland 2103
15	Shona Ann McCarthy	Oppose	No	The facility is not secure enough to be a Youth Justice facility. Would need additional features added to be a Youth Justice facility.	Retain as a child care facility.	Manurewa 2102
16	Mersha Shepherd	Oppose	No	Potential escapes and visitation pose a safety risk for the community. Devaluation of properties. Community is already targeted for crime.	Decline. Build a new facility at Remuera.	20 Taiaapure Street Weymouth Auckland 2103
17	Sheree Jackson	Oppose	No	Concerns around safety and the creation of a negative environment for the children of the local community.	Decline	N/A

18	Lucia Cha	Oppose	Yes	Inappropriate in a residential high density area with families. A rural or business setting is more appropriate.	Decline	26 Kaimoana Street Weymouth Auckland 2103
19	Ana Hall	Oppose	Yes	Concern for community safety and whether the facility is fit for purpose and also incompatible nearby land uses such as residential areas, schools, shopping areas and childhood centres.	Explore other alternatives.	34 Tutuwhatu Crescent Weymouth Auckland 2103
20	Rio Tangata	Oppose	No	Concern about after hours noise, the attraction of more burglaries and community safety in an area already experiencing many crimes.	Unsure.	40 Tutuwhatu Cres Manurewa Auckland 2103
21	Dumith Mudannayake	Oppose	No	High residential area. Facility will make area worse.	Decline	32 Kuurae crescent Weymouth Auckland 2103
22	Waimahia	Oppose	Yes	The proposal is not safe for the children and elderly of the community.	Decline	63 kaimoana st Weymouth Manurewa 2103
23	kalpana Kirti naidu	Oppose	No	Noise and safety concerns for children. Should be away from a residential area.	Decline	24 Tutuwhatu crescent Weymouth Auckland 2103
24	Surangie Weerasinghe	Oppose	No	Will hinder the peaceful environment in the community and the area.	Decline	32 Kuurae Crescent Weymouth Auckland 2103
25	Virginia La Madrid	Oppose	No	Concerns for community safety. There are enough correctional facilities in the area. Promote facilities in the community which bring people together rather than those that represent a danger and engender fear.	Decline. Consider alternative options.	36 Ipukarea St Weynouth Auckland 2103

26	Ayla Hoeta	Oppose	Yes	Opposes the proposal being in a residential area. Concerns that the area is seen to readily as the place to locate prisons. Concerns about escapes and the effects on noise, safety and property.	Decline and use the location for a positive community space, a recreational facility / cultural space and for the community to share for events	24 Ipukarea Street Weymouth Auckland 2103
27	Li Li	Oppose	Yes	Not appropriate in a residential area that has expanded over time. Too many prisons in the area. Escapes and visitors to the site will create safety concerns and anxiety for families. Security measures will be incompatible with residential amenity. Feelings of threat from escapes and concerns about additional crime. More carpark noise. Concern that additional building will adversely affect amenity in the area and in regard to adjoining properties. Reduced property values.	That the Notice of Requirement be rejected in its entirety. • That if the Notice of Requirement is confirmed the following conditions are imposed - That no youth justice placements are accommodated on the site. - That the exterior fence to the property be added with a new close boarded acoustic fence together with at least 1.8m of tree landscaping along the fence line. - That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas be maintained. - That any new buildings do not contain windows that face towards neighbouring residential properties. - That the maximum number of people accommodated on the site be limited to 25.	75 Kaimoana St Weymouth Auckland 2103
28	Antoinette Hokai	Oppose	Yes	Concerns for family and community safety.	Decline	53 Ipukarea Street Weymouth Auckland 2103
29	Daniel Shepherd	Oppose	No	Safety concerns for family and community from escapes and visitation. Adverse effects on amenity. Social impacts of stress and anxiety for residents.	Decline	20 Taiaapure st Weymouth Auckland 2103
30	Carmela Mendez	Oppose	Yes	Concerns for safety and security.	Decline. Relocate the facility to another area.	9 Hitori Street Weymouth Auckland 2103

31	Mabel Matautia	Oppose	Yes	Concerns for safety and security. Incompatible with surrounding land use such as Weymouth Primary.	Decline. Consider alternative locations.	9 Apa Street Weymouth Auckland 2103
32	Kenneth Allan Ford	Oppose	Yes	Concerns wrong people will be put in an unsecure facility.	Ensure secure places for older offenders.	18 Joshua Place Weymouth Manurewa 2103
33	Waimahia Inlet Residents Community Group	Oppose	No	Too close to a residential area. Concerns for safety, security, crime, community anxiety and image and sense of place.	Decline	79 Kaimoana Street Weymouth Auckland 2103
34	Lana Johnson	Oppose	No	There are enough justice facilities in the area. Concerns about crime, personal and community safety, risk for childcare centres, noise at change of shifts, effects on property values, risk from visitation to the neighbourhood, anxiety for the community from possible escapes, and risk of mixing different aged youth offenders.	Decline	71 Kaimoana Street Weymouth Auckland 2103
35	Waimahia Inlet Community	Oppose	Yes	Not compatible with family life, does not create a positive world view for children in the community. Will derail positive initiatives in the community.	Decline	Weymouth Auckland 2103

36	Richel Shahil Sen	Oppose	Yes	Safety concerns, notes already 3 prisons in Manurewa, declining house prices, lack of clarity as to who will be residing at the facility, noise and concern regarding rising crime rate.	That the Notice of Requirement be rejected in its entirety. That if the Notice of Requirement is confirmed I seek the following conditions That no youth justice placements are accommodated on the site. That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas be maintained. That any new buildings do not contain windows that face towards neighbouring residential properties. - That the maximum number of people accommodated on the site be limited to ??.	32 Tutuwhatu Crescent Weymouth Auckland 2103
37	Jacqueline Davis	Oppose	Yes	Not appropriate in a residential area near a school, not a secure place, will cause anxiety in the community.	Decline. No Youth Justice placements at the locality.	58 Waimai Avenue Weymouth Manukau 2103
38	Don Gardiyel Hewa Rupasinghe Arachchige Sewwandi Nisansala	Oppose	Yes	Decrease in value of property in the area. Concern for family security. Adverse effects on amenity. Weymouth has enough correction facilities. Safety for young children. We dont want to live close to a prison (300m) away. Waimahia Inlet Community already deals with a high level of crime including theft & vehicle breaking. Fearful.	Decline, expand Wiri.	12 Kuparu Street Weymouth Manukau 2103
39	Niluka Pathirathna	Oppose	Yes	Decrease in value of property in the area. Concern for family security. Adverse effects on amenity. Weymouth has enough correction facilities. Safety for young children. We dont want to live close to a prison (300m) away. Waimahia Inlet Community already deals with a high level of crime including theft & vehicle breaking. Fearful.	Decline, combine with Wiri.	12 Kuparu Street Weymouth Manukau 2103

40	Mahesh Khupse	Oppose	Yes	<p>Absconding presents risk to family. Fear and anxiety also about visitors to the site. Adverse effects on neighbourhood amenity. Youth Justice placements should go to Korowai. Ongoing noise problems. Physical features out of character with a residential area. The potential to add buildings will adversely effect adjoining properties. Adverse social effects. The CLC is established for too short a period as the effects will be ongoing. Fails the objectives and policies of the Auckland Unitary Plan. This is contrary to the B2.3.1.(3) which requires the health and safety of people and communities to be promoted. - The proposal is not consistent with the objectives and policies in B2.8 Social facilities as it fails to address the effects of facility on the adjoining residential neighbourhood. - The proposal is not consistent with the objectives and policies of Mixed Housing Suburban Zone particularly those that provide for residential amenity (H4.2(3)) and those requiring non-residential activities to be compatible with the scale and intensity of development anticipated in the zone (H4.2(4)). The proposal is not necessary to meet the objectives of the Minister because the location of the site is not suitable for youth justice placements given the close proximity of residential development. -It does not promote the sustainable management of resources in accordance with the Resource Management Act 1991 ("RMA") or otherwise achieve its purpose; - It is not consistent with</p>	<p>That the Notice of Requirement be rejected in its entirety. - That if the Notice of Requirement is confirmed I seek the following conditions - That no youth justice placements are accommodated on the site. - That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. - That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas be maintained. - That any new buildings do not contain windows that face towards neighboring residential properties. - That the maximum number of people accommodated on the site be limited to 20.</p>	30 Tutuwhatu Crescent Weymouth Auckland 2103
41	Raewyn Sylvia Bell	Oppose	Yes	<p>Concern that proposal will result in a large number of absconding as occurred in the past when Whakatakapokai was used for Youth Justice placements in the 80s and 90s. Notes that the community lived in fear. Not suited to a residential area near schools. Site only suited to child care.</p>	Submission	58 Waimai Avenue Weymouth Manukau 2103

42	Casey Maringirangi Lauina	Oppose	Yes	Should be in a rural or business area. Concern for personal safety and safety of children. Inadequate fencing. Will increase an already high crime rate in the area. House prices and values will decline.	Reject in its entirety OR That if the Notice of Requirement is confirmed I seek the following conditions - That no youth justice placements are accommodated on the site. - That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. - That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas be maintained. - That any new buildings do not contain windows that face towards neighbouring residential properties. - That the maximum number of people accommodated on the site be limited to 15	18 Taiaapure Street Manurewa Manukau 2103
----	------------------------------	--------	-----	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------

43	Weymouth Residents and Ratepayers Association, Dene Andre, Dr Alageswary Vasanthi Andre, Fred Buck	Oppose	Yes	<p>Opposed due to adverse effects (traffic, lighting, noise, construction, open space and visual amenity, declining property values). Risk of absconding (trespass, theft, assault, stabbings, murder, sexual assault, vandalism and driving offences). Beach of a sunset clause that Youth Justice services not be located ever again at Whakatakopokai. Residential development has proceeded on the basis that Youth Justice services would not resume at Whakatakopokai. A Youth Justice facility is an inefficient use of land at Whakatakopokai given the development pattern of the wider area. Inadequate consultation. Proposal will have moderate to high social impact and mitigation is inadequate. Will not improve liveability in the area. Proposal is contrary to Auckland Plan and Unitary Plan. Proposal does not adequately consider resourcing in the system and community risk. Additional security measures not compatible with residential amenity. Community Liaison Committee (CLC) is to be established for too short a period and lacks power.</p>	<p>Reject in its entirety. If confirmed seek conditions: A. Sunset clause. B. No youth justice placements are accommodated on the site. C. Whakatakopokai continues to separate out Youth Justice from Care and Protection Services due to the significantly different client groups and their complex needs. D. Limit age of residents to maximum of 15 years old. E. Residents accommodated be limited to safe, non-criminal backgrounds. F. Alternative facilities be located at an expanded Korowai Manaaki. The expanded care and protection facility shall be purpose-built to meet the welfare, education and health needs currently proposed for Whakatakopokai. G. Replace exterior with new close-boarded acoustic fence and at least 1.5m of tree landscaping along the fence line. H. No new buildings outside existing security fence, existing buffer areas be maintained. I. Any new buildings do not contain windows facing towards neighbouring residential properties. J. Limit maximum number of people to 20 (as currently agreed with the community).</p>	<p>PO Box 88-113 Clendon Town Manurewa West 2242 Weymouth , Auckland 2103</p>
44	Kristin Henare	Oppose	No	<p>Risks and opportunities not outlined for facility residents or community.</p>	<p>I would like for the Whakatakopokai to share to us the residents their policies and procedures for this space in regards to the alterations for both the young people in care and in Youth Justice. I would like to view their Risk Management plan regarding in the likelihood if youths were to escape from these premises. I would like to know 'why' these changes are coming into effect and the purpose that it serves. I would like to know if council has the mandate to change the residence to a place held for Youth Justice</p>	<p>61 Becker Drive Weymouth Auckland 2103</p>

45	Scott Douglas	Oppose	Yes	Concerns regarding safety and location of the proposal.	Retain the facility as a child care and protection facility.	51 Becker Drive Weymouth Auckland 2103
46	Lynette Douglas	Oppose	Yes	Concerns for the safety of the community and location of the proposal.	Retain the facility as a child care and protection facility. Do not increase the number and age of residents at the facility.	51 Becker Drive Weymouth Auckland 2103
47	Fong Yin Chin	Oppose	Yes	Security concerns for the community in general. Security concerns for the children living in the Waimahia inlet. Defeats the purpose of the Waimahia inlet to provide housing for families in a safe environment. There is no clarity as to how Whakatakopokai will be used if the designation is altered. Maurewa is becoming saturated with prison facilities. The Ministry (Oranga Tamariki) are diverging from undertakings that Youth Justice facilities will be located in isolated areas away from residential areas. Concerns regarding noise. Concerns regarding visibility of the facility and how it will brand the area, Proposal will undermine efforts to make Weymouth beach a destination. The site containing Whakatakopokai would be better used in a way that supported communities and families or for additional housing in the area given its residential zoning.	Decline	104 Kaimoana Street Weymouth Auckland 2103

48	Jonathan Chan	Oppose	Yes	Security concerns for the community in general. Security concerns for the children living in the Waimahia inlet. Defeats the purpose of the Waimahia inlet to provide housing for families in a safe environment. There is no clarity as to how Whakatakakopai will be used if the designation is altered. Maurewa is becoming saturated with prison facilities. The Ministry (Oranga Tamariki) are diverging from undertakings that Youth Justice facilities will be located in isolated areas away from residential areas. Concerns regarding noise. Concerns regarding visibility of the facility and how it will brand the area, Proposal will undermine efforts to make Weymouth beach a destination. The site containing Whakatakakopai would be better used in a way that supported communities and families or for additional housing in the area given its residential zoning.	Decline	105 Kaimoana Street Weymouth Auckland 2103
49	Ruth Helen Clark	Oppose	Yes	Not appropriate in a residential area. Concerns around: personal safety, security at the facility, safety of woman and children, residential amenity, impacts on property values, escapes and consequential violence and property crime, noise, and long term stress and anxiety.	Decline. Changes be made in another location, away from residential areas, or no youth justice placements are housed on the site. Additional security, that does not impact on the way a peaceful residential area should look. Acoustic or soundproofed fence, that would stop escapees, alongside thick trees and landscaping along the fence line at least 1.5 meters deep. No new buildings be constructed, or developed on the site. Any new buildings are not outside the existing security fencing and have no windows or doors that face toward neighboring residential properties. Maximum number is limited to 20.	24 Taiaapure Street Weymouth Auckland 2103

50	Anuja Gosavi	Oppose	Yes	Concerns regarding: escapes and visitation and the danger to family, stress and anxiety, residential amenity, lack of clarity, number of prisons in Manurewa, residential location, that Korowai Manaaki is not being used, branding of neighbourhood, noise at night from carpark areas, area has transitioned from rural to intensive residential making it now inappropriate for such a facility, physical security features not suited to the site, impact on property values, future development on the site, loss of green space buffers, privacy, lack of mitigation, duration of the CLC, inefficient use of residential land, in conflict with objectives and policies of council plans (B2.3.1.(3), B2.8, H4.2(3)and (4) and the purpose of the RMA.		30 Tutuwhatu Crescent Weymouth Auckland 2103
51	Clifford John Bartle	Oppose	Yes	Security and safety concerns, location is residential and no longer rural, close to childcare and schools, adverse social impacts and negative effects on the sense of place, noise concerns, lack of clarity about the use of the site, would result in 4 prisons in the area and is an inefficient use of the land.	Decline	10 Roys Road Weymouth Auckland 2103
52	Gordon Gilmour	Oppose	No	Not suited to Youth Justice function. Notification should have been wider as social impacts effect the entire Weymouth peninsular. Unnecessary risk to residents. Physical changes unclear. Long term negative effects the community (privacy/amenity). Risk to the community from escape. Physical features for security will signal that the facility presents risk. Youth Justice placements should go to Korowai Manaaki.	I agree that the facility should be allowed to increase the number of children that live at the facility from 20 to 30. <input type="checkbox"/> I agree that the maximum allowable age should be increased from 17yrs to 20 yrs. <input type="checkbox"/> I agree that the facility should continue to allow placements of young people for care and protection purposes	
53	Elaina Richmond-Rex	Oppose	Yes	Concerned for her children and home.	Decline and move facility to a rural location away from high density housing and young families.	30 Taiaapure Street Waimahia Inlet Weymouth Manukau City 2103

54	Darcelle Bell	Oppose	Yes	Concerned and fearful for safety. Could increase an already high crime rate. Reduced property values.	Retain the facility for childcare and protection only.	
55	Sakalia Ataata	Oppose	No	Concerns for personal and family safety, rising crime and declining property values. Already 3 prisons in the area.	Utilise as a facility for families/individuals who want to change and learn as well as "Child Protection" Have programmes that reconnect and teach families how to be together, collaborate services to help and betterment of parenting skills. That space can be used for so much better than a youth justice facility.	10 Ipukarea Street Weymouth Auckland 2103
56	Howard William Parekura Reneti	Oppose	Yes	Concerned with community safety, residential amenity, declining property values. Should not be in a residential area.	Decline and seek an alternative site away from the public.	10 Kuurae Crescent Weymouth Auckland 2103
57	Jessica Loraine Floendo	Oppose	No	Concerned about safety risk from escapes and visitation which will increase anxiety and stress. Concerned about the sense of place and residential amenity.	Seeks the following recommendation or decision from Auckland Council: • That the Notice of Requirement be rejected in its entirety. • That if the Notice of Requirement is confirmed I seek the following conditions - That no youth justice placements are accommodated on the site. - That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. - That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas be maintained. - That any new buildings do not contain windows that face towards neighbouring residential properties. - That the maximum number of people accommodated on the site be limited to ??.	410 weymouth road Weymouth Auckland 2103

58	Redacted submission	Oppose	No	Security and safety concerns. Adverse effects on residential amenity. Not appropriate in a residential area. Already 3 prisons in the area. Use Korowai Manaaki or a non residential area. Concern about "mission creep" over time. Contrary to Auckland Plan Auckland Plan B2.3.1.(3) and B2.8 Social facilities. Lack of clarity about purpose and placements, risk of escape. Adverse effects on sense of place and amenity. Concern regarding noise and future development at the site and loss of green buffers. Inefficient use of residential land. Contrary to Auckland Unitary Plan (B2.3.1.(3) , (H4.2(3)) , (H4.2(4)). Contrary to RMA and section 7 (amenity and efficient use of land).	That the Notice of Requirement be rejected in its entirety. B. I would like the Whakatakāpokai to remain a Care & Protection Centre AND NOT A Youth Justice facility of any shape or form. C. That if the Notice of Requirement is confirmed I seek the following conditions: i. That no youth justice placements are accommodated on the site in the present or in the future. ii. I would also like the age of the children in this facility to be capped at a maximum of 16 years old. iii. That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. iv. That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas are fully maintained. v. That any new buildings do not contain windows that face towards neighbouring residential properties. vi. That the maximum number of people accommodated on the site be limited to 30.	N/A
59	Redacted submission	Oppose	No	Unclear who will reside at the facility. Concerned that there could be violent and sexual offenders on site. Concerned about escape and risk to community and children.	That the Notice of Requirement be rejected in its entirety and I would like the Whakatakāpokai to remain a Care & Protection Centre AND NOT A Youth Justice facility of any shape or form.	N/A
60	Aifai Taupule	Oppose	Yes	Proposal is endangering submitters family. Criminal activity concerns.	Decline	39 Ipukarea St Weymouth Auckland 2103

61	Judith Ann Goldsworthy	Oppose	Yes	<p>Not compatible with maintaining a safe and pleasant environment ☒ Location on main road to Weymouth is not acceptable ☒ Extra noise generated by extra people both staff, visitors and youth justice detainees ☒ Designation change could have high social effects on neighbouring residents ☒ Health & safety for neighbouring community could be affected ☒ Does not promote sustainable management of resources in accordance with the RMA.</p>	<p>Decline. Sell land at Whakatakakopai and build another facility adjacent an existing Youth Justice facility or extend an existing Youth Justice facility. Use the Whakatakakopai land for housing.</p>	<p>10 Lucas Place Weymouth Auckland 2103</p>
62	Kristina Cork	Oppose	Yes	<p>Security and safety concerns. Adverse effects on residential amenity. Not appropriate in a residential area. Already 3 prisons in the area. Use Korowai Manaaki or a non residential area. Concern about "mission creep" over time. Contrary to Auckland Plan Auckland Plan B2.3.1.(3) and B2.8 Social facilities. Lack of clarity about purpose and placements, risk of escape. Adverse effects on sense of place and amenity. Concern regarding noise and future development at the site and loss of green buffers. Inefficient use of residential land. Contrary to Auckland Unitary Plan (B2.3.1.(3) , (H4.2(3)) , (H4.2(4)). Contrary to RMA and section 7 (amenity and efficient use of land).</p>	<p>A. That the Notice of Requirement be rejected in its entirety. B. I would like the Whakatakakopai to remain a Care & Protection Centre AND NOT A Youth Justice facility of any shape or form. C. That if the Notice of Requirement is confirmed I seek the following conditions: i. That no youth justice placements are accommodated on the site in the present or in the future. ii. I would also like the age of the children in this facility to be capped at a maximum of 16 years old. iii. That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. iv. That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas are fully maintained. v. That any new buildings do not contain windows that face towards neighbouring residential properties. vi. That the maximum number of people accommodated on the site be limited to 30.</p>	<p>Weymouht Auckland</p>

63	Graham Plows	Oppose	Yes	Concerns around escape and potential violence, sexual assault on family members. Concern regarding theft of firearms on neighbouring properties and reduced property values.	I believe that this designation should not go ahead at all. • If Whakatakpokai was to have its designation changed, I would like to see better security put in place, that would not affect the impact of our house visually, so the boundary fence line should be replaced and maintained, as well as security fencing 1.5 metres from the boundary on Whakatakpokai grounds with landscaping and trees in between for privacy and to maintain a peaceful looking residential area. • The Whakatakpokai site should be limited to Care and Protection children only, with a maximum of 20 residents on site and no placements made over the age of 16.	24 Taiaapure Street Weymouth Manukau 2103
64	Stefanie Jones-MacRae	Oppose	No	Not appropriate in a residential area. No adequate outline of security measures. Visual impacts not clear. Concern and anxiety for the safety of herself and her female children. Concern for effects on property values and increases in age and numbers of residents and how that will increase risk. Concern about noise and long term nature of adverse effects, especially stress and anxiety.	Decline. Other changes to how the existing facility is operated i.e. acoustic fence, 1.5 metres of landscaping, no new buildings, buildings to not be outside existing fence lines, no doors or windows facing neighbouring properties, maximum of 20 residents.	3 Kuaru Street Weymouth Auckland 2103
65	Denise Reti	Oppose	No	Concern for women and children in the community and criminal activity.	Decline	14 Kuurae Crescent Weymouth Auckland 2103
66	Cynthia Anbunathan	Oppose	No	Concerns about: safety, nature of residents, number of prisons in the area, sense of place, noise, residential location, residential amenity, future rebuilding, privacy, loss of green space, social impacts, loss of residential land, contrary to AUP B2.3.1.(3) , B2.8 , (H4.2(3)) and (4), contrary to RMA and section 7.	Decline	36 Kuurae Crescent Weymouth Auckland 2103

67	Johnny Vatorata Manufuli Pasene	Oppose	No	Concern for safety of family in the event of escapes.	Decline	30 Taiaapure Street Waimahia Inlet Weymouth Manukau City 2103
68	Sam Anbunathan	Oppose	No	Concerns about: safety, nature of residents, number of prisons in the area, sense of place, noise, residential location, residential amenity, future rebuilding, privacy, loss of green space, social impacts, loss of residential land, contrary to AUP B2.3.1.(3) , B2.8 , (H4.2(3)) and (4), contrary to RMA and section 7.	Decline	N/A
69	Emma Elizabeth Pourewa Ushaw	Oppose	No	Oversaturated with prisons already in the area of Weymouth. Inappropriate in a residential area. Feeling scared and in immediate danger, unsafe in our homes and environment for ourselves and all children who live and school in the area. Devalued house prices. Noise issues - Staff already are disruptive of the peace and do not consider the surrounding neighbours. Building noise disruption, more traffic and a direct impact on our daily living. Increased crime.Weymouth reputation will be undermined.	Decline	38 Tutuwhatu Crescent Weymouth Manukau City 2103

70	Elizabeth Mary Britton	Oppose	Yes	<p>The residents of Weymouth peninsular have not been adequately consulted on this change. The ministry for children can not tell us exactly what upper age/ability/criminal background of youth will be housed here. There is already provision for youth in Kiwi Tamaki Road. It is not appropriate for a youth justice facility to be over the fence from a densely populated new residential subdivision containing many young families whose safety or perception of safety will be compromised. I do not want to drive past a jail like copy of the Kiwi Tamaki Road youth justice facility on my way to and from my home. Having a youth justice facility at this site will adversely affect property values. This region already has a womens prison, a mens prison, a youth justice facility, and a drug and rehabilitation home. We feel like a dumping ground for societies misfits.</p>	Decline	30 Gibbons Road Weymouth Auckland 2103
71	Nigel Siaopo	Oppose	Yes	<p>Concern about escapees and visitors committing crime, anxiety and stress, concern for personal safety and that of the family.</p>	<p>Decline. That if the Notice of Requirement is confirmed I seek the following conditions That no youth justice placements are accommodated on the site. That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas be maintained. That any new buildings do not contain windows that face towards neighbouring residential properties.</p>	49 Ipukarea street Weymouth Auckland 2103

72	Genevieve Sabg-Yum	Oppose	Yes	Concerns around community safety and crime in the area.	If whakatakapokai continues its service with the increased age of youth allowed, that the maximum amount of youth residing in this facility be reduced for security reasons. Security need to be strongly focussed in this area. Not only are the youth kept safe indoors but concerns around youth offenders connections to adult offenders who are likely to visit during operational hours can become a major issue in the long run.	14 Taiaapure street Weymouth Auckland 2103
73	Roimata Taniwha-Paoo	Oppose	Yes	Concern for safety. The facility is not secure. There are already three prison facilities in Manurewa. Use Korowai Manaaki. Noise generated from the site is significant. High social impact effects on neighbouring residents. The community liaison committee is required to be established for too short a period to have any significant effect. Use of the site as a centre for youth justice placements is an inefficient use of valuable residential land. Too close a proximity to residential development.	The notice of requirement be rejected as a whole. Should the notice of requirement be confirmed, we seek the following conditions: - that no youth justice placements be accommodated at the site - Any new buildings do not have windows facing any of the residential homes - the maximum number of people accommodated on the site be kept at 20.	27 Kaimoana Street Weymouth Weymouth 2103

74	Sharon Martin	Oppose	No	Security and safety concerns. Adverse effects on residential amenity. Not appropriate in a residential area. Already 3 prisons in the area. Use Korowai Manaaki or a non residential area. Concern about "mission creep" over time. Contrary to Auckland Plan Auckland Plan B2.3.1.(3) and B2.8 Social facilities. Lack of clarity about purpose and placements, risk of escape. Adverse effects on sense of place and amenity. Concern regarding noise and future development at the site and loss of green buffers. Inefficient use of residential land. Contrary to Auckland Unitary Plan (B2.3.1.(3) , (H4.2(3)) , (H4.2(4)). Contrary to RMA and section 7 (amenity and efficient use of land).	A. That the Notice of Requirement be rejected in its entirety. B. I would like the Whakatakapokai to remain a Care & Protection Centre AND NOT A Youth Justice facility of any shape or form. C. That if the Notice of Requirement is confirmed I seek the following conditions: i. That no youth justice placements are accommodated on the site in the present or in the future. ii. I would also like the age of the children in this facility to be capped at a maximum of 16 years old. iii. That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. iv. That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas are fully maintained. v. That any new buildings do not contain windows that face towards neighbouring residential properties. vi. That the maximum number of people accommodated on the site be limited to 30.	11 Roys Road Weymouth Auckland 2103
75	Watene Atama	Oppose	Yes	Will create a neighbourhood environment that is not safe for children.	Decline	55 Kaimoana street Weymouth Auckland 2103

76	Gregory James	Oppose	No	<p>* Increased noise from both staff and inmates. * The need for increased security as our property backs straight onto the facility. * The additional noise relating to the construction work required to bring the facility up to security standards to house young adults up to 19 years old. * The facility will take on an additional 50% more prisoners and this will bring more interest and visitors . Along with noise and public disturbance. * The possibility of house prices in the area decreasing as the facility moves from being known as a small CYFS facility into a Prison for young adults up to and including 19 years old.</p>	<p>Decline. If approved compensation for loss of property value and reduction in rates to help offset the property value losses.</p>	<p>10 Taiaapure Street Weymouth Auckland 2103</p>
77	Fraser MacRae	Oppose	No	<p>Supports the continuation of current child protective services at the Whakatakapokai site. The current number of youth and staff is appropriate for the size of the site. Not appropriate to create a youth justice facility in an urban area that is completely surrounded by residential housing and in close walking distance to early childhood centres and schools. Community need to see a detailed security plan for the worst case scenario of a youth justice facility at capacity with 17-19 year old residents/prisoners. Weymouth is an extremely vulnerable community struggling with crime in the area. Our community needs support and protection, rather than extra added stress and anxiety and the real danger of increased crime and violence in the area. Other sites around New Zealand, especially in rural or industrial areas, are better suited to accommodate the proposed changes.</p>	<p>Decline but should the changes be agreed to, comprehensive security measures and a backup plan and emergency preparedness plan for the worst case scenario need to be in place at all times to guarantee the safety of residents.</p>	<p>3 Kupu Street Weymouth Auckland 2103</p>

78	Sarah Birdsall	Oppose	No	Not appropriate in a residential area. All other Youth Justice facilities and prisons in NZ are in business or rural settings. If this facility is to house Youth Justice it would mean there are two prisons and two Youth Justice residences in Manurewa. Preferable to locate the additional youth justice placements within the existing Korowai Manaaki residence in Wiri (which has been built and located for this purpose) or construct a new facility in another location away from residential areas.	Decline	99c west street Pukekohe Franklin 2120
79	Nadene Singh Aujla	Oppose	No	Facility is not secure. Risk of escape and personal harm, Impact on house prices. Mental anxiety and stress for a family oriented community. Lack of clarity about residents. 3 other prisons in the area. Use Korowai or an alternative location. Not in a residential area. Impacts on sense of place and residential amenity. Concern regarding noise and future development at the site and loss of green buffers. Adverse visual impacts and loss of privacy. Social impacts. Mitigation is vague. Life of CLC is too short. Inefficient use of residential land. Contrary to Auckland Unitary Plan (B2.3.1.(3) and B 2.8. Fails to comply with the objectives and policies of the Mixed Housing Suburban Zone - in particular those that provide for residential amenity (H4.2(3)) and those requiring non-residential activities to be compatible with the scale and density of their anticipated zone (H4.2(4)).	Decline	2 Kuurae crescent Weymouth Auckland 2103
80	Toni	Oppose	No	The facility has been used for this purpose historically which didn't work out then. Submission refers to "attached document" but no document provided.	Relief set out in "attached document", however no document was attached.	Weymouth Auckland 2103

81	Mona Katarina Kaua	Oppose	No	<p>Concerns about: safety, nature of residents, number of prisons in the area, sense of place, noise, residential location, residential amenity, future rebuilding, privacy, loss of green space, social impacts, loss of residential land, contrary to AUP B2.3.1.(3) , B2.8 , (H4.2(3)) and (4), contrary to RMA and section 7.</p>	<p>Seeks the following recommendation or decision from Auckland Council: • That the Notice of Requirement be rejected in its entirety. • That if the Notice of Requirement is confirmed I seek the following conditions - That no youth justice placements are accommodated on the site. - That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. - That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas be maintained. - That any new buildings do not contain windows that face towards neighbouring residential properties. - That the maximum number of people accommodated on the site be limited to ??.</p>	N/A
----	--------------------	--------	----	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

82	Shane Maxwell Birdsall	Oppose	No	Concerns about: safety, nature of residents, number of prisons in the area, sense of place, noise, residential location, residential amenity, future rebuilding, privacy, loss of green space, social impacts, loss of residential land, contrary to AUP B2.3.1.(3) , B2.8 , (H4.2(3)) and (4), contrary to RMA and section 7.	That the Notice of Requirement be rejected in its entirety. That if the Notice of Requirement is confirmed I seek the following conditions: - That no youth justice placements are accommodated on the site. - That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. - That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas be maintained. - That any new buildings do not contain windows that face towards neighbouring residential properties. - That the maximum number of people accommodated on the site be limited to the current number of approved youth and children allowed at the residence.	N/A
----	---------------------------	--------	----	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

83	Eleanor Nash	Oppose	No	<p>Security and safety concerns. Adverse effects on residential amenity. Not appropriate in a residential area. Already 3 prisons in the area. Use Korowai Manaaki or a non residential area. Concern about "mission creep" over time. Contrary to Auckland Plan Auckland Plan B2.3.1.(3) and B2.8 Social facilities. Lack of clarity about purpose and placements, risk of escape. Adverse effects on sense of place and amenity. Concern regarding noise and future development at the site and loss of green buffers. Inefficient use of residential land. Contrary to Auckland Unitary Plan (B2.3.1.(3) , (H4.2(3)) , (H4.2(4)). Contrary to RMA and section 7 (amenity and efficient use of land).</p>	<p>A. That the Notice of Requirement be rejected in its entirety. B. I would like the Whakatakapokai to remain a Care & Protection Centre AND NOT A Youth Justice facility of any shape or form. C. That if the Notice of Requirement is confirmed I seek the following conditions: i. That no youth justice placements are accommodated on the site in the present or in the future. ii. I would also like the age of the children in this facility to be capped at a maximum of 16 years old. iii. That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. iv. That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas are fully maintained. v. That any new buildings do not contain windows that face towards neighbouring residential properties. vi. That the maximum number of people accommodated on the site be limited to 30.</p>	N/A
----	--------------	--------	----	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

84	Xavier Whitford	Oppose	No	<p>Security and safety concerns. Adverse effects on residential amenity. Not appropriate in a residential area. Already 3 prisons in the area. Use Korowai Manaaki or a non residential area. Concern about "mission creep" over time. Contrary to Auckland Plan Auckland Plan B2.3.1.(3) and B2.8 Social facilities. Lack of clarity about purpose and placements, risk of escape. Adverse effects on sense of place and amenity. Concern regarding noise and future development at the site and loss of green buffers. Inefficient use of residential land. Contrary to Auckland Unitary Plan (B2.3.1.(3) , (H4.2(3)) , (H4.2(4)). Contrary to RMA and section 7 (amenity and efficient use of land).</p>	<p>A. That the Notice of Requirement be rejected in its entirety. B. I would like the Whakatakapokai to remain a Care & Protection Centre AND NOT A Youth Justice facility of any shape or form. C. That if the Notice of Requirement is confirmed I seek the following conditions: i. That no youth justice placements are accommodated on the site in the present or in the future. ii. I would also like the age of the children in this facility to be capped at a maximum of 16 years old. iii. That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. iv. That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas are fully maintained. v. That any new buildings do not contain windows that face towards neighbouring residential properties. vi. That the maximum number of people accommodated on the site be limited to 30.</p>	N/A
----	-----------------	--------	----	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

85	Devyn Whitford	Oppose	No	<p>Security and safety concerns. Adverse effects on residential amenity. Not appropriate in a residential area. Already 3 prisons in the area. Use Korowai Manaaki or a non residential area. Concern about "mission creep" over time. Contrary to Auckland Plan Auckland Plan B2.3.1.(3) and B2.8 Social facilities. Lack of clarity about purpose and placements, risk of escape. Adverse effects on sense of place and amenity. Concern regarding noise and future development at the site and loss of green buffers. Inefficient use of residential land. Contrary to Auckland Unitary Plan (B2.3.1.(3) , (H4.2(3)) , (H4.2(4)). Contrary to RMA and section 7 (amenity and efficient use of land).</p>	<p>A. That the Notice of Requirement be rejected in its entirety. B. I would like the Whakatakapokai to remain a Care & Protection Centre AND NOT A Youth Justice facility of any shape or form. C. That if the Notice of Requirement is confirmed I seek the following conditions: i. That no youth justice placements are accommodated on the site in the present or in the future. ii. I would also like the age of the children in this facility to be capped at a maximum of 16 years old. iii. That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. iv. That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas are fully maintained. v. That any new buildings do not contain windows that face towards neighbouring residential properties. vi. That the maximum number of people accommodated on the site be limited to 30.</p>	N/A
----	----------------	--------	----	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

86	Stephanie Nash	Oppose	No	<p>Security and safety concerns. Adverse effects on residential amenity. Not appropriate in a residential area. Already 3 prisons in the area. Use Korowai Manaaki or a non residential area. Concern about "mission creep" over time. Contrary to Auckland Plan Auckland Plan B2.3.1.(3) and B2.8 Social facilities. Lack of clarity about purpose and placements, risk of escape. Adverse effects on sense of place and amenity. Concern regarding noise and future development at the site and loss of green buffers. Inefficient use of residential land. Contrary to Auckland Unitary Plan (B2.3.1.(3) , (H4.2(3)) , (H4.2(4)). Contrary to RMA and section 7 (amenity and efficient use of land).</p>	<p>A. That the Notice of Requirement be rejected in its entirety. B. I would like the Whakatakopokai to remain a Care & Protection Centre AND NOT A Youth Justice facility of any shape or form. C. That if the Notice of Requirement is confirmed I seek the following conditions: i. That no youth justice placements are accommodated on the site in the present or in the future. ii. I would also like the age of the children in this facility to be capped at a maximum of 16 years old. iii. That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. iv. That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas are fully maintained. v. That any new buildings do not contain windows that face towards neighbouring residential properties. vi. That the maximum number of people accommodated on the site be limited to 30.</p>	N/A
----	----------------	--------	----	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

87	Graham Nash	Oppose	No	<p>Security and safety concerns. Adverse effects on residential amenity. Not appropriate in a residential area. Already 3 prisons in the area. Use Korowai Manaaki or a non residential area. Concern about "mission creep" over time. Contrary to Auckland Plan Auckland Plan B2.3.1.(3) and B2.8 Social facilities. Lack of clarity about purpose and placements, risk of escape. Adverse effects on sense of place and amenity. Concern regarding noise and future development at the site and loss of green buffers. Inefficient use of residential land. Contrary to Auckland Unitary Plan (B2.3.1.(3) , (H4.2(3)) , (H4.2(4)). Contrary to RMA and section 7 (amenity and efficient use of land).</p>	<p>A. That the Notice of Requirement be rejected in its entirety. B. I would like the Whakatakapokai to remain a Care & Protection Centre AND NOT A Youth Justice facility of any shape or form. C. That if the Notice of Requirement is confirmed I seek the following conditions: i. That no youth justice placements are accommodated on the site in the present or in the future. ii. I would also like the age of the children in this facility to be capped at a maximum of 16 years old. iii. That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. iv. That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas are fully maintained. v. That any new buildings do not contain windows that face towards neighbouring residential properties. vi. That the maximum number of people accommodated on the site be limited to 30.</p>	N/A
----	-------------	--------	----	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

88	Minister of Education	Support	Yes	<p>The Minister supports the application because it will enable Oranga Tamariki to meet its responsibilities towards tamariki or rangatahi that have been placed under its care or custody, by responding to legislative changes, including an increase in the age of children and young people included within the Youth Court's jurisdiction to 17 years, that will increase demand for youth justice placements.</p> <p>The Minister is cognisant of the concerns raised by the Weymouth community about the changes proposed, particularly in relation to the safety of young families with children. The community's concerns are detailed in the social impact assessment (SIA) that accompanies the application. In this regard, the Minister notes the schools located in the vicinity of the residence and supports mitigation measures directed at social impacts and security concerns.</p>	That the application be granted	<p>C/- Meredith Connell PO Box 90 750 Victoria Street West Auckland Central Auckland 1142</p>
----	-----------------------	---------	-----	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------	-------------------------------------------------------------------------------------------------------------------

89	Monz	Oppose	No	<p>Security and safety concerns. Adverse effects on residential amenity. Not appropriate in a residential area. Already 3 prisons in the area. Use Korowai Manaaki or a non residential area. Concern about "mission creep" over time. Contrary to Auckland Plan Auckland Plan B2.3.1.(3) and B2.8 Social facilities. Lack of clarity about purpose and placements, risk of escape. Adverse effects on sense of place and amenity. Concern regarding noise and future development at the site and loss of green buffers. Inefficient use of residential land. Contrary to Auckland Unitary Plan (B2.3.1.(3) , (H4.2(3)) , (H4.2(4)). Contrary to RMA and section 7 (amenity and efficient use of land).</p>	<p>A. That the Notice of Requirement be rejected in its entirety. B. I would like the Whakatakapokai to remain a Care & Protection Centre AND NOT A Youth Justice facility of any shape or form. C. That if the Notice of Requirement is confirmed I seek the following conditions: i. That no youth justice placements are accommodated on the site in the present or in the future. ii. I would also like the age of the children in this facility to be capped at a maximum of 16 years old. iii. That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. iv. That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas are fully maintained. v. That any new buildings do not contain windows that face towards neighbouring residential properties. vi. That the maximum number of people accommodated on the site be limited to 30.</p>	Manurewa
----	------	--------	----	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------

90	Angela Dalton	Oppose	Yes	Concerns expressed about: speed and the limited 'overt' notification of the designation change has marginalised not just Weymouth but the wider Manurewa community from being part of the democratic process; home to three prisons already of which we experience the effects and for that unique characteristic we were entitled to a completely public, democratic accessible and unrushed process; security and safety, when compared to Korowai Manaaki; those held on criminal charges should be held at facility like Korowai Manaaki; more housing is required; this site could be sold to housing developer with proceeds used to extend Korowai Manaaki.	Reject.	1/14 McInnes Road, Weymouth
----	---------------	--------	-----	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------	--------------------------------

91	Fiona Griffiths	Oppose	Yes	<p>Security and safety concerns. Adverse effects on residential amenity. Not appropriate in a residential area. Already 3 prisons in the area. Use Korowai Manaaki or a non residential area. Concern about "mission creep" over time. Contrary to Auckland Plan Auckland Plan B2.3.1.(3) and B2.8 Social facilities. Lack of clarity about purpose and placements, risk of escape. Adverse effects on sense of place and amenity. Concern regarding noise and future development at the site and loss of green buffers. Inefficient use of residential land. Contrary to Auckland Unitary Plan (B2.3.1.(3) , (H4.2(3)) , (H4.2(4)). Contrary to RMA and section 7 (amenity and efficient use of land).</p>	<p>A. That the Notice of Requirement be rejected in its entirety. B. I would like the Whakatakapokai to remain a Care & Protection Centre AND NOT A Youth Justice facility of any shape or form. C. That if the Notice of Requirement is confirmed I seek the following conditions: i. That no youth justice placements are accommodated on the site in the present or in the future. ii. I would also like the age of the children in this facility to be capped at a maximum of 16 years old. iii. That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. iv. That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas are fully maintained. v. That any new buildings do not contain windows that face towards neighbouring residential properties. vi. That the maximum number of people accommodated on the site be limited to 30.</p>	Weymouth
----	-----------------	--------	-----	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------

92	Daniel Newman	Oppose	Yes	<p>If Care and Protection no longer required, site should be decommissioned and turned into housing. Concerns expressed about: character of the wider community has changed significantly since 2003. Community has been significantly developed, including the single largest SHA, the Waimahia Inlet development on eastern boundary of site; this is a changed community and the effects of a change of use at Whakatakakopai would be significant; a lack of clarity as to how a change in Whakatakakopai will relate to its neighbourhood; failure to address the option of expanding the capacity of Korowai Manaaki for housing Youth Justice residents; failure to address security and safety concerns; amended designation allows for wide range of rebuilding on the site, and development could potentially take place closer to the boundaries of the site, with significant amenity / privacy / overlooking / security impacts for neighbours; no details of assessment process for placements; inconsistent with objectives and policies in B2.8 and MHS provisions of AUP.</p>	<p>Decline. However, If the notice of requirement is confirmed, requests the following conditions:</p> <ul style="list-style-type: none"> ▪ That, if youth justice residents are to be accommodated on the site, conditions guaranteeing that offenders over the age of 17 will not be placed there. ▪ That the facility only be used to accommodate youth justice residents for a limited period of time until a more suitable facility can be completed. ▪ That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas be maintained. ▪ That any new buildings do not contain windows that face towards neighbouring residential properties. ▪ That residents will be consulted as part of the process of making any security upgrades to the facility, regardless of whether a notified resource consent is required. 	4 Gleneagles Grove Wattle Downs Auckland 2103
93	Lurdes Rosa Bagio Flamino	Oppose	No	<p>Concerns expressed about: security and safety concerns for family, not compatible with family life, lack of clarity about use of facility, number of prisons in the area and why not use Korowai, residential location, sense of place, noise and shift changes, impact on residential character, scale of future development at the site, amenity, privacy and loss of green space on site.</p>	Decline	2/21 Meleod Road Weymouth Auckland 2103

94	Redacted submission	Oppose	No	<p>Strongly opposes proposal due to safety and security concerns for family and neighbourhood amenity. Inefficient use of residential land. Contrary to policy in the Mixed Rural zone (H4.2(3)) and (H4.2(4)) regarding residential amenity and non residential activities. Not appropriate in a residential area and out of character. No clarity about future residents and nature of offending. Risk of abscondings and potential harm to people in the locality. Use Korowai or another non residential area. Future rebuilding will adversely effect privacy and reduce green space along with residential amenity. Adverse visual effects and damage to sense of place will result.</p>	<p>A. That the Notice of Requirement be rejected in its entirety. B. I would like the Whakatakapokai to remain a Care & Protection Centre AND NOT A Youth Justice facility of any shape or form. C. That if the Notice of Requirement is confirmed I seek the following conditions: i. That no youth justice placements are accommodated on the site in the present or in the future. ii. I would also like the age of the children in this facility to be capped at a maximum of 16 years old. iii. That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. iv. That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas are fully maintained. v. That any new buildings do not contain windows that face towards neighbouring residential properties. vi. That the maximum number of people accommodated on the site be limited to 30.</p>	N/A
----	---------------------	--------	----	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

95	Redacted submission	Oppose	No	<p>Strongly opposes proposal due to safety and security concerns for family and neighbourhood amenity. Inefficient use of residential land. Contrary to policy in the Mixed Rural zone (H4.2(3)) and (H4.2(4)) regarding residential amenity and non residential activities. Not appropriate in a residential area and out of character. No clarity about future residents and nature of offending. Risk of abscondings and potential harm to people in the locality. Use Korowai or another non residential area. Future rebuilding will adversely effect privacy and reduce green space along with residential amenity. Adverse visual effects and damage to sense of place will result.</p>	<p>A. That the Notice of Requirement be rejected in its entirety. B. I would like the Whakatakapokai to remain a Care & Protection Centre AND NOT A Youth Justice facility of any shape or form. C. That if the Notice of Requirement is confirmed I seek the following conditions: i. That no youth justice placements are accommodated on the site in the present or in the future. ii. I would also like the age of the children in this facility to be capped at a maximum of 16 years old. iii. That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. iv. That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas are fully maintained. v. That any new buildings do not contain windows that face towards neighbouring residential properties. vi. That the maximum number of people accommodated on the site be limited to 30.</p>	N/A
----	---------------------	--------	----	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

96	Jared Travis Taite	Oppose	No	<p>Concerned about safety risk from escapes and visitation which will increase anxiety and stress. Concerned about the sense of place and residential amenity.</p>	<p>Seeks the following recommendation or decision from Auckland Council:</p> <ul style="list-style-type: none"> • That the Notice of Requirement be rejected in its entirety. • That if the Notice of Requirement is confirmed I seek the following conditions - <p>- That no youth justice placements are accommodated on the site.</p> <p>- That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line.</p> <p>- That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas be maintained.</p> <p>- That any new buildings do not contain windows that face towards neighbouring residential properties.</p> <p>- That the maximum number of people accommodated on the site be limited to ??.</p>	
----	--------------------	--------	----	--------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

97	Melanie Ann Jaggs	Oppose	Yes	Strongly opposes proposal due to safety and security concerns for family and neighbourhood amenity. Inefficient use of residential land. Contrary to policy in the Mixed Rural zone (H4.2(3)) and (H4.2(4)) regarding residential amenity and non residential activities. Not appropriate in a residential area and out of character. No clarity about future residents and nature of offending. Risk of abscondings and potential harm to people in the locality. Use Korowai or another non residential area. Future rebuilding will adversely effect privacy and reduce green space along with residential amenity. Adverse visual effects and damage to sense of place will result.	A. That the Notice of Requirement be rejected in its entirety. B. I would like the Whakatakapokai to remain a Care & Protection Centre AND NOT A Youth Justice facility of any shape or form. C. That if the Notice of Requirement is confirmed I seek the following conditions: i. That no youth justice placements are accommodated on the site in the present or in the future. ii. I would also like the age of the children in this facility to be capped at a maximum of 16 years old. iii. That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. iv. That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas are fully maintained. v. That any new buildings do not contain windows that face towards neighbouring residential properties. vi. That the maximum number of people accommodated on the site be limited to 30.	12 Woodlark Close Weymouth Auckland 2103
98	Ilaisa Ali	Oppose	No	NOT a good idea to have a juvenile on the main road or around houses and especially our inlet.	Decline	37 Becker Drive Weymouth Auckland 2013
99	Farani Salu	Oppose	No	NOT a good area to put any sort of juvenile or a teen prison. We have a community with families bringing up there children and it would feel safe at all.	Decline	37 Becker Drive Weymouth Auckland 2013
100	Samuel Trenouth	Oppose	No	NO do not allow the Request	Decline	99c west street Pukekohe Auckland 2120

101	Anabelle Ortiz	Oppose	No	I believe that the proposed re designation will not be a good idea mainly because it is a residential area mostly families with kids. I don't think it will be safe to families around the facility. Personally, I will not feel safe knowing there will be a facility 5 minutes away from our house. I have 3 kids and safety is our concern. With already a lot going on in the neighbourhood, there will be a big chance it will get a lot worse. And I don't want to take the risk for my family and all the families in the inlet.	Decline. Make it a recreational facility.	34 ipukarea street Weymouth Auckland 2013
102	Kim Cameron	Oppose	No	The noise is already an issue and this could get worse. Staff leaving a night shift already make enough noise. What about security, is the fence that backs onto my property going to be made safe? What about property value, if having a "prison" next to my house devalues it will we be reimbursed?	Decline and relocate to a non residential area.	10 Taiaapure St Weymouth Auckland 2103
103	Leonardo Dela Cruz	Oppose	No	Concerns in regard to personal safety and crime and number of prisons in the area.	Decline	31 Ipukarea Street Weymouth Auckland 2103
104	Ashnita Kumar	Oppose	Yes	Concerns about: safety, escapes, nature of visitors, noise, residential location, residential amenity, safety of families and children, property values and future investment in the area.	DECLINE. IF approved - the exterior fences to the property is replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line • no new buildings be developed outside of the existing security fence on the site and the existing buffer areas be maintained. • any new buildings do not contain windows that face towards neighbouring residential properties. • That the maximum number of people accommodated on the site be limited to the minimum legal required amount.	32 Tutuwhatu Crescent Weymouth Auckland 2103

105	Anele Bamber	Oppose	Yes	Concerns about: personal safety, safety of family and children, residential character, sense of place, sense of safety and wellbeing, property values, loss of safety in using recreational areas such as parks.	Decline	N/A
106	Angelik fruean	Oppose	Yes	Concerns - regarding safety from escapes and visitors. Declining property values. Loss of residential amenity. Health effects from stress and anxiety. Resident profile unknown, already 3 prisons in the area, use Korawai or a non residential area, loss of sense of place, noise, area urbanised no longer rural, future development not conducive to residential amenity, loss of privacy and on site green space, social impacts high and mitigation vague, life of CLC too short, inefficient use of land, contrary to Part II RMA. Contrary to For example (but not limited to) the proposal does not sufficiently provide for the health and safety of the neighbouring community. This is contrary to the B2.3.1.(3) which requires the health and safety of people and communities to be promoted. The proposal is not consistent with the objectives and policies in B2.8 Social facilities as it fails to address the effects of facility on the adjoining residential neighbourhood. The proposal is not consistent with the objectives and policies of Mixed Housing Suburban Zone particularly those that provide for residential amenity (H4.2(3)) and those requiring non-residential activities to be compatible with the scale and intensity of development anticipated in the zone (H4.2(4)).	Decline. If approved - That no youth justice placements are accommodated on the site. That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas be maintained. That any new buildings do not contain windows that face towards neighbouring residential properties. That the maximum number of people accommodated on the site be limited to ??.	85 Becker drive Weymouth Auckland 2103

107	Antgony Moses Fruean	Oppose	Yes	<p>Concerns - regarding safety from escapes and visitors. Declining property values. Loss of residential amenity. Health effects from stress and anxiety. Resident profile unknown, already 3 prisons in the area, use Korawai or a non residential area, loss of sense of place, noise, area urbanised no longer rural, future development not conducive to residential amenity, loss of privacy and on site green space, social impacts high and mitigation vague, life of CLC too short, inefficient use of land, contrary to Part II RMA. Contrary to For example (but not limited to) the proposal does not sufficiently provide for the health and safety of the neighbouring community. This is contrary to the B2.3.1.(3) which requires the health and safety of people and communities to be promoted. The proposal is not consistent with the objectives and policies in B2.8 Social facilities as it fails to address the effects of facility on the adjoining residential neighbourhood. The proposal is not consistent with the objectives and policies of Mixed Housing Suburban Zone particularly those that provide for residential amenity (H4.2(3)) and those requiring non-residential activities to be compatible with the scale and intensity of development anticipated in the zone (H4.2(4)).</p>	<p>Decline. If approved - That no youth justice placements are accommodated on the site. That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas be maintained. That any new buildings do not contain windows that face towards neighbouring residential properties. That the maximum number of people accommodated on the site be limited to ??.</p>	<p>85 Becker drive Weymouth Auckland 2103</p>
108	Richard Mendez	Oppose	Yes	<p>Too risky for our family being few meters near from our Waimahia Inlet housing community</p>	<p>Oppose the project and relocate to other area in Auckland away from our area, as we all know that there are already three other facilities within the vicinity.</p>	<p>9 Hitori Street Weymouth Auckland 2013</p>

109	Ravikesh Singh Aujla	Oppose	Yes	<p>Concerns about: safety of community; potential for escape real, given close proximity of houses; not maximum security prison; house prices; safety risk from unwanted visitors; introduction of youth justice will result in additional security/safety concerns for my family; not compatible with maintaining safe/pleasant family environment; lack of clarity about who may be accommodated; entire site may be youth justice; already 3 prison facilities in area; locate youth justice placements at Korowai Manaaki; other youth justice facilities in NZ located away from residential neighbourhoods; affects how we see our neighbourhood/live our lives; increased people will increase noise impacts on neighbours; effects on now established character of neighbourhood centre/residential neighbourhood which has changed considerably; no certainty over design of any new facilities; increased security measures will lead to institutional/utilitarian buildings/features; vague on extent of new development; reduced privacy; increased overlooking; removal of green space buffer; conditions insufficient to address amenity/social effects; inefficient use of valuable residential land; fails to achieve objectives/policies of AUP or purpose of RMA, not consistent with s7 RMA.</p>	<p>Reject in its entirety OR That if the Notice of Requirement is confirmed I seek the following conditions - no youth justice placements are accommodated on the site. That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line. That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas be maintained. That any new buildings do not contain windows that face towards neighbouring residential properties. That the maximum number of people accommodated on the site be limited to ??.</p>	<p>2 Kuurae Crescent Weymouth Auckland 2103</p>
-----	----------------------	--------	-----	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------

110	Shalini Naidu	Oppose	No	<p>The introduction of youth Justice placements in my area will result in extra security. Offenders may escape and this will lead to potential danger to my children. There are some of our families that are in that Waihimaia inlet and the environment would not be safe for the them. They won't be having a peaceful sleep. There is already two prisons in tis area and I don't understand why the third one. The site can be used for something useful rather than having criminals there. The residents are not aware of how the facility will be used for the service.</p>	Reject in entirety.	Manurewa Auckland
-----	---------------	--------	----	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------	----------------------

B3. Manurewa Local Board Feedback

Local Board Feedback on Publicly Notified Notice of Requirement process: Alteration to designation 3800 Care and Protection Residential Centre Upper North (Whakatakakopai)

Date:	2 April 2019
Form to be sent to:	unitaryplan@aucklandcouncil.govt.nz
Application reference:	Alteration to designation 3800 Care and Protection Residential Centre Upper North (Whakatakakopai)
Location:	398 Weymouth Road, Manurewa
Applicant:	Minister for Children

Brief summary of the proposal:

The proposal will allow:

- The residence to accommodate tamariki/children and rangatahi/young people for either care and protection or youth justice reasons, including those who are placed in the custody of the chief executive of Oranga Tamariki for certain adult jurisdiction reasons, or who are transitioning out of care/custody. The changes will enable the residence to accommodate rangatahi who are aged up to and including 19 years old (although most will be under 18).
- An increase in the number of tamariki and rangatahi who may live at the residence (from 20 to 30).

Local Board Feedback:

The Manurewa Local Board provides the following feedback in relation to the proposed Alteration to designation 3800 Care and Protection Residential Centre Upper North (Whakatakakopai)

1. The board first became aware of the proposed designation change for the Oranga Tamariki Care and Protection Residential Centre Upper North (Whakatakakopai) when the chair was contacted by local residents who had received a letter advising them of the proposal.
2. We are disappointed that Oranga Tamariki did not undertake consultation on the proposal with the board prior to contacting residents. It is our view that, overall, the process of consultation undertaken for this proposal has been rushed and inadequate. In particular, we do not agree with the decision to only notify and engage with residents living within a 500m radius of Whakatakakopai.

3. The board subsequently met with representatives of Oranga Tamariki and was briefed on the proposal. The board has also met with residents in Waimahia and Weymouth to understand their concerns regarding the proposal.
4. The board is broadly in support of the principle that it is beneficial for youth offenders to be placed in youth justice residences rather than adult prisons. We also understand that it is necessary for Oranga Tamariki to find extra capacity to accommodate residents who would previously have been housed in adult prisons and will now be placed in their care. However, the board does not believe that it is appropriate for a youth justice facility to be situated in a suburban area.
5. In addition, the board is also concerned about the breadth of the change to the designation that has been requested. This would allow residents up to 19 years old to be placed at Whakatakapokai with no restrictions in terms of the types of offence they may have committed. Oranga Tamariki has offered assurances to the community that they do not intend to house older offenders or those charged with serious offences at Whakatakapokai. However, there are no guarantees to the community that this policy will not change in future, and the changes to the designation that have been asked for will effectively allow Whakatakapokai to become a suburban prison.
6. There are already two prisons and a youth justice facility within the Manurewa area. Our community feels that they have done their part in shouldering the burden of providing such facilities for the region. To ask them to also accept a fourth prison is not equitable.
7. The board opposes the proposed change of designation for these reasons, and the reasons set out below.

Appropriateness for area

8. The board does not believe that it is appropriate to place a youth justice residence in a predominantly suburban area. The land on which Whakatakapokai is situated, and most of the surrounding neighbourhood, is zoned as Residential – Mixed Housing Suburban.
9. The character of the area is that of a suburban residential neighbourhood. This character has only been strengthened since Whakatakapokai was last used to house youth justice residents.
10. In 2003, when the facility ceased to be used for youth justice purposes, the surrounding area was largely being used as farm land. Since that time, the Waimahia Inlet Special Housing Area, comprising over 290 properties, has been completed on that former farm land.
11. Whakatakapokai is now surrounded by residential properties, many occupied by families with young children. There is no buffer zone of undeveloped land between the facility and the community. Additionally, the zoning of the surrounding area suggests that the further intensification of housing is likely in the future.

12. The board believes that the proposed structural changes to the facility necessary to accommodate youth justice residents are not consistent with maintaining a safe and pleasant family environment.
13. The board understands that all other youth justice facilities are located away from residential neighbourhoods. Korowai Manaaki, the other youth justice facility in our local board area, is located in a Business – Heavy Industry zone. This would indicate an understanding on the part of Oranga Tamariki that this presents a more appropriate setting in which to place such facilities. This being the case, to establish Whakatakapokai as a youth justice facility in a residential neighbourhood would seem to be creating a new precedent for such facilities.
14. The board is concerned that the proposed designation change is motivated more by convenience than a rigorous assessment of the available options. That is, rather than being driven by analysis showing that Whakatakapokai is the best location for a facility of this kind, the designation change is motivated by the fact that it is a site already operated by Oranga Tamariki and that the number of Care and Protection residents will be falling due to changes in policy around where they are housed, meaning that Whakatakapokai will be underutilised if it is not repurposed for youth justice residents.
15. A more rigorous assessment of the options to house the increased number of youth justice residents would suggest that expanding the capacity of Korowai Manaaki or constructing a new facility in a non-residential area would provide a better long-term solution. The board's view is that there is no long-term future for a youth justice facility in an increasingly intensified urban area.
16. The board therefore requests that Oranga Tamariki be required to demonstrate that they have researched all reasonable options available to them to increase their capacity to meet the anticipated need created by the legislative changes.
17. The board suggests that a more reasonable option for Oranga Tamariki to meet this need would be to divest the site Whakatakapokai at 398 Weymouth Road and invest the proceeds in expanding facilities at Korowai Manaaki or developing a new facility in a more suitable location.

Security and safety

18. The proposal makes reference to security upgrades that will be made to the facility, but there is very little detail provided. We presume that, should the change of designation be granted, these structural changes will be subject to a later resource consent process. Regardless, we would like to see some guarantee that there will be opportunities for residents to be consulted on the details of these changes placed in conditions.
19. Even in a secure facility, it is not possible to entirely eliminate the potential for residents to escape. At Korowai Manaaki, a facility that we would expect to be more secure than Whakatakapokai, given that it is a purpose-built youth justice facility, there are still occasional incidents with residents absconding. This is acknowledged in the Minister for Children's s92 response letter, dated 15 March 2019.

20. Additionally, the same letter notes that the number of absconding incidents at Whakatakapokai, while it has been operating as a Care and Protection facility, is higher than the number at Korowai Manaaki. It is not reasonable to suggest that these incidents will become less frequent when Whakatakapokai is used to house youth justice residents, who will potentially be more motivated to escape. It is reasonable to suggest that the higher frequency of absconding incidents is in part due to the lesser security provisions at Whakatakapokai. The lack of detail in the proposal about security upgrades does not give any reason for community to feel that appropriate measures will be taken to ensure their security and safety.
21. The board is also concerned about the potential for other disruptive incidents apart from escapes from the facility to adversely affect the community. The minister's s92 response records a variety of such incidents taking place at Whakatakapokai, including some requiring fire service and police attendance. Again, it is reasonable to suppose that the frequency and intensity of these incidents is more likely to increase than decrease if youth justice residents are housed at the facility.
22. The minister's s92 response also records incidents relating to visitors to the facility being disruptive. As with the other types of disruptive incident raised above, our concern is that this is likely to worsen if the proposed change of use goes ahead due to increased visitor numbers if resident numbers are increased.
23. The cumulative effect of this is that the local residents will feel more unsafe in their homes. Worse, the likelihood is that they will actually be less safe in their homes. The Social Impact Assessment provided as part of the application for the designation change suggests that any perceived changes in safety will be temporary. However, the board is concerned that this assessment is based largely on a literature review that mostly concerns overseas studies does not directly reflect New Zealand experiences. We also feel that the assessment fails to consider the unique situation of Whakatakapokai's suburban location.

Noise

24. The board is concerned at the methodology employed in the noise reports accompanying the application. Mr Hegley, the applicant's noise expert, does not appear to have undertaken any noise monitoring at either Whakatakapokai or Korowai Manaaki as part of the process of making his assessment.
25. We would suggest that a reasonable approach to take would have been to assess the noise levels generated at Korowai Manaaki or other youth justice facilities, and to compare that with the noise currently generated at Whakatakapokai to determine whether there is likely to be any increase in noise from the proposed change of use. Instead, Mr Hegley has relied on a textbook definition of how much noise should be generated by particular activities to make his assessment. We believe this is not sufficient, and that Mr Hegley's findings are therefore unreliable in this respect.
26. Additionally, Mr Hegley has not considered any effect from the increase in resident numbers proposed. The proposal is to increase the number of residents by 50 per cent, from 20 to 30. It does not seem reasonable to suggest that this will have no effect on the noise generated on site.

27. The board understands that, currently, the primary generator of noise on site is during staff shift changes, particularly at night time. Mr Hegley notes that these shift changes occur between 10.30pm and 11.00pm. His assessment (again, not based on actual noise measurement) is that the noise generated will be compliant with the relevant noise limits. However, even if this is the case, the noise generated will still be disruptive for neighbours at a time of night when children will be sleeping.
28. In addition, it is not clear if Mr Hegley's assessment considers the increased staff numbers that will be required under the proposal. The application documents state that current staff numbers are 36-40 staff during school hours, 8-12 at weekend, and 6 on the night shift. The proposed staffing levels are 50-57 during school hours and 13-16 at weekend (no night shift numbers are listed). This will result in a significant increase in staff movements during shift changes, and therefore will also result in an increased potential for disruptive noise.
29. The board notes that there is a reliance on curfews and staff control of children's play after 5.30pm (in winter) or 7.00pm (in summer) to control noise. If this is the proposed mechanism for noise control, we request that the curfews be stated in conditions should the change of designation be granted.
30. We also note that none of the proposed structural changes to be made at Whakatakapokai because of the designation change relate to sound proofing or noise control. We request that additional sound proofing be required in conditions should the change of designation be granted.
31. The board also requests that requirements to provide neighbours with a system for addressing night time noise complaints (such as a 24-hour contact number) be provided in conditions.

Amenity values

32. As mentioned above, Whakatakapokai is situated in an area with an established character as a residential neighbourhood. Its presence there cannot fail to adversely affect residential amenity values.
33. Any alterations to the facility to increase security are likely to increase the adverse amenity effects. It is likely that such alterations will lead to increasingly utilitarian buildings and features that are incompatible with a pleasant residential environment, such as security fencing and surveillance cameras.
34. Whakatakapokai is located on the main road leading into Weymouth. Anyone entering or leaving the neighbourhood will travel past the site. The board believes that the use of the site as a youth justice facility will colour the perceptions of visitors and residents and create a negative perception of the neighbourhood.
35. The amended designation allows for a wide range of rebuilding on the site. This means that development could potentially take place closer to the boundaries of the site next to existing residences. This would have significant amenity impacts including reduction in privacy and increased overlooking. It will also exacerbate the security concerns of neighbours.

Traffic

36. Whakatakapokai is located near a major intersection between Weymouth Road, Roscommon Road and Mahia Road. Roscommon Road feeds into State Highway 20 and sees large volumes of traffic at peak times due in part to residents commuting to and from work at Auckland International Airport. Weymouth Road and Mahia Road are both used by residents to travel to and from Great South Road and State Highway 1. They also experience large volumes of traffic at peak times, particularly Weymouth Road.
37. The board is concerned about the additional traffic caused by the proposed increase in staff, residents and visitors will add to the high volumes of traffic on these roads at peak times. The applicant's traffic experts, Stantec, state that any additional traffic effects will be minor. We believe that the cumulative effect of the additional traffic when added to the existing large volumes at peak times is likely to cause delays and gridlock for local residents and commuters.
38. The board believes this is a further reason to conclude that a facility of this kind is not appropriate in a suburban environment such as Weymouth.
39. In the Auckland Council s92 request for further information, dated 8 March 2019, the council traffic consultants, Flow, raised concerns regarding the adequacy of parking provided at the facility. The board shares these concerns and notes Flow's evidence that during their site visit to Whakatakapokai the car park was full, and parking was overflowing into on street parking. It appears that the parking capacity at the facility is not sufficient for the current staffing and resident levels, and the applicant's proposal does not include any measures to address this when these levels are increased.

Resource Management Act and Auckland Unitary Plan

40. The board considers that the proposal is not consistent with the requirements of the Resource Management Act 1991 or the Auckland Unitary Plan.
41. Specifically, we believe that the use of the site as a youth justice facility is an inefficient use of valuable residential land that is appropriately zoned for housing. It does not promote the sustainable management of resources in accordance with the Resource Management Act or otherwise achieve its purpose. It is also not consistent with section 7 of the Resource Management Act as, overall, it is not an efficient use of land and fails to maintain or enhance amenity values.
42. We also believe that the proposed development fails to achieve the objectives and policies of the Auckland Unitary Plan. The proposal does not sufficiently provide for the health and safety of the neighbouring community. This is contrary to objective B2.3.1 (3) which requires the health and safety of people and communities to be promoted.
43. The proposal is not consistent with the objectives and policies in B2.8 Social facilities, as it fails to address the effects of the facility on the adjoining residential neighbourhood.

44. The proposal is not consistent with the objectives and policies of the Residential - Mixed Housing Suburban Zone, particularly those that provide for residential amenity (H4.2(3)) and those requiring non-residential activities to be compatible with the scale and intensity of development anticipated in the zone (H4.2(4)).

Outcome sought by local board

For the reasons set out above, the board requests that the proposed change of designation be rejected.

If the notice of requirement is confirmed, the board requests the following conditions:

- That no youth justice residents are accommodated on the site.
- That, if youth justice residents are to be accommodated on the site, conditions guaranteeing that serious offenders and offenders over the age of 18 will not be placed there.
- That the facility only be used to accommodate youth justice residents for a limited period until a more suitable facility can be completed.
- That the exterior fence to the property be replaced with a new close boarded acoustic fence together with at least 1.5m of tree landscaping along the fence line.
- That no new buildings be developed outside of the existing security fence on the site and the existing buffer areas be maintained.
- That any new buildings do not contain windows that face towards neighbouring residential properties.
- That the maximum number of people accommodated on the site remain limited to 20.
- That a process for resolving noise complaints be provided.
- That residents will be consulted as part of the process of making any security upgrades to the facility, regardless of whether a notified resource consent is required.
-

Attendance at any Hearing:

The Manurewa Local Board seeks an opportunity to speak to this feedback at any hearing on this matter.

This feedback is authorised by:

--



Angela Dalton, Chairperson

Email: ManurewaLocalBoard@aucklandcouncil.govt.nz

Date: 2 April 2019

B4. Extracts from Auckland Unitary Plan

Note: relevant content highlighted yellow.

B2. Tāhuhu whakaruruhau ā-taone - **Urban growth and form**

Tāhuhu whakaruruhau ā-taone

The sheltering ridge pole

B2.1. Issues

Auckland's growing population increases demand for housing, employment, business, infrastructure, social facilities and services.

Growth needs to be provided for in a way that does all of the following:

- (1) **enhances the quality of life for individuals and communities;**
- (2) **supports integrated planning of land use, infrastructure and development;**
- (3) **optimises the efficient use of the existing urban area;**
- (4) **encourages the efficient use of existing social facilities and provides for new social facilities;**
- (5) **enables provision and use of infrastructure in a way that is efficient, effective and timely;**
- (6) **maintains and enhances the quality of the environment, both natural and built;**
- (7) **maintains opportunities for rural production; and**
- (8) **enables Mana Whenua to participate and their culture and values to be recognised and provided for.**

B2.2. **Urban growth and form**

B2.2.1. Objectives

- (1) **A quality compact urban form that enables all of the following:**
 - (a) **a higher-quality urban environment;**
 - (b) greater productivity and economic growth;
 - (c) better use of existing infrastructure and efficient provision of new infrastructure;
 - (d) improved and more effective public transport;
 - (e) greater social and cultural vitality;
 - (f) better maintenance of rural character and rural productivity; and
 - (g) **reduced adverse environmental effects.**
- (2) **Urban growth is primarily accommodated within the urban area 2016 (as identified in Appendix 1A).**
- (3) **Sufficient development capacity and land supply is provided to accommodate residential, commercial, industrial growth and social facilities to support growth.**
- (4) Urbanisation is contained within the Rural Urban Boundary, towns, and rural and coastal towns and villages.
- (5) The development of land within the Rural Urban Boundary, towns, and rural and coastal towns and villages is integrated with the provision of appropriate infrastructure.

B2.2.2. Policies

Development capacity and supply of land for urban development

(1) Include sufficient land within the Rural Urban Boundary that is appropriately zoned to accommodate at any one time a minimum of seven years'

projected growth in terms of residential, commercial and industrial demand and corresponding requirements for social facilities, after allowing for any constraints on subdivision, use and development of land.

(2) Ensure the location or any relocation of the Rural Urban Boundary identifies land suitable for urbanisation in locations that:

- (a) promote the achievement of a quality compact urban form
- (b) enable the efficient supply of land for residential, commercial and industrial activities and social facilities;
- (c) integrate land use and transport supporting a range of transport modes;
- (d) support the efficient provision of infrastructure;
- (e) provide choices that meet the needs of people and communities for a range of housing types and working environments; and
- (f) follow the structure plan guidelines as set out in Appendix 1;

while:

- (g) protecting natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character;
- (h) protecting the Waitākere Ranges Heritage Area and its heritage features;
- (i) ensuring that significant adverse effects from urban development on receiving waters in relation to natural resource and Mana Whenua values are avoided, remedied or mitigated;
- (j) avoiding elite soils and avoiding where practicable prime soils which are significant for their ability to sustain food production;
- (k) avoiding mineral resources that are commercially viable;
- (l) avoiding areas with significant natural hazard risks and where practicable avoiding areas prone to natural hazards including coastal hazards and flooding; and

(m) aligning the Rural Urban Boundary with:

- (i) strong natural boundaries such as the coastal edge, rivers, natural catchments or watersheds, and prominent ridgelines; or
- (ii) where strong natural boundaries are not present, then other natural elements such as streams, wetlands, identified outstanding natural landscapes or features or significant ecological areas, or human elements such as property boundaries, open space, road or rail boundaries, electricity transmission corridors or airport flight paths.

(3) Enable rezoning of future urban zoned land for urbanisation following structure planning and plan change processes in accordance with Appendix 1 Structure plan guidelines.

Quality compact urban form

(4) Promote urban growth and intensification within the urban area 2016 (as identified in Appendix 1A), enable urban growth and intensification within the Rural Urban Boundary, towns, and rural and coastal towns and villages, and avoid urbanisation outside these areas.

(5) Enable higher residential intensification:

- (a) in and around centres;
- (b) along identified corridors; and
- (c) close to public transport, social facilities (including open space) and employment opportunities.

- (6) Identify a hierarchy of centres that supports a quality compact urban form:
- (a) at a regional level through the city centre, metropolitan centres and town centres which function as commercial, cultural and social focal points for the region or sub-regions; and
 - (b) at a local level through local and neighbourhood centres that provide for a range of activities to support and serve as focal points for their local communities.
- (7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that do all of the following:
- (a) support a quality compact urban form;
 - (b) provide for a range of housing types and employment choices for the area;
 - (c) integrate with the provision of infrastructure; and
 - (d) follow the structure plan guidelines as set out in Appendix 1.
- (8) Enable the use of land zoned future urban within the Rural Urban Boundary or other land zoned future urban for rural activities until urban zonings are applied, provided that the subdivision, use and development does not hinder or prevent the future urban use of the land.
- (9) Apply a Rural Urban Boundary for Waiheke Island (identified in Appendix 1B) as a regional policy statement method.

B2.3. A quality built environment

B2.3.1. Objectives

- (1) A quality built environment where subdivision, use and development do all of the following:
- (a) respond to the intrinsic qualities and physical characteristics of the site and area, including its setting;
 - (b) reinforce the hierarchy of centres and corridors;
 - (c) contribute to a diverse mix of choice and opportunity for people and communities;
 - (d) maximise resource and infrastructure efficiency;
 - (e) are capable of adapting to changing needs; and
 - (f) respond and adapt to the effects of climate change.
- (2) Innovative design to address environmental effects is encouraged.
- (3) The health and safety of people and communities are promoted.

B2.3.2. Policies

- (1) Manage the form and design of subdivision, use and development so that it does all of the following:
- (a) supports the planned future environment, including its shape, landform, outlook, location and relationship to its surroundings, including landscape and heritage;
 - (b) contributes to the safety of the site, street and neighbourhood;
 - (c) develops street networks and block patterns that provide good access and enable a range of travel options;
 - (d) achieves a high level of amenity and safety for pedestrians and cyclists;
 - (e) meets the functional, and operational needs of the intended use; and
 - (f) allows for change and enables innovative design and adaptive re-use.
- (2) Encourage subdivision, use and development to be designed to promote the health, safety and well-being of people and communities by all of the

following:

- (a) providing access for people of all ages and abilities;
 - (b) enabling walking, cycling and public transport and minimising vehicle movements; and
 - (c) minimising the adverse effects of discharges of contaminants from land use activities (including transport effects) and subdivision.
- (3) Enable a range of built forms to support choice and meet the needs of Auckland's diverse population.
- (4) Balance the main functions of streets as places for people and as routes for the movement of vehicles.
- (5) Mitigate the adverse environmental effects of subdivision, use and development through appropriate design including energy and water efficiency and waste minimisation.

B2.4. Residential growth

B2.4.1. Objectives

- (1) Residential intensification supports a quality compact urban form.
- (2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.
- (3) Land within and adjacent to centres and corridors or in close proximity to public transport and social facilities (including open space) or employment opportunities is the primary focus for residential intensification.
- (4) An increase in housing capacity and the range of housing choice which meets the varied needs and lifestyles of Auckland's diverse and growing population.
- (5) Non-residential activities are provided in residential areas to support the needs of people and communities.

B2.4.2. Policies

Residential intensification

- (1) Provide a range of residential zones that enable different housing types and intensity that are appropriate to the residential character of the area.
- (2) Enable higher residential intensities in areas closest to centres, the public transport network, large social facilities, education facilities, tertiary education facilities, healthcare facilities and existing or proposed open space.
- (3) Provide for medium residential intensities in area that are within moderate walking distance to centres, public transport, social facilities and open space.
- (4) Provide for lower residential intensity in areas:
 - (a) that are not close to centres and public transport;
 - (b) that are subject to high environmental constraints;
 - (c) where there are natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character;and
 - (d) where there is a suburban area with an existing neighbourhood character.
- (5) Avoid intensification in areas:
 - (a) where there are natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage or special character; or
 - (b) that are subject to significant natural hazard risks;

where such intensification is inconsistent with the protection of the scheduled natural or physical resources or with the avoidance or mitigation of the natural hazard risks.

(6) Ensure development is adequately serviced by existing infrastructure or is provided with infrastructure prior to or at the same time as residential intensification.

(7) Manage adverse reverse sensitivity effects from urban intensification on land with existing incompatible activities.

Residential neighbourhood and character

(8) Recognise and provide for existing and planned neighbourhood character through the use of place-based planning tools.

(9) Manage built form, design and development to achieve an attractive, healthy and safe environment that is in keeping with the descriptions set out in place-based plan provisions.

(10) Require non-residential activities to be of a scale and form that are in keeping with the existing and planned built character of the area.

Affordable housing

(11) Enable a sufficient supply and diverse range of dwelling types and sizes that meet the housing needs of people and communities, including:

(a) households on low to moderate incomes; and

(b) people with special housing requirements.

B2.8. Social facilities

B2.8.1. Objectives

(1) Social facilities that meet the needs of people and communities, including enabling them to provide for their social, economic and cultural well-being and their health and safety.

(2) Social facilities located where they are accessible by an appropriate range of transport modes.

(3) Reverse sensitivity effects between social facilities and neighbouring land uses are avoided, remedied or mitigated.

B2.8.2. Policies

(1) Enable social facilities that are accessible to people of all ages and abilities to establish in appropriate locations as follows:

(a) small-scale social facilities are located within or close to their local communities;

(b) medium-scale social facilities are located with easy access to city, metropolitan and town centres and on corridors;

(c) large-scale social facilities are located where the transport network (including public transport and walking and cycling routes) has sufficient existing or proposed capacity.

(2) Enable the provision of social facilities to meet the diverse demographic and cultural needs of people and communities.

(3) Enable intensive use and development of existing and new social facility sites.

(4) In growth and intensification areas identify as part of the structure plan process where social facilities will be required and enable their establishment in appropriate locations.

(5) Enable the efficient and flexible use of social facilities by providing on the same site for:

(a) activities accessory to the primary function of the site; and

(b) in appropriate locations, co-location of complementary residential and commercial activities.

(6) Manage the transport effects of high trip-generating social facilities in an integrated manner.

Anticipated Results

B2.4.1(3) Land within and adjacent to centres and corridors or in close proximity to public transport and social facilities (including open space) or employment opportunities is the primary focus for residential intensification.

The number of dwellings per hectare in areas close to a centre or accessible to public transport and social facilities is greater than for other residential zoned areas and increases over time.

B2.8.1(3) Reverse sensitivity effects between social facilities and neighbouring land uses are avoided, remedied or mitigated.

Reverse sensitivity complaints against social facilities decrease over time.

B6.2. Recognition of Treaty of Waitangi/Te Tiriti o Waitangi partnerships and participation

B6.2.1. Objectives

(1) The principles of the Treaty of Waitangi/Te Tiriti o Waitangi are recognised and provided for in the sustainable management of natural and physical resources including ancestral lands, water, air, coastal sites, wāhi tapu and other taonga.

(2) The principles of the Treaty of Waitangi/Te Tiriti o Waitangi are recognised through Mana Whenua participation in resource management processes.

(3) The relationship of Mana Whenua with Treaty Settlement Land is provided for, recognising all of the following:

(a) Treaty settlements provide redress for the grievances arising from the breaches of the principles of Te Tiriti o Waitangi by the Crown;

(b) the historical circumstances associated with the loss of land by Mana Whenua and resulting inability to provide for Mana Whenua wellbeing;

(c) the importance of cultural redress lands and interests to Mana Whenua identity, integrity, and rangatiratanga; and

(d) the limited extent of commercial redress land available to provide for the economic wellbeing of Mana Whenua.

(4) The development and use of Treaty Settlement Land is enabled in ways that give effect to the outcomes of Treaty settlements recognising that:

(a) cultural redress is intended to meet the cultural interests of Mana Whenua; and

(b) commercial redress is intended to contribute to the social and economic development of Mana Whenua.

B6.2.2. Policies

(1) Provide opportunities for Mana Whenua to actively participate in the sustainable management of natural and physical resources including

ancestral lands, water, sites, wāhi tapu and other taonga in a way that does all of the following:

- (a) recognises the role of Mana Whenua as kaitiaki and provides for the practical expression of kaitiakitanga;
- (b) builds and maintains partnerships and relationships with iwi authorities;
- (c) provides for timely, effective and meaningful engagement with Mana Whenua at appropriate stages in the resource management process, including development of resource management policies and plans;
- (d) recognises the role of kaumātua and pūkenga;
- (e) recognises Mana Whenua as specialists in the tikanga of their hapū or iwi and as being best placed to convey their relationship with their ancestral lands, water, sites, wāhi tapu and other taonga;
- (f) acknowledges historical circumstances and impacts on resource needs;
- (g) recognises and provides for mātauranga and tikanga; and
- (h) recognises the role and rights of whānau and hapū to speak and act on matters that affect them.

(2) Recognise and provide for all of the following matters in resource management processes, where a proposal affects land or resources subject to Treaty settlement legislation:

- (a) the historical association of the claimant group with the area, and any historical, cultural or spiritual values associated with the site or area;
 - (b) any relevant memorandum of understanding between the Council and the claimant group;
 - (c) any joint management and co-governance arrangements established under Treaty settlement legislation; and
 - (d) any other specific requirements of Treaty settlement legislation.
- (3) Where Mana Whenua propose an activity on Treaty Settlement Land, the benefits for the wider community and environment provided by any property-specific protection mechanism, such as a covenant, shall be taken into account when considering the effects of the proposal.
- (4) Enable the subdivision, use and development of land acquired as commercial redress for social and economic development.
- (5) Enable Mana Whenua to access, manage, use and develop cultural redress lands and interests for cultural activities and accessory activities.

B6.3. Recognising Mana Whenua values

B6.3.1. Objectives

- (1) Mana Whenua values, mātauranga and tikanga are properly reflected and accorded sufficient weight in resource management decision-making.
- (2) The mauri of, and the relationship of Mana Whenua with, natural and physical resources including freshwater, geothermal resources, land, air and coastal resources are enhanced overall.
- (3) The relationship of Mana Whenua and their customs and traditions with natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, natural resources or historic heritage values is recognised and provided for.

B6.3.2. Policies

- (1) Enable Mana Whenua to identify their values associated with all of the following:
 - (a) ancestral lands, water, air, sites, wāhi tapu, and other taonga;
 - (b) freshwater, including rivers, streams, aquifers, lakes, wetlands, and associated values;
 - (c) biodiversity;
 - (d) historic heritage places and areas; and

B6 Mana Whenua

Auckland Unitary Plan Operative in part 4

- (e) air, geothermal and coastal resources.
- (2) Integrate Mana Whenua values, mātauranga and tikanga:
 - (a) in the management of natural and physical resources within the ancestral rohe of Mana Whenua, including:
 - (i) ancestral lands, water, sites, wāhi tapu and other taonga;
 - (ii) biodiversity; and
 - (iii) historic heritage places and areas.
 - (b) in the management of freshwater and coastal resources, such as the use of rāhui to enhance ecosystem health;
 - (c) in the development of innovative solutions to remedy the longterm adverse effects on historical, cultural and spiritual values from discharges to freshwater and coastal water; and
 - (d) in resource management processes and decisions relating to freshwater, geothermal, land, air and coastal resources.
- (3) Ensure that any assessment of environmental effects for an activity that may affect Mana Whenua values includes an appropriate assessment of adverse effects on those values.
- (4) Provide opportunities for Mana Whenua to be involved in the integrated management of natural and physical resources in ways that do all of the following:
 - (a) recognise the holistic nature of the Mana Whenua world view;
 - (b) recognise any protected customary right in accordance with the Marine and Coastal Area (Takutai Moana) Act 2011; and
 - (c) restore or enhance the mauri of freshwater and coastal ecosystems.
- (5) Integrate Mana Whenua values, mātauranga and tikanga when giving effect to the National Policy Statement on Freshwater Management 2014 in establishing all of the following:
 - (a) water quality limits for freshwater, including groundwater;
 - (b) the allocation and use of freshwater resources, including groundwater; and
 - (c) integrated management of the effects of the use and development of land and freshwater on coastal water and the coastal environment.
- (6) Require resource management decisions to have particular regard to potential impacts on all of the following:
 - (a) the holistic nature of the Mana Whenua world view;
 - (b) the exercise of kaitiakitanga;
 - (c) mauri, particularly in relation to freshwater and coastal resources;
 - (d) customary activities, including mahinga kai;
 - (e) sites and areas with significant spiritual or cultural heritage value to Mana Whenua; and
 - (f) any protected customary right in accordance with the Marine and Coastal Area (Takutai Moana) Act 2011.

B6.4. Māori economic, social and cultural development

B6.4.1. Objectives

- (1) Māori economic, social and cultural well-being is supported.
- (2) Mana Whenua occupy, develop and use their land within their ancestral rohe.

B6.4.2. Policies

- (1) Provide for papakāinga, marae, Māori customary activities and commercial activities across urban and rural Auckland to support Māori economic, social and cultural well-being.
- (2) Enable the integration of mātauranga and tikanga Māori in design and development.
- (3) Enable the occupation, development and use of Māori land for the benefit of its owners, their whānau and their hapū.
- (4) Enable Mana Whenua to occupy, develop and use Māori Land (including for

papakāinga, marae and associated developments) with natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, natural resources, coastal environment, historic heritage and special character, provided that adverse effects on those resources are avoided, remedied or mitigated.

DISTRICT PLAN

H4.2. Objectives

- (1) Housing capacity, intensity and choice in the zone is increased.
- (2) Development is in keeping with the neighbourhood's planned suburban built character of predominantly two storey buildings, in a variety of forms (attached and detached).
- (3) Development provides quality on-site residential amenity for residents and adjoining sites and the street.
- (4) Non-residential activities provide for the community's social, economic and cultural well-being, while being compatible with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.

H4.3 Policies

- (2) Achieve the planned suburban built character of predominantly two storey buildings, in a variety of forms by:
 - (a) limiting the height, bulk and form of development;
 - (b) managing the design and appearance of multiple-unit residential development; and
 - (c) requiring sufficient setbacks and landscaped areas.
- (3) Encourage development to achieve attractive and safe streets and public open spaces including by:
 - (a) providing for passive surveillance
 - (b) optimising front yard landscaping
 - (c) minimising visual dominance of garage doors.
- (4) Require the height, bulk and location of development to maintain a reasonable standard of sunlight access and privacy and to minimise visual dominance effects to adjoining sites.
- (5) Require accommodation to be designed to meet the day to day needs of residents by:
 - (a) providing privacy and outlook; and
 - (b) providing access to daylight and sunlight and providing the amenities necessary for those residents.
- (10) Recognise the functional and operational requirements of activities and development.
- (6) Encourage accommodation to have useable and accessible outdoor living space.
- (9) Provide for non-residential activities that:
 - (a) support the social and economic well-being of the community;

(b) scale and intensity of development anticipated within the zone;

(c) avoid, remedy or mitigate adverse effects on residential amenity;...

Activity Table H4.4.1:

(A20) Community facilities RD MHSZ

C1. Social Impact Report – R Quigley

**Expert report for Auckland Council on the Social Impact Assessment for
the proposed alterations to designation 3800 in the Auckland Unitary Plan
(Whakatakapokai)**

**Prepared by Robert Quigley
Quigley and Watts Ltd**

2 April 2019



1 INTRODUCTION AND BACKGROUND

1.1 Purpose

This expert report has been prepared to assist Auckland Council's understanding of facts and issues that should be considered for the Notice of Requirement and Assessment of Effects (**AEE**) lodged by the Minister for Children for proposed alterations to designation 3800 in the Auckland Unitary Plan for the Oranga Tamariki residence currently known as Whakatakapokai.

This expert report provides a technical review of the social effects associated with the project.

1.2 Whakatakapokai

Whakatakapokai is located at 398 Weymouth Road, Weymouth, Auckland. The existing care and protection site is bordered by medium density residential housing, being approximately 2 kilometres west of Manurewa town centre. Manurewa town centre is 6 kilometres south of Manukau City Centre.

The current care and protection facility provides for 20 children/tamariki and young people/rangatahi. Beca's letter dated 15 March 2019, provided in response to a section 92 request by the Council, provides (at pages 3-4) an expanded site history. In short, the site was first designated in 1967 as a Girls Training Centre and has had several uses over the years. Subsequently, the site accommodated youth justice offenders and care and protection jurisdiction children/young people, both male and female. In later years, due to community concern and appeals by Council to the designation, the designation altered to care and protection only (2002).

Whakatakapokai sits within a residential housing area of Weymouth, South Auckland. Its boundary neighbours on three sides are residential houses and one public park with a children's playground. On the fourth boundary is Weymouth Road, with residential housing on the other side. Three public spaces with children's playgrounds are within 50 to 75m of the boundary fence. From the report author's site visit, the residential housing observed appears to have a high proportion of young families. Waimahia Intermediate is approximately 100m to 150m to the Whakatakapokai boundary and Choice Kids early childhood centre is approximately 200m away.

1.3 The Notice of Requirement

The Minister for Children is seeking to change the existing designation to address the increase in demand arising from the Raising the Age changes to the Oranga Tamariki Act 1989.

The Minister of Children has therefore given Notice of Requirement (**NoR**) for alterations to Designation 3800 (Care and Protection Residential Centre) in the Auckland Unitary Plan.

The existing designation conditions relating to Whakatakapokai are requested to be modified, as required, in order to allow:

- (a) for an increase in the number of children and young persons who may live at the residence (from 20 to 30);

- (b) children and young people under the jurisdiction of youth justice and certain adult jurisdictions to be accommodated at the site; and
- (c) for an increase in age for young people up to and including 19 years of age (although most will be under 18 years old).

Report informed by

This expert report is informed by:

- Facility visit (4th February 2019)
- Discussions with Auckland Council's planner, technical specialists, and legal team
- The NoR AEE, especially Section 7.6 and Appendix 3, including the Social Impact Assessment (SIA) prepared by Beca dated February 2019
- Security, noise and traffic assessments (both the requiring authority's assessments accompanying the NoR, and the expert reports by Council)
- Consultation letters and feedback forms sent to public
- Public feedback to consultation letters
- Review of community liaison committee minutes (nine meetings from April 2016 to December 2018)
- Further information provided in response to the Council's section 92 information request, including Beca's letter on SIA matters dated 15 March 2019, and the accompanying updated SIA dated March 2019
- Formal public submissions on the NoR
- Visit to surrounding streets, suburbs of Weymouth and Clendon Park, and Manurewa town centre (15th March 2019).

2 SOCIAL EFFECTS ON THE ENVIRONMENT OF ALLOWING THE NoR

2.1 Background

Section 7.6 of the NoR AEE considers the '*Neighbourhood/Community and Social Impact Effects*' of the proposed alteration to designation. Appendix 3 provides a SIA prepared by Beca Limited. An updated version of the SIA, dated March 2019, was provided in response to the Council's section 92 request dated 8 March 2019. This report focuses on the updated March 2019 version of the SIA.

The SIA considers potential effects on:

- Quality of the environment from changes in visibility (Section 6.2)
- Wellbeing, fears and aspirations (Section 6.2.1)
- Way of life, including residential amenity and privacy (Section 6.2.2)
- Quality of environment and sense of place for neighbours (Section 6.2.3).

The geographic focus of the SIA (the study area) comprised '*the local neighbourhood (Clendon South, Weymouth East and Weymouth West) and the wider surrounding community (Manurewa Local Board)*'.¹

For data, the SIA was largely a desktop approach. The method consisted of a literature review, demographic profiles of community, media review, review of Community Liaison Committee minutes, a site visit and feedback forms from letters sent to residents. Consequent to the SIA and NoR AEE, an open day with residents was advertised.

2.2 SIA summary and major findings

The SIA concluded that, overall, '*... changes at the residence will have potentially low to high adverse social impacts. High potential impacts will be concentrated to the immediate 'neighbours' of the residence, but also associated with a potential impacts of sense of place and identity for the wider Weymouth community*' (Executive Summary, page 1, SIA).

Of the four potential social effects studied, the SIA categorised three as 'high adverse effects.' This is important because it is rare for a SIA in New Zealand to identify high adverse effects, let alone the majority of effects being assessed high adverse. The assessment scale employed in the SIA identifies "high" adverse effects as those having long term duration (e.g. years to permanent impact), medium to large scale extent of impact for community (e.g. more than half or the majority of a community is considered likely to experience the impact), and a moderate to high level of severity of impact. If any of the three high adverse effects are not appropriately mitigated or addressed, it might be argued the effect could become significant under the RMA. Therefore, it is important to address each potential high adverse effect in turn:

- A.** '*Sense of place and how people live their lives*' was judged to be high adverse². There is already a care and protection facility at the location; no indication of what signage may or may not be used; and limited information concerning additional physical security measures. The recent development of medium-density housing adjoining the site directly refutes the concept the area is a '*dumping ground for misfits*.' My observation of the surrounding area is instead: Largely new and well-maintained housing, quiet residential streets, three new and well maintained children's play areas and many families as direct neighbours. The empirical findings of the Auckland South Corrections Facility and Auckland Regional

¹ SIA, page 21.

² SIA, page 24.

Women's Correctional Facility Social Impact Monitoring also directly refute the poor perception put forward. However, an appropriately argued case is made for a high adverse effect on 'sense of place' due to Whakatakopokai becoming a youth justice facility for offenders. This expert review agrees with that aspect of the assessment.

Whakatakopokai is within 2 km of an existing youth justice offender facility. The March 2019 SIA is silent on the additional need to serve the South Auckland community. Presumably the additional capacity will mostly address upper north demand, rather than South Auckland. If this is the case, the two facilities will cumulatively accommodate additional offenders from outside South Auckland. The March 2019 SIA is silent on whether Oranga Tamariki might release any offenders into South Auckland (on completion of their sentence) who previously did not live in South Auckland. An important consideration for this is Oranga Tamariki policy on releases back to the area where the offender came from. Such policy would need to be backed up by practical matters i.e. whether there is a predominant court for probation (e.g. Manurewa) which in practice would work in opposition to policy. It is suggested that Oranga Tamariki consider this issue, providing data about release. Otherwise the change to a youth justice offender facility has the potential to have far reaching social effects on the South Auckland community e.g. demand on social services, supportive housing, crime, etc. How raising the age may also impact on this issue also requires consideration.

The AEE describes (at section 1.1.1) how *'The vision is one where children can live within the community and remain a part of that same community. The use of this residence for youth justice purposes is consistent with this direction as it has a less 'correctional' look and feel than other existing youth justice residences.'* While this is a direction that the Minister may wish to take, it appears problematic at this site as it conflicts with the assessed high adverse social effects on that same community and the need to mitigate those to an acceptable level. The two goals do not align well.

- B.** *'Potential impact on wellbeing and fears and aspirations'* are assessed in the SIA as being high potential adverse impacts, unless mitigated. The severity of the impacts are described as being highest for the immediate neighbours, but it is noted that the impacts are likely to be experienced across the local neighbourhood. The reasons for the views expressed in the SIA are, in summary, community perception about *'fears that the crime rate will increase'*, *'fear attached to living next door to youth offenders'*, and *'friends and family of offenders who may visit or move to the area'*.³ Little to no empirical evidence exists for these outcomes, and instead the empirical evidence for Corrections facilities is the opposite (as described in the SIA literature review). Uncertainties are then described, and these are real issues given the lack of lay-person-friendly information provided to the communities in the consultation letter and open day invite. The high adverse finding is supported by 'media coverage on escapes at the residence prior to its current use'. No substantial analysis is provided about these previous escapes in the SIA. Consequent answers to the Section 92 request provide additional information on previous escapes; the structural changes to enhance security; and operational changes to enhance security (but which are not included within the designation). The SIA describes *"Their personal sense of safety and security, and especially towards children in the community, is significantly affected by the change in use and in the absence of details on security measures."* This expert assessment agrees with that finding, especially given the unique placement of this facility within a residential area and the consequent uncertain transferability of NZ Corrections evidence regarding personal safety.

³ SIA, 6.2.1, pages 24-25.

- C. *'Potential impacts on way of life, including residential amenity and privacy'* are assessed as *'moderate (to potentially high) adverse effects'*.⁴ It is stated that while the impacts and potential severity is focused on the immediate neighbours there is also potential for less severe local neighbourhood impacts. In summary this was because of the *'increased busyness of the residence'*, *'potential for security surveillance'*, and *'potential visibility between residents of the Oranga Tamariki Residence and neighbours.'* A large number of properties are listed as potentially affected. The rationale was further argued due to the uncertainty of physical changes to the Whakatakapokai residence. The assessment is largely based on visual effects. This expert review supports the finding of a potential moderate to high adverse effect on these neighbouring properties, especially for residential amenity and privacy. No evidence and little analysis is provided about potential effects to *'way of life'*, which is broader than visual amenity/privacy.
- D. *'Potential impacts on quality of environment and sense of place for neighbours'* is assessed as a *'low adverse impact'*.⁵ Community feedback of decreasing property prices is presented as a concern, followed by a discussion on the effect on property values for immediately adjoining landowners and its temporary nature. Uncertainty is described a third time⁶, meaning this effect is potentially triple counted by the assessors. The SIA authors describe *'it is unlikely that this impact will affect the wider Waimahia development where there are over 100 homes, or the wider community beyond this, but may be experienced by immediate neighbours.'* Given the title of this section is *'neighbours'*, it could be argued that a low adverse effect is an inappropriate finding for this section (and the effect will be high adverse for immediate neighbours and the Waimahia development). The Waimahia development (with over 100 homes) is a direct neighbour to the facility and the majority of the entire development is within 200m of the boundary fence. This expert review notes a similar social effect is described in the SIA, 6.21 (*Sense of place and how people live their lives*), effectively double counting this effect. Therefore, a low adverse effect is satisfactory within this section given sense of place has been assessed as a high adverse effect in Section 6.21.

This expert review agrees there is potential for high adverse effects. Additional specificity of effects on directly affected populations, backed up by empirical evidence, would further cement the analysis and reaffirm the findings (in particular, highlighting the drivers of potential effects such as changing the facility to a majority youth justice offender facility, placing Care and Protection young people *'outside the wire'*, and analysis of operational and perimeter security). They are mentioned but are lost somewhat amongst lesser drivers derived from old studies and international studies.

The SIA states that *'[i]n all cases it is noted that the **potential** impacts have the potential to be reduced, remedied or mitigated by project design and implementation of management and/or mitigation strategies'*.⁷ The requiring authority's proposals for mitigation of social effects is discussed in section 4 of this report.

2.3 Specific comments on the SIA (March 2019 version) and Section 7.6 of NoR AEE

Directly affected versus community effects

Throughout the March 2019 version of the SIA, each potential social effect is attributed to a population group. However, a diversity of terms are used, such as: *'immediately adjoining landowners'*, *'Wamahia*

⁴ SIA, 6.2.2, pages 25-26.

⁵ SIA, 6.2.3, page 26.

⁶ Uncertainty: 6.23, page 26; and previously in the SIA, 6.2.1, page 24; and *'security measures...and any physical changes...are yet to be determined'* (6.22, page 25).

⁷ SIA, 6.1, page 21.

development', 'immediate neighbours', 'regional', 'sub-local', 'local neighbourhood', 'wider community, 'Weymouth community', 'community', 'nearby residents' and 'residents' etc. At present, the effects on those 'directly affected' i.e. adjoining residential households, is mixed in with assessment of potential effects on diverse categories of populations.

Specific findings

Noise is not included in the SIA yet should be considered. The CLC minutes have raised two past noise issues from the southern car parks (out of just five complaints over three years). The community feedback also raises noise issues from the Southern car parks. The noise assessment prepared for the Minister for Children (page 8) makes a good recommendation to deal with both: *'For night times, the car parking could be managed to control noise levels by either using the main car park or limiting the number of vehicles using the accessway car parks.'* i.e. not using that carpark at night. This is preferable to the CLC response which was to tell staff to be quieter. The view of the Council's acoustic expert, Jon Styles is that ".

Missing sub-heading

Section 6.2 of the SIA (Potential Social Impacts) begins with a framework, and then paragraph 4 (page 23), starting: *'Although only minor physical changes...'* requires a sub-heading (Potential impacts on the quality of the environment from changes in visibility) similar to subheadings provided for 6.2.1, 6.2.2 or 6.2.3.

3 CONSULTATION, NOTIFICATION AND SUBMISSIONS

3.1 Consultation

The project has only recently been in the public realm, with the first consultation letters dated 24 January 2019. As such, limited consultation has been undertaken prior to lodging of the NoR. While the consultation letter to residents sets out the main changes to the designation, the author of this expert review questions how clear the information is for a lay audience. For example, the scale of the change to a Youth Justice offender facility (from none to 24, and potentially 30 at some point in the future⁸); and the scale of change to Care and Protection children and youth (from 20 to 6). Also lacking is a description that children and young people under Care and Protection are proposed to be accommodated 'outside the wire'.

The authors of the SIA describe the document as 'preliminary' and note that, in development of the SIA, no specific consultation or stakeholder interviews were conducted⁹. No community members or community organisations were talked to by the SIA team, instead relying on questions within a consultation letter and written responses by the public. This lack of consultation by the SIA team means they may not fully understand the potential effects on the community and may also miss ways to address potential effects (as that was not asked of people). Consequent to the SIA, a generic invite was provided to residents to attend an open day to understand about its proposed '*change of use*', to which the SIA team were not invited. Again, this is an example of how the proposed change to a youth justice offender facility has potentially not been made clear to the community and is a missed opportunity to understand potential social effects on the community.

The SIA identifies specific residences as being subject to specific potential effects (section 6.2.2 of SIA) yet there has been no attempt to seek out and confirm these potential effects with the people concerned.

Community feedback is described in Section 5.4 of the SIA, however it is unclear the number of people reporting each issue, nor is there an analysis of whether the issues are reported by those directly affected such as adjoining neighbours, or by wider community members.

3.2 Notification and Submissions

The NoR AEE was lodged with the Council on 22 February 2019 and notified for public submissions on 1 March 2019. The closing date for the receipt of submissions was 29 March 2019. A total of 110 submissions were received by Auckland Council within the statutory timeframes.

All submitters bar two (#1 and #4) raise social-related issues. Many submitters support the continued use of the site for care and protection. Three submitters support the designation change (#1, #3 and #88). One submitter in favour (#3) provides a rationale regarding the importance of dealing with young offenders outside of the adult prison and existing youth justice facilities, with the purpose to provide greater support and care for better outcomes. The Minister of Education (#88) supports the NoR '*because it will enable Oranga Tamariki to meet its responsibilities towards tamariki or rangatahi that have been placed under its care or custody.*' The Minister of Education acknowledges social effects and agrees with the mitigations proposed to deal with those effects.

However, in contrast almost all submitters (107) are opposed. Nearly all want the designation to be

⁸ As foreshadowed in the final bullet point on page 18 of the AEE.

⁹ SIA, 1.1 (Key Limitations and Assumptions), page 1.

rejected entirely. The social effects raised by submitters support the findings of the March 2019 SIA. The submissions also bring a community voice to the process and inject a rich description of the characteristics of potential social effects. The issues raised by submitters have been categorised under the three topics of the March 2019 SIA which assessed a potential high adverse social effect.

Sense of place affected:

- Not in keeping with community values
- Is a safe and peaceful community
- Is a family friendly community
- Is not compatible with our whanau's positive world perspective
- We have our problems as community and don't need this on top
- Is a residential area, a place where families live
- Is an area with schools and ECE
- Drastically affects image and values of community we live in
- Violent offenders are near my home
- Concerned offender visitors will be different from care and protection visitors, and consequently cause issues
- How I and others see the neighbourhood will change. South Auckland (not local neighbourhood) has enough prisons already (three). White privilege was described, saying this would not happen in a wealthy suburb.

Way of life is affected:

- Not compatible with whanau way of life
- Children not being able to play in backyard
- Children unable to move about, play in neighbourhood, walk to friends, ride bikes, play in the inlet, do normal things
- Our garden borders the property
- Solo mothers, older people, youth, children and infants adjacent to offenders
- Need to reconsider the security of homes
- Property values
- Uncertainty.

Wellbeing, fears and aspirations affected:

- Mental and emotional stress from the designation process
- Our hopes for our lives are affected
- Stress and anxiety
- Fear of property crime, both housing and vehicles
- Actual escapes and risk of personal harm to older people, parents and children, and property crime
- Leaving family alone when travelling away for work or volunteering
- Not feeling safe in our backyards
- Not feeling safe in our home

- Not feeling safe sending children to the nearby school
- Not feeling safe in our community
- Belief that existing crime is high already and fear of an increase
- Licensed firearm holder concerned about theft of weapon and consequent outcomes
- Feeling like the imprisoned ones
- Not consistent with Auckland Unitary Plan: Social Facilities (B2.8) objectives or policy, or the objectives or policies of the Residential – Mixed Housing Suburban Zone (H4).

Residential amenity and privacy:

- Affect on busyness
- Affect on noise
- Affect on amenity

Many submitters describe the lack of clarity regarding the engagement with community about the designation change at Whakatakapokai. For example, #60 describes '*I am not sure what this means*', while submitter #79 believes the lack of clarity was '*deliberate*' and consequently their confidence in transparency for how Oranga Tamariki would deal with the community in the future is low.

As already noted, the SIA includes mitigation measures which it describes will address such concerns. However, the mitigations recommended in the March 2019 SIA are not readily apparent in the draft conditions provided by the Minister. This peer review develops that mitigation strategy further, recommends a range of measures as the foundation for designation conditions and clarifies where mitigation is unlikely reduce social effects to an acceptable level.

4 OVERALL FINDINGS AND PROPOSED MITIGATIONS

Three of four of the social effects studied have been identified in the SIA as potentially high adverse. Such findings are rare in a New Zealand context. This likely reflects the unique proposal to site a Youth Justice offender facility within a residential area. All other Youth Justice offender facilities are either in rural zones or zoned industrial/heavy industrial. Corrections facilities are also typically in similar zones.

As noted, the SIA states (at section 6.1) that in all cases the high potential adverse effects identified *'have the potential to be reduced, remedied or mitigated by project design and implementation of management and/or mitigation strategies'*. The mitigation measures proposed by the requiring authority are therefore critical as they must adequately respond to each of the high adverse findings.

Section 7.6.3 of the NoR AEE presents *'Mitigation measures'* and these are further described in the Form 18 NoR itself. Neither match the intent and detail of Section 7 *'Measures to Avoid, Remedy and Mitigate'* in the SIA. The proposed Social Impact Management Plan (**SIMP**) is a response to the fact that operational and physical changes are unclear, while the intent of the Community Liaison Committee (**CLC**) is for the community to *'give feedback'* and the Ministry to *'provide information'*. The Community Impact Forum (**CIF**) is clearly *'recommended'* in the SIA but is obliquely referenced in Form 18.

The mitigations discussed in the SIA (not necessarily carried through to the Form 18 NoR) have the potential to address some of the effects.

Effects which can largely be mitigated by the proposed conditions (subject to the improvements suggested by Council planner Barry Mosley being taken in) include:

- i. Potential effects on the quality of the environment can potentially be addressed through managing physical changes to the look of the site and via operational procedures.
- ii. Potential effects on residential amenity and privacy. Residential amenity and privacy can potentially be addressed through managing physical changes to the look of the site and via operational changes.

Effects which will not be mitigated by the requiring authority's current conditions include:

- (a) Potential effects on wellbeing, fears and aspirations. Arising from personal safety fears relating to families and children in adjacent residential housing and consequent effects on wellbeing and anxiety. Personal sense of safety is also unlikely to be assuaged unless additional and stringent conditions are imposed.
- (b) Potential effects on way of life. There is no evidence presented nor little analysis on this topic.
- (c) Potential effects on sense of place for Weymouth and local neighbours. Placing a youth justice offender facility within a residential area is a substantial effect on sense of place that will not be addressed by current conditions.

A potential social effect that has not been explored in the March 2019 SIA is the release of offenders into the local area who are not from the area. Consideration of a cumulative effect arising from the nearby Korowai Manaaki (and its proposed increase in capacity) is worthwhile, prior to the Environment Court hearing. Policy and practice must also align to ensure offenders from outside the area are not placed in South Auckland. If policies and practices align, the maintenance of these policies and practices can be ensured via monitoring in the SIMP. If past policies and practices are leading to offenders being

placed in South Auckland, the Minister would need to provide assurances that the necessary changes are made prior to Whakatakapokai accepting youth justice offenders.

This expert review recommends conditions which:

- i. Continue the Community Liaison Committee (as proposed in the SIA).
- ii. Oranga Tamariki to commission, develop and implement a SIMP from designation through to at least three years following first opening of the facility (as proposed in the SIA). It is recommended that the conditions provide flexibility for the requiring authority and the CLC to agree that the SIMP processes and obligations should continue on an ongoing basis or for a fixed period beyond three years. In addition, it is recommended that the SIMP conditions should be 're-engaged' in the event that the requiring authority proposes new buildings and/or repurposing of the Wharenui for youth justice offender purposes (unless the CLC agrees otherwise). The SIA acknowledges that future potential physical changes may give rise to potential social impacts¹⁰.
- iii. Require the Minister to adequately resource the Community Liaison Committee, including any subcommittee or Community Impact Forum, which may be established. In my opinion, this obligation should extend to ensuring that members of the Community Liaison Committee have access to independent professional advice so as to enable them to participate fully in, and engage with, the SIMP processes in particular. Due to the severity of the adverse effects anticipated, the community also requires expert support. Based on past experience, without this support, the community will not be able to appropriately engage with the high adverse effects arising from the designation change. In turn, the SIMP has the potential to become a condition-driven process that does not empower the community or address their concerns. As a minimum, I envisage this would require independent expert assistance from a social impact assessment specialist (separate to any advice given to the Minister), although the Committee may require other forms of professional support and advice as well.
- iv. Several effects will not be mitigated by the requiring authority's current conditions are difficult to quantify and are difficult to mitigate. These are: Potential impacts on wellbeing, fears and aspirations; Potential impacts on way of life; and Potential impacts on sense of place for Weymouth and local neighbours. One option to offset these would be for the requiring authority to set up a perpetual community fund to offset the effects on community. Such a fund would not be dependent on identifying social or any other effects, rather it would for the community to use for their development as they see fit. For example, it may be used to support educational opportunities for young people in the surrounding houses. It is understood that legally, in the absence of the requiring authority volunteering such a mechanism, the Court may be limited in its ability to require this by means of conditions. Nonetheless, it is mentioned as a potential means of addressing social impact concerns.
- v. Safety and security are paramount. The local community do not believe the site is suitable for placement of offenders in a youth justice facility as demonstrated by their submissions. For example, Shona Ann McCarthy¹¹ submitted '*This facility is not secure enough for a youth justice residence. This facility will need major security features added to it if it is to be a remand/youth justice facility.*' Regardless of additional security, the community will not feel safe. For example, Lily Li¹² submitted '*The introduction of youth justice placements into the facility will result in*

¹⁰ SIA, 1.1, page 2.

¹¹ Submission #15.

¹² Submission #27.

additional security and safety concerns for my family.' This contrasts with the conclusion of the NoR¹³ *'That mitigation includes a range of designation conditions that address ... security management ... to ensure the continued operation of the residence facility on site does not affect or compromise the residential amenity or functionality of the surrounding properties and addresses security and safety, ... concerns raised during consultation.'* As well, to minimize the risk to safety and security, Mr Mosley's section 198D report attaches a detailed set of revised conditions. The additional conditions and amendments to conditions proposed by Mr Mosley are supported. However even with these additional security features, the Council's security expert states it is likely offenders will still escape, underpinning the importance of prohibiting certain types of offenders from the area. With such a mitigation, safety and security is mitigated to an acceptable level.

In summary, it is projected that some of the high adverse social effects will be able to be directly reduced/mitigated by the conditions and in my opinion become acceptable. These are 'quality of environment' and 'residential amenity and privacy.' However, potential high adverse social effects associated with 'sense of place', 'wellbeing, fears and aspirations' and 'way of life' are not easily directly mitigated given the type of effects and the location of the proposed facility to a residential area. A combination of monitoring and stakeholder response as detailed in conditions may mitigate these effects somewhat, and may offset the effects somewhat, but in my opinion (and before I have seen the Minister's evidence in response to this review and potential additional mitigations) these will remain an adverse high social effect despite these best efforts.

¹³ NoR, 12.0, page 44.

C2. Security Report – C Polaschek

C3. Transport Report – T Church



**Care and Protection Centre
Designation Alteration -
Whakatakapokai**

Review of Transportation
Matters

April 2019

flow

TRANSPORTATION SPECIALISTS



TRANSPORTATION SPECIALISTS

Project: Care and Protection Centre Designation Alteration - Whakatakapokai
Title: Review of Transportation Matters
Document Reference: P:\ACXX\369 Whakatakapokai and Korowai Manaaki Designation Alteration\R1A190405_Transport Review Whakatakapokai_Final.docx
Prepared by: Sophia Chen
Reviewed by: Terry Church

Revisions:

Date	Status	Reference	Approved by	Initials
5 April 2019	A - FINAL	R1A190405	T Church	TC

The drawings, information and data recorded in this document (the information) are the property of Flow Transportation Specialists Ltd. This document and the information are solely for the use of the authorised recipient and this document may not be used, copied or reproduced in whole or part for any purpose other than that for which it was supplied by Flow Transportation Specialists Ltd. Flow Transportation Specialists Ltd makes no representation, undertakes no duty and accepts no responsibility to any third party who may use or rely upon this document or the information.

EXECUTIVE SUMMARY

Flow Transportation Specialists (**Flow**) has been commissioned by Auckland Council (**Council**) to review the traffic and transportation matters associated with a Notice of Requirement (**NoR**) by the Minister for Children to alter Designation 3800 for the Care and Protection Residential Centre – Upper North, which is currently known as ‘Whakatakapokai’ located at 398 Weymouth Road in Weymouth, Auckland.

The current residence provides placement for up to 20 children and young people for care and protection purposes aged up to but not including 17 year olds. Under the Raising the Age changes to the Oranga Tamariki Act that come into force on 1 July 2019, Oranga Tamariki will be required to accept young persons who are aged up to and including 17 years, and may also be required to accept some young adults aged 18 and 19. In order to accommodate the additional demand for placements generated by this change to the Oranga Tamariki Act, the Minister for Children seeks to alter Designation 3800 to increase the maximum number of children and young persons residing at Whakatakapokai from 20 to 30 people, and to amend the designation to allow youth justice placements.

The subject site is currently zoned Residential – Mixed Housing Suburban Zone under the Auckland Unitary Plan – Operative in Part (**AUP-OIP**) and includes a designation across the land, being Designation 3800. No transportation-related conditions are included in Designation 3800, as set out in Chapter K of the AUP-OIP.

The Transport Assessment supporting the designation alteration has been reviewed, which focusses on transportation matters associated with increasing the maximum number of children and young persons from 20 to 30, should the designation of the subject site be altered. Flow notes that at the time of preparing this report, staff numbers associated with the proposal were being reviewed by the Minister. As such, it may be necessary to revisit and alter the outcomes of this report should further changes be made to the assumptions used in this review.

Flow has been provided 110 submissions relating to the proposal. Two submissions raised transport related matters. Both submitters (#43 Weymouth Residents and Ratepayers Association and #69 Emma Ushaw) oppose the NoR and raise concerns about the traffic effects of the proposed Alteration to Designation 3800. The Weymouth Residents and Ratepayers Association puts forward several of transport-related questions as to how the proposal contributes or improves the liveability of Weymouth residents, relating to connectivity and the provision of safe and direct routes which encourage walking and cycling. Emma Ushaw raises an increase in traffic as a concern. Feedback has also been received from the Manurewa Local Board, who raise concerns related to traffic generation and on-site parking provision.

Conditions are proposed, covering the following transportation matters:

- ◆ Safe and direct connection between the main entrance and roading network
- ◆ On-site parking provision
- ◆ Travel Management Plan to encourage the use of alternative transport modes
- ◆ Parking Management Plan to manage the use of parking areas internal to the site

- ◆ On-site cycle provision.

Following Flow's review of the NoR, the supporting Transport Assessment, and the conditions proposed, Flow is of the view that the additional traffic volume can be accommodated safely onto the surrounding road network. Accordingly, the Alteration to Designation 3800 can be safely and efficiently provided for from a transportation perspective.

To conclude, Flow is of the view that the adverse transport effects of the alteration to Designation 3800 can be appropriately mitigated and managed through the proposed conditions.

CONTENTS

1	INTRODUCTION	1
2	PROPOSAL SUMMARY	1
3	TRANSPORT MATERIAL REVIEWED	3
4	REVIEW OF NOTICE OF REQUIREMENT MATERIAL	3
	4.1 Access	3
	4.2 Servicing	4
	4.3 Parking Provision	4
	4.4 Walking and Cycling Facilities	6
	4.5 Traffic Generation	6
5	SUBMISSIONS AND LOCAL BOARD FEEDBACK	6
6	CONSULTATION	7
7	PROPOSED TRANSPORT CONDITIONS.....	7
8	SUMMARY AND CONCLUSION	9

APPENDICES

APPENDIX A S92 REQUEST, RESPONSE AND SUBMISSION SUMMARY

1 INTRODUCTION

Flow Transportation Specialists (**Flow**) has been commissioned by Auckland Council (**Council**) to review the traffic and transportation matters associated with a Notice of Requirement (**NoR**) by the Minister for Children to alter Designation 3800 for the Care and Protection Residential Centre – Upper North, which is currently known as ‘Whakatakapokai’ located at 398 Weymouth Road in Weymouth, Auckland.

The scope of this report includes the following:

- ◆ A brief summary of the proposal
- ◆ Review of the NoR material as it relates to transport matters
- ◆ Feedback received from public submissions as they relate to transport matters
- ◆ Proposed conditions as they relate to transport matters
- ◆ Summary and conclusions.

2 PROPOSAL SUMMARY

The current residence provides placement for up to 20 children and young people for care and protection purposes aged up to but not including 17 year olds. Under the Raising the Age changes to the Oranga Tamariki Act that come into force on 1 July 2019, Oranga Tamariki will be required to accept young persons who are aged up to and including 17 years, and may also be required to accept some young adults aged 18 and 19. In order to accommodate the additional demand for placements generated by this change to the Oranga Tamariki Act, the Minister for Children seeks to alter Designation 3800 to increase the maximum number of children and young persons residing at Whakatakapokai from 20 to 30 people, and to amend the designation to allow youth justice placements.

The subject site is currently located at 398 Weymouth Road, Weymouth and within a residential area with its northern, eastern and southern boundaries all bordering residential activities, as shown in Figure 1.

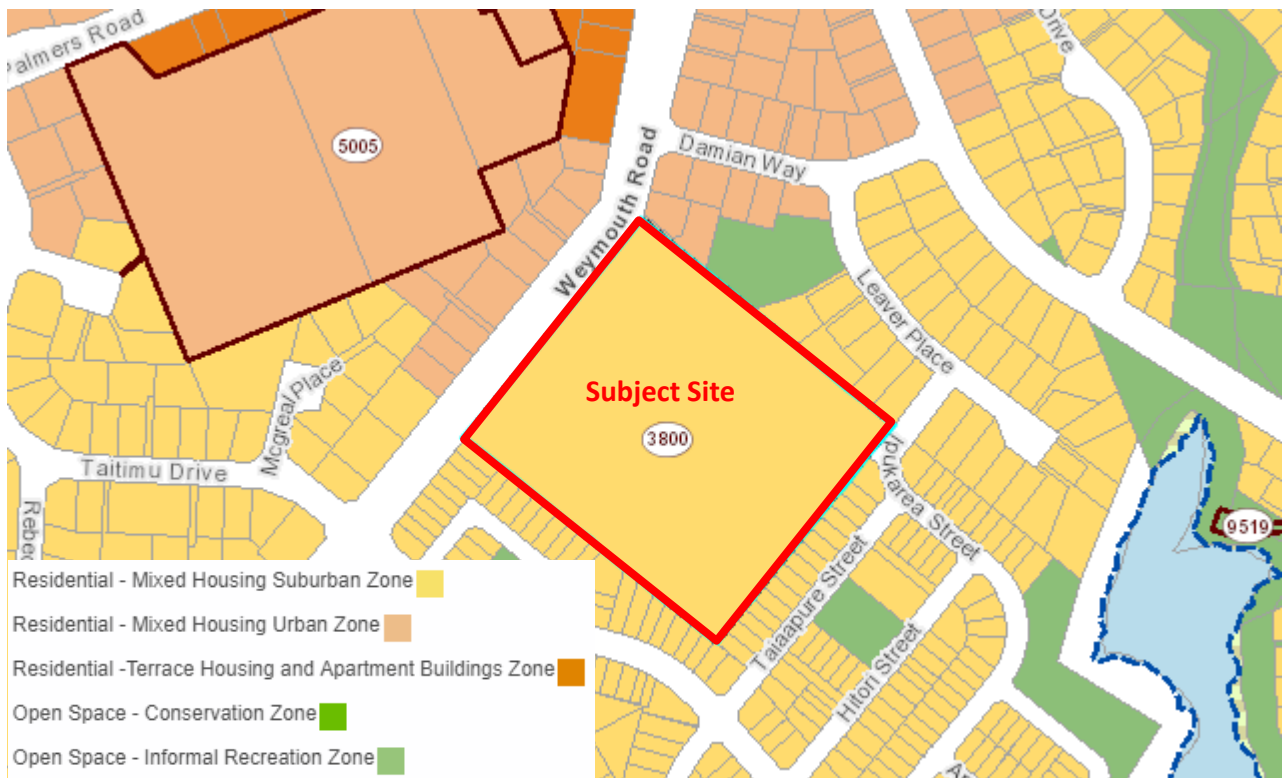
Visitor and staff parking is located on the north-western side of the site between the road boundary and the buildings. Additional staff parking is provided along the southern boundary of the site.

The subject site is zoned Residential – Mixed Housing Suburban Zone, in the Auckland Unitary Plan – Operative in Part (**AUP-OIP**) and includes a designation across the land, being Designation 3800. The extent of the subject site and the underlying zoning is outlined in Figure 2. No transportation related conditions are included in Designation 3800, as set out in Chapter K of the AUP-OIP.

Figure 1: Current Site



Figure 2: Site Zoning under the AUP-OIP



3 TRANSPORT MATERIAL REVIEWED

Flow has reviewed the traffic and transportation information provided to support the application, including:

- ◆ Oranga Tamariki Residence 398 Weymouth Road Form 18, prepared by Boffa Miskell, dated 22 February 2019
- ◆ Oranga Tamariki Weymouth Residence: Change to Designation – Transport Assessment Report, prepared by Stantec, dated 22 February 2019
- ◆ Oranga Tamariki Alterations to Wiri and Weymouth Designations – Transport Response to Section 92 Request, prepared by Stantec, dated 14 March 2019
- ◆ Preliminary/interim development scenarios for the Oranga Tamariki Weymouth Residence, email from Stantec to Flow, dated 1 April 2019
- ◆ Whakatakapokai consultation feedback summary.

4 REVIEW OF NOTICE OF REQUIREMENT MATERIAL

The Transport Assessment Report included in the NoR materials provides sufficient material from which to determine and understand the potential effects of the alteration to the designation. The Transport Assessment completed by Stantec is to enable an appreciation of the additional traffic volumes generated as a result of the alteration to designation.

Further information was requested from the Applicant to assist with appreciating effects associated with car parking provision. The following sections summarise the key transportation matters raised following a review of the NoR material.

Flow notes that at the time of preparing this report, staff numbers associated with the proposal were being reviewed by the Minister. As such, it may be necessary to revisit and alter the outcomes of this report should further changes be made to the assumptions used in this review.

4.1 Access

The vehicle access to the site has been assessed to be appropriate for the current and proposed activities. This is supported. The access provides good visibility for motorists to safely enter and exit the site.

It is acknowledged that footpaths are not provided from the road to the facility. We note that the car park provides a pedestrian route from the first parking aisle to the front entrance to the facility, however has no formed connection with Weymouth Road for those who walk, cycle or use public transport. The Transport Assessment and further information response acknowledges the heavy reliance on private vehicle travel to and from the facility. To encourage the use of alternative travel modes, and to improve the attractiveness of other transport modes, we recommend that the Designation Alteration includes a condition that requires a safe and direct connection between Weymouth Road and the main entrance to the facility be provided for.

The condition may be worded similar to:

[xx] Provide a safe and direct connection between the main entrance and Weymouth Road for those who walk, cycle and use public transport.

4.2 Servicing

Flow understands that the servicing of the site is not subject to change as a result of the alteration to Designation 3800. If the frequency of services increases as a result of the alteration, Flow is satisfied that the site operation and impacts on the surrounding environment would not be affected.

4.3 Parking Provision

The parking assessment in the Transport Assessment Report relies on supported residential care (T50) activity specified in Table E27.6.2.4 Parking Rates – Area 2 of the AUP-OIP, as a means to determine the appropriate number of parking spaces for the current activity and that is required for the designation alteration. In our view, the use of the T50 activity in isolation does not represent the extent of the activities on site, with administration, kitchen, professionals and visitors associated with Oranga Tamariki not being captured in the parking space evaluation.

It was noted during the site visit that the rear parking area was full, with vehicles being parked on the grass verge about the car park. While a number of cars associated with the site visit were parked in the front car park (which required several visitors to park on-street), it appears that the current parking provision on site only just meets current demand and that further growth will need to provide for additional parking to manage off site effects.

Flow has been informed by the Applicant's traffic engineer that the information contained in Table 5 of the Transport Assessment has some errors included. Flow has been provided with a revised set of numbers, however it is understood that the numbers provided may shortly be further refined by the Minister. The upper scenario at this time includes:

◆ Business hours staff	49
◆ Ground staff AM Shift	16
◆ Ground staff PM Shift	16
◆ Ground staff Night Shift	13

The assessment provided in the transport assessment and further information response do not consider the parking requirements on site when the ground staff change over occurs. As such, consideration of the number of car parking spaces required on site should take the shift change over period into consideration.

Summarised below in Table 1 are the predicted parking space numbers required on site. The parking requirements consider the busiest part of the day, being during typical business hours where a shift change occurs between the AM and PM shifts (at 2:30pm to 3:00pm). The table below assumes 20% of staff on site during typical business hours (including the AM shift) will be encouraged, through a Travel Management Plan for the site to use alternative travel modes, such as carpooling, walking and cycling.

Table 1: Parking Provision

Purpose	Parking Requirement
Business Hours Staff	49 parking spaces
Ground Staff (AM/PM shift)	16 parking spaces
Visitor Rooms (two)	2 parking spaces
Total Parking when considering change-over of ground staff	67 parking spaces
Parking Provision currently on-site	57 parking spaces
Shortfall (maximum)	10 parking spaces

Based on the above, it is recommended that the parking provision on site be addressed as part of the Designation alteration, with a provision for parking being based on staff numbers predicted on site during normal business hours and visitor numbers (based on the number of meeting/whanau rooms). Flow proposes the following condition be included in the Designation in order for sufficient on-site parking to be provided.

[xx] On-site car parking shall be provided at the rate of 0.8 car park spaces per full time equivalent staff expected on site at any one time (including ground staff change over periods). Additional car parking shall also be provided at a rate of one car park space per visitor/whanau room provided for on-site for family/whanau or professional visits.

The outcome of the parking condition proposed is that the facility would need to provide 67¹ parking spaces on site when further developed in accordance with the scenario used above. This is an increase of 10 parking spaces, with 57 parking spaces already provided for on site. For reference, based on the current staff numbers and meeting rooms, the current site complies based on the provision proposed.

Coupled with the above parking standard are two further proposed transport conditions that will assist in managing the use of private vehicle travel to and from the site by staff and the management of the on-site car parking areas/spaces. First, it is proposed that a Travel Management Plan be required so that staff are encouraged to use alternative transport modes. Second, it is proposed (drawing on the advice of acoustic engineer Jon Styles) that a Parking Management Plan be required so that effects on site related to the operation of the car park (specifically night time noise) can be managed. The two conditions proposed are summarised below.

[xx] A staff travel management plan (TMP) shall be prepared and lodged with the Council for certification by 1 July 2019. The TMP shall generally follow the ‘Workplace Travel Plan Guidelines’ (NZTA 2011). The objective of the TMP is to encourage staff to use alternative transport modes (walking, cycling and public transport) for commuting to and from the site. The TMP shall include provisions requiring regular monitoring of the performance of the TMP. The TMP shall be implemented and regularly monitored, as certified.

¹ 67 spaces = 0.8*(49 business hour staff + 16 AM shift workers + 16 PM shift works (changeover)) + 2 spaces based on two visitor rooms being provided.

[xx] A parking management plan (PMP) shall be prepared for the site and lodged with the Council for certification by 1 July 2019. The objective of the PMP is to manage the use of parking areas located immediately adjacent to the residential boundary during the hours of 7pm and 7am to minimise noise and amenity impacts on neighbours. The PMP shall be implemented, as certified.

4.4 Walking and Cycling Facilities

The further information letter confirms that there are no formal parking spaces on site for bicycles. Following Flow's site visit, there are a number of spaces for informal bicycle parking.

Following on from the discussion above regarding car parking and the heavy reliance on private vehicle travel, we recommend that cycle parking is provided for staff and visitors to the site, as we assume that residents of Whakatakapokai do not have the ability to cycle when leaving the site, as implied in the cycle provision calculation given in the further information response.

Flow is of the view that one secure bicycle parking space per 15 full time employees will provide a sufficient number of bicycle spaces. Flow proposes the following condition.

[xx] Secure cycle parking spaces shall be provided at the rate of one cycle space per 15 full time equivalent staff expected on site at any time (including ground staff change over periods).

4.5 Traffic Generation

Section 5.1 and Section 5.2 of the Traffic Assessment provide a summary of the trip generation predicted as a result of the increase in the number of children and young persons the site is to cater for. Flow is satisfied with the analysis completed and agrees with the conclusion reached in the Transport Assessment, being that the additional volumes generated by the designation alteration proposed can be accommodated on the surrounding road network without adverse effects on safety and efficiency.

5 SUBMISSIONS AND LOCAL BOARD FEEDBACK

Flow has been provided 110 submissions relating to the proposal. Two submissions raised transport-related matters. Both submitters (#43 Weymouth Residents and Ratepayers Association and #69 Emma Ushaw) oppose the NoR and raise concerns about the traffic effects of the proposed Alteration to Designation 3800. The Weymouth Residents and Ratepayers Association puts forward several transport-related questions as to how the proposal contributes or improves the liveability of Weymouth residents, relating to connectivity and the provision of safe and direct routes which encourage walking and cycling. Emma Ushaw raises an increase in traffic as a concern.

Appendix A (Table A1) of this report summarises the matters raised by the submitters and provides Flow's response to the issues raised. The Alteration to Designation is expected to generate up to an additional 10 to 12 vehicles per hour. Flow is satisfied with the traffic assessment and agrees with the conclusion that the additional traffic volume can be accommodated on the surrounding road network in a safe and efficient manner. In addition, the current vehicle access to the site is approximately 5.5m wide, complies with the AUP-OIP requirement and provides good visibility for motorists to safely enter and exit the site. Given the low level of additional traffic generated by the site during the peak hour,

the current vehicle access is considered sufficient to cater for the additional traffic predicted to be generated.

Feedback has been received from the Manurewa Local Board. In relation to transport matters, the Local Board raises concerns about the additional traffic generated by the proposal, and how the additional traffic will add to existing traffic, causing delays and gridlock for local residents and commuters about the Weymouth area. The Local Board is also concerned about that parking capacity of the facility, noting that it will be insufficient and the NoR does not include any mitigation measures to address the proposed increase in parking demand.

Flow has reviewed the predicted trip generation of the proposed NOR. The proposal is predicted to generate an additional 10 to 12 vehicles per hour during the peak commuter periods, which is equivalent to one vehicle every five or six minutes. The effect of this level of traffic is considered to be less than minor and can be suitably accommodated on the surrounding roading network.

With regard to on-site parking, Flow has proposed a staff travel management plan (TMP) condition to encourage staff to use alternative transport modes (walking, cycling and public transport) for commuting to and from the site, as well as a parking condition which requires additional parking spaces to be provided on site if the facility is to be developed in accordance with the scenario assessed in this report.

Based on the Transport Assessment completed to support the NOR and the proposed conditions, Flow is satisfied that the Alteration to Designation 3800 can be safely and efficiently provided for from a transportation perspective.

6 CONSULTATION

Flow undertook a site visit to the Care and Protection Residential Centre on Monday 4 February 2019.

During the review of transportation matters, Flow liaised directly with the Council team and the Applicant's traffic engineer (Stantec) through emails and phone conversations.

7 PROPOSED TRANSPORT CONDITIONS

Several transportation conditions are proposed. The background to the conditions are discussed earlier in the report. The traffic and transportation conditions proposed are as follows:

[xx] Provide a safe and direct connection between the main entrance and Weymouth Road for those who walk, cycle and use public transport.

[xx] On-site car parking shall be provided at the rate of 0.8 car park spaces per full time equivalent staff expected on site at any one time (including ground staff change over periods). Additional car parking shall also be provided at a rate of one car park space per visitor/whanau room provided for on-site for family/whanau or professional visits.

[xx] Secure cycle parking spaces shall be provided at the rate of one cycle space per 15 full time equivalent staff expected on site at any time (including ground staff change over periods).

[xx] A staff travel management plan (TMP) shall be prepared and lodged with the Council for certification by 1 July 2019. The TMP shall generally follow the 'Workplace Travel Plan Guidelines' (NZTA 2011). The objective of the TMP is to encourage staff to use alternative transport modes (walking, cycling and public transport) for commuting to and from the site. The TMP shall include provisions requiring regular monitoring of the performance of the TMP. The TMP shall be implemented and regularly monitored, as certified.

[xx] A parking management plan (PMP) shall be prepared for the site and lodged with the Council for certification by 1 July 2019. The objective of the PMP is to manage the use of parking areas located immediately adjacent to the residential boundary during the hours of 7pm and 7am to minimise noise and amenity impacts on neighbours. The PMP shall be implemented, as certified.

8 SUMMARY AND CONCLUSION

Flow has been commissioned by Council to review the traffic and transportation matters associated with a NoR by the Minister for Children to alter Designation 3800 for the Care and Protection Residential Centre – Upper North, which is known as ‘Whakatakapokai’ located at 398 Weymouth Road in Weymouth, Auckland.

The Transport Assessment supporting the NoR has been reviewed, which focusses on transportation matters associated with increasing the maximum number of children and young persons from 20 to 30, should the designation of the subject site be altered. Flow notes that at the time of preparing this report, staff numbers associated with the proposal were being reviewed by the Minister. As such, it may be necessary to revisit and alter the outcomes of this report should further changes be made to the assumptions used in this review.

Flow has been provided 110 submissions relating to the proposal. Two submissions raised transport-related matters. Both submitters (#43 Weymouth Residents and Ratepayers Association and #69 Emma Ushaw) oppose the NoR and raise concerns about the traffic effects of the proposed Alteration to Designation 3800. The Weymouth Residents and Ratepayers Association puts forward several of transport-related questions as to how the proposal contributes or improves the liveability of Weymouth residents, relating to connectivity and the provision of safe and direct routes which encourage walking and cycling. Emma Ushaw raises an increase in traffic as a concern. Feedback has also been received from the Manurewa Local Board, who raise concerns related to traffic generation and on-site parking provision.

Conditions are proposed, covering the following transportation matters:

- ◆ Safe and direct connection between the main entrance and roading network
- ◆ On-site parking provision
- ◆ Travel Management Plan to encourage the use of alternative transport modes
- ◆ Parking Management Plan to manage the use of parking areas internal to the site
- ◆ On-site cycle provision.

Following Flow’s review of the NoR, the supporting Transport Assessment, and the conditions proposed, Flow is of the view that the additional traffic volume can be accommodated safely onto the surrounding road network. Accordingly, the Alteration to Designation 3800 can be safely and efficiently provided for from a transportation perspective.

To conclude, Flow is of the view that the adverse transport effects of the alteration to Designation 3800 can be appropriately mitigated and managed through the proposed conditions.

APPENDIX A

S92 Request, Response and Submission Summary

Table A1: S92 Request, Response and Submission Summary Table²

S92 Transport Request (Council s92 Request – 8 March 2019)	Stantec’s Response (14 March 2019)	Council Transport Specialist Response (Flow)	Relevant Submissions	Proposed Outcome
<p>(5) Traffic / Parking</p> <p>(a) The parking assessments for both sites rely on the rate for supported residential care activity (T50) in Chapter E27 of the Auckland Unitary Plan (AUP), as a means to determine the appropriate number of parking spaces for the current activity and that required for the proposed alterations to the designations. The Council’s traffic consultants, Flow, note the following matters:</p> <ul style="list-style-type: none"> The current activities at both sites have a fairly high dependence on private vehicle travel. The use of T50 in isolation does not represent the full extent of the activities on each site (with administration, kitchen, professionals and 	<p><u>Car Parking Analysis for Weymouth Residence:</u></p> <p>For estimation purposes, it is assumed all staff travel by private car to site. Based on Table 5 in the Weymouth TA, the parking demand would be for 40 staff during business hours plus 14 fleet staff. In addition, four fleet vehicles are expected to be parking on-site when not in use. Family visitors generate an additional parking demand of two spaces, based on the number of visitation rooms, plus an estimated demand of two additional space for professional visitors. In total, 62 spaces are required for staff and visitors during the business hours to meet the peak parking demand at full occupancy.</p> <p>Currently, 23 parking spaces are available for use by staff only and fleet vehicles, and 34 spaces are available for visitors and staff, a total provision of 57 spaces. This equates to a shortfall when compared to potential demand of five spaces in total.</p> <p>This conservative estimate of demand assumes all staff travel individually by private car and all staff are present all day on any given weekday during full occupancy of the Residence. As with the current staffing levels described in Section 5.1.1.1 of the Weymouth TA, not all staff will be present daily and for the full day, and maximum estimates of staff have been adopted in Table 5. As described in the Weymouth TA, this site is well served by public transport with a pair of bus stops outside of the site frontage travelling to major interchanges. The area is predominantly residential and is benefited by the connectivity of the roads to encourage walking and cycling modes also. Consequently, the shortfall of five spaces at potential peak demand is unlikely to occur.</p>	<p>Condition proposed to manage effects.</p>	<p>Submitter 43 – Weymouth Residents and Ratepayers Association</p> <p>Transport-related questions as to how the proposal contributes or improves the liveability of Weymouth residents, relating to connectivity and the provision of safe and direct routes which encourage walking and cycling.</p> <p>Submitter 69 – E Ushaw</p>	<p>The Alteration to Designation is expected to generate up to an additional 10 to 12 vehicles per hour. Flow is satisfied with the traffic assessment and agrees with the conclusion that the additional traffic volume can be accommodated on the surrounding road network in a safe and efficient manner.</p> <p>In addition, the current vehicle access to the site is approximately 5.5m wide, complies with the AUP-OIP requirement and provides good visibility for motorists to safely enter and exit the site. Given the low level of additional traffic generated by the site during the peak hour, the current vehicle access is considered sufficient to cater for the additional traffic predicted to be generated.</p> <p>Outcome</p> <p>Flow proposes several conditions that address onsite parking provision, encouraging alternative travel mode</p>

² This table omits requests for information and responses solely relating to Korowai Manaaki.

Table A1: S92 Request, Response and Submission Summary Table²

S92 Transport Request (Council s92 Request – 8 March 2019)	Stantec’s Response (14 March 2019)	Council Transport Specialist Response (Flow)	Relevant Submissions	Proposed Outcome
<p>visitors associated with activities at the site not being captured in the parking space evaluation). Tables 4 and 5 in each Transport Assessment appear to provide a better indication of parking demand.</p> <ul style="list-style-type: none"> During the site visit to Whakatakapokai, the rear parking area was full, with vehicles being parked on the grass verge about the car park. Acknowledging that a number of cars associated with the site visit were parked in the front car park (which required several visitors to park on-street), it appears that while the current parking provision on site just meets current demand, further growth will need to provide for additional parking to manage off site effects. <p>...</p> <p>With the above background, it is requested that the parking provision on each site is</p>			<p>There will be more traffic and a direct impact on daily living.</p>	<p>(through a travel management plan) and managing parking on site between 7pm and 7am to minimise noise and amenity impacts on neighbours (through a parking management plan). Through these conditions, the transport matters raised in submissions are considered to be suitably addressed.</p>

Table A1: S92 Request, Response and Submission Summary Table²

S92 Transport Request (Council s92 Request – 8 March 2019)	Stantec’s Response (14 March 2019)	Council Transport Specialist Response (Flow)	Relevant Submissions	Proposed Outcome
calculated based on anticipated staff numbers, visitor numbers and travel mode (rather than an AUP parking rate provision for an activity that does not reflect the full extent of site activities).				
(b) As noted, the number of cars parked on site at both residences suggests a high reliance on private vehicle travel, rather than alternative travel modes. The Transport Assessments do not provide an understanding on how alternative travel modes are encouraged (other than public transport) and what level of bicycle parking and facilities are provided for staff. Please provide further information on what facilities are or can be made available at both sites to staff who walk and cycle to work.	<p>...</p> <p>No bicycle racks were located at the Residence in Weymouth during the site visit. The surrounding transport environment of the site, being in a residential area and located on a main road, would see cycling as a viable method of commute. The Auckland Unitary Plan – Operative in Part (AUP) Table E27.6.2.5 sets out minimum requirements for providing bicycle parking. Although this is not a new development and therefore the AUP requirement is not applicable, it is a useful guideline for the demand for bicycle parking spaces. It is considered that T83 – Residential Care is the most appropriate activity for the assessment, with rates of one visitor bicycle space plus one per 30 units and one secure bicycle parking space per 10 FTE employees required. With 30 residents and assuming all 80 staff (Table 5 of the Weymouth TA) are FTE, this equates to a demand for two visitor and eight secure bicycle parking spaces.</p> <p>Two visitor bicycle parking spaces are proposed through the provision of one double-sided bicycle stand near the building entrance, to meet the expected demand based on AUP requirements. Given that a maximum of 54 staff are expected to be on-site at any one time, excluding the shift overlap, it is considered that five secure bicycle parking spaces will be sufficient to meet demand and will therefore be provided on-site.</p> <p>Footpaths are provided on both sides of the surrounding roads allowing for staff and visitors to walk to the site, and pedestrian access is shared at the driveway.</p>	Conditions proposed to improve facilities and access to encourage alternative travel modes.	No relevant submission	<p>Outcome</p> <p>Flow proposes a condition to provide a safe and direct connection between the main entrance and Weymouth Road for those who walk, cycle and use public transport.</p> <p>Flow proposes a condition to provide secure cycle parking spaces at the rate of one cycle space per 15 full time equivalent staff expected on site at any time (including ground staff change over periods).</p>

C4. Noise Report – J Styles

5 April 2019

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

By email: barry.mosley@aucklandcouncil.govt.nz

P. 09 308 9015
E. info@stylesgroup.co.nz
W. www.stylesgroup.co.nz
Saatchi & Saatchi Building,
L2, 125 The Strand, Parnell
PO Box 37857, Parnell,
Auckland 1151

Dear Barry,

RE: Whakatakopakai Care and Protection Facility – Review of Noise Effects

Introduction

Styles Group has been engaged by the Auckland Council to review the noise-related aspects of the Notice of Requirement to alter Designation 3800 for the Whakatakopakai Care and Protection Facility (Whakatakopakai) at 398 Weymouth Road, Weymouth.

The principal documents referred to herein are:

- 1) “Proposed Alteration to Designation 3800, Whakatakopakai Care and Protection Facility, Noise Assessment”, Report No 19016v2, Hegley Acoustic Consultants, March 2019 (the **HAC Report**); and
- 2) Section 92 response on noise issues, “Whakatakopakai and Korowai Manaaki” Hegley Acoustic Consultants, 14th March 2019 (the **HAC Response**).

This advice comprises a review of the HAC Report and the HAC Response and also comments on any relevant submissions and proposed conditions on the designation. This review follows a visit to the site and discussions with the relevant experts for the Requiring Authority and the Council.

I understand that the proposed changes to the designation are:

- 1) A shift in focus in providing for the placement of young persons for principally care and protection reasons to those of youth justice, adult jurisdictional and transitional reasons;
- 2) An increase in the limit on the number of young persons that may be placed at the facility from 20 to 30 persons;

- 3) An increase in the age of residents from 16 up to potentially 19 years of age.

I understand that there are no physical changes to the site or buildings proposed as part of the alteration, but that there is potential for alterations and additions to be made in the future which the designation conditions should provide for following the alteration.

The HAC Report

The HAC Report is generally focused on demonstrating that the activities normally undertaken on the site can be managed to ensure compliance with the proposed noise limits. The proposed noise limits are based on the AUP requirements for the residential zone. I agree that the imposition of these limits through the designation conditions is appropriate.

Section 3 of the HAC Report states that the noise level change arising from the increase in young persons will be barely noticeable. I agree that this will be the case when referring to the measured noise levels, but the frequency and duration of activities generating noise over any given day may increase slightly when observed from off the site. The increase in staff will also make a small difference to the noise effects experienced off site, particularly during shift changes when the car park is used.

The HAC Report presents a series of noise level predictions based on a number of general activities that could occur on the site during normal use. The noise level predictions for the various activities all show compliance with the proposed noise limits. Whilst I agree with the predictions in general terms, for the activities where people noise is the main source, the volume and nature of people noise is highly variable. I expect that for much of the time, the noise levels will be considerably lower than the predicted levels in the HAC Report, particularly during the cooler months when activities would often be indoors.

However, there remains a real possibility that the young persons could generate noise levels higher than those predicted in the HAC Report by shouting, playing music or similar, especially close to the boundaries and if after 10pm (or before 7am). In order to ensure that such behaviour does not occur (in particular outdoors and near to boundaries) the staff and management of the facility will need to be aware of the need to minimise noise and will need to be prepared to take action to reduce noise levels, or move noisy activities inside or further from boundaries.

The HAC Report does not suggest any methods of ensuring that the staff are educated and prepared to act to deal with noisy behaviour should it arise. I recommend that a designation condition be added to the proposed set that requires all staff to be aware of the need to manage noisy behaviour, particularly for outdoor activity and any activity at night.

Car Park Noise

The noise levels arising from vehicle movements in the various car parks on the site has been assessed in detail in the HAC Report, and following the report based on personal

communication with Rhys Hegley. At the time of writing this review, I understand that Mr Hegley was in the process of reviewing / checking the traffic noise level predictions and confirmation on the final predicted noise levels was not available.

In any event, the car park noise predictions do not take into account any noise that may be generated by people talking in or near to the car park area as they are moving to or from vehicles. As set out in the submission section below, I understand that such noise effects may be generated at times.

Given the uncertainty about the traffic noise predictions, and the potential for other noise sources (not just car noise) to be generated in the car park at night, I have conferred with Mr Church (Transportation Engineer for the Council) on a condition to reduce the use of the southern car parks at night. The last condition in section 7 of his report sets out the condition that is recommended to minimise the use of this parking area. In my view, these measures will be sufficient to ensure that noise from the car park area will be compliant with the proposed noise limits in the designation conditions.

Submissions

I have read the submissions that relate to noise. A summary of these submissions with the most relevant text is attached as Appendix A.

There are two main themes arising through the submissions, being the noise generated by people on the site, including distressed young persons at night, as well as the noise from the use of the car park on the southern boundary.

I consider that the condition I have recommended to raise staff awareness and action to deal with noisy behaviour will assist to reduce noise from young persons on the site.

In terms of the noise from the carpark, some submissions raise the issue of staff making noise, as well as vehicle noise and noise from the operation of the gate. The submissions seem particularly concerned with the noise generated at night.

It would be possible to reduce noise to neighbouring properties by providing acoustically effective screening in the form of a boundary fence between the car parks and the properties on Tutuwhatu Crescent and Kaimoana Street. Such a fence would reduce noise levels for rooms and receivers at ground level. However, the effectiveness of the screening would be limited by the fact that many of the neighbouring dwellings are two storey – where rooms on the upper storey would overlook a boundary fence and not receive any benefit. So whilst the provision of a close-boarded acoustically effective fence along the southern boundary may benefit the lower storeys and people at ground level, the lack of benefit for second storeys or elevated receivers means that such a fence could not be relied upon to ensure compliance with the noise limits.

To address the submissions and to ensure compliance with the noise limits (especially at night), a close boarded acoustically effective fence may comprise part of the Best Practicable Option to

reduce noise, and could be implemented in conjunction with management measures to either reduce (or even avoid) the use of the car parks along the southern boundary at night, and to ensure that staff are aware of the need to minimise their own noise emissions when outdoors at night, particularly during shift changes.

Such measures could include signage reminding people to minimise noise, raising awareness in staff training and shift handovers, or having a person on staff that is responsible for ensuring all staff are aware of the need to minimise noise emissions. This would include ensuring that if any staff or regular visitors had particularly noisy vehicles (including large diesel vehicles) then they should be parking in the car park area closest to Weymouth Road.

Several submissions also state that the gate can be noisy, suggesting that some degree of maintenance is required to reduce any unnecessary noise. I consider that my suggested additional condition can deal with this issue, as set out in Appendix B.

Proposed Designation Conditions

I have reviewed the proposed designation conditions and in general I support them. I have suggested two additional conditions (one of which is set out in Mr Church' report) to address noise management of young persons and also noise associated with the use of the southern car parks. These conditions are shown in Appendix B of my report. These edits have been captured in the conditions as recommended by the Council team (refer to Appendix B1 of Barry Mosley's report).

Summary

Overall, I generally agree with the HAC Report but I consider that additional conditions are required to address two specific noise effects, being noisy behaviour and noise from the use of the southern car parks. Overall, with the additional conditions imposed I consider that the alteration to the designation will not give rise to unreasonable noise effects.

I trust that this information is satisfactory. Please do not hesitate to contact me should you have any queries or require any further information.

Kind regards,



Jon Styles
Director & Principal
Styles Group

Appendix A – Summary of Noise-Related Submissions

Submission Name /Number	Submission	Issue
Rio Tangata Submission 20	<i>I've recently just had a baby & before even giving birth the noise of the prison that's on Weymouth road (which we are at the back of) after hours we can hear people chatting away loudly & just making a lot of noise at around 10-11pm. Now that I have my baby around it causes stress for myself as my baby wakes up to any little noise.</i>	Late evening outdoor noise
kalpana Kirti naidu Submission 23	<i>My family of 4 oppose the Notice of Requirement because we just leave right next to it and we already have noise issues especially when the gates open for cars at nite</i>	Late evening car noise
Lily Li Submission 27	<i>Apart from some noises from the shift staff at the car park at night, we seldom had any other issues with this Care and Protection Centre over our fence. An increase in the numbers and the allowance of youth justice placements within Whakatakapokai will affect our life forever! We don't want this!! The increase in the number of people to be accommodated and increase in staff will increase the comings and goings from the site with additional noise impacts on the amenity of neighbours. This means our house will face more noises on the carpark.</i>	Noise from shift staff an issue at this existing facility, noise will increase.
Lana Johnson Submission 34	<i>The properties directly next to the fence line have constantly had issues with staff making a rukus when finishing their shift late at night, more staff can only mean more noise issues for these already affected households</i>	Late evening shift staff noise
Richel Sen Submission 36	<i>Noise could be a factor as more people would visit resulting in higher staff engagement</i>	Increased noise effects
Mahesh Khupse Submitter 40	<i>I already have issues with noise coming from carpark and children crying noises at night.</i>	Carpark noise/ children crying
K & C Lauina Submission 42	<i>Noise is currently generated by people on the site including when staff shifts change. The increase in the number of people to be accommodated and increase in staff will increase the comings and goings from the site with additional noise impacts on the amenity of neighbours.</i>	Shift changeover noise and increased noise effects

Dene Andre Submission 43	<i>Acoustic/ noise effects</i>	Noise effects
Scott Douglas Submission 45	<i>There is a new development of nearly 300 family homes with up to 40 homes backing directly onto the Whakatakapokai facility I am concerned for these families who will have to deal with noise, and potentially trespassers if there was an escape.</i>	Noise effects
Fong Chin Submission 47	<i>Noise concerns of Whakatakapokai as youth offender center • By increasing to numbers of youths upon changing designation, more noise will be generated because more people will be using the facility as well as increased frequency in changing staff shifts. • Furthermore, should there be escapee(s) from the facility, there will be a lot of noise in alerting authorities on the escape which will also be heard at the inlet given the close proximity. • This will negatively impact the neighbours living next to the facility</i>	Increased noise effects
R Clark Submission 49	<i>There is also, already lots of noise during weekends at the site, so changing the designation, would add to an already noisy site</i>	Increased noise effects
A Gosavi Submission 50	<i>I already have issues with noise coming from carpark and children crying noises at night</i>	Increased noise effects
C Bartle Submission 51	<i>The increase in movements to and from the site will lead to an increase in noise which will negatively impact the local community.</i>	Increased noise effects
H Reneti Submission 56	<i>Other facilities are located away from housing to avoid noise effects</i>	Noise effects
J Goldsworthy Submission 61	<i>Extra noise generated by extra people both staff, visitors and youth justice detainee</i>	Increased noise effects
Confidential Submission 58, K Cork Sub 62, C Anbunathan Sub 66, S Naveen Sub 68, S Martin Sub 74, M Kaua Sub 81, S Birdsall Sub 82, E Nash Sub 83, X Whitord Sub 84, D Whitford Sub 85, S Nash Sub 86, G Nash Sub 87, F Griffiths Sub 91, J Taite Sub 96, M Jaggs Sub 97, A Fruean Sub 107, R Aujila Sub 109	<i>Noise is currently generated by people on the site including when staff shifts change. The increase in the number of people to be accommodated and increase in staff will increase the comings and goings from the site with additional noise impacts on the amenity of neighbours.</i>	Increased noise effects

S Macrae Sub 64	<i>There have already been multiple noise issues from the facility and an increase in resident numbers there is not feasible</i>	Increased noise effects
Sub 69 Emma Ushaw	<i>Staff already are disruptive of the peace and do not consider the surrounding neighbours. * Building noise disruption, more traffic and a direct impact on our daily living</i>	Staff noise, construction noise
Sub 73 R Taniwha-Paoo	<i>At the moment, the level of noise generated from the site is significant. We live at the lower side of Kaimoana Street, when we take our baby to the park closest to Weymouth road, the level of noise generated from people residing at the facility is significant, this will and doe cause a disturbance to those who reside closest to the site.</i>	Increased noise effects
Sub 76 G James	<i>Increased noise from both staff and inmates The additional noise relating to the construction work required to bring the facility up to security standards to house young adults up to 19 years old</i>	Increased noise effects noise effects and construction noise
Sub 77 F MacRae	<i>Even with the current numbers, we have experienced noise related issues and close neighbours</i>	Increased noise effects
Sub 102 K Cameron	<i>The noise is already an issue and this could get worse. Staff leaving a night shift already make enough noise.</i>	Increased noise effects
Sub 104 A Kumar	<i>Noise levels will be another major issue we will face, not only brought on by the Visitors but also Staff shift changes as well as the transportation of individuals who will be locked up in the Facility</i>	Increased noise effects, shift changes and increased traffic movements

Appendix B – Suggested Additional Condition

[xx] The Requiring Authority shall prepare and submit to the Council a Noise Management Plan (NMP) for the site. The objective of the NMP is to ensure that noise generated outdoors and at night is minimised as far as practicable. The NMP shall set out procedures for:

- a) The minimisation of noise from young persons undertaking activities outdoors, and procedures for dealing with unnecessarily noisy behaviour or activities;*
- b) The minimisation of noise from all activities occurring between 10pm and 7am that may be audible beyond the site boundaries, including curfews;*
- c) Making all staff aware of the need to take all practicable steps to minimise noise effects on the neighbours of the facility;*
- d) Ensuring that staff are aware of the need to minimise their own noise, particularly during shift changes at night; and*
- e) Regular maintenance of any noise-generating plant or machinery on the site that is audible beyond the boundaries of the site to minimise the noise emissions.*

The NMP shall be submitted to the Council for certification by the 1st July 2019, and shall be implemented and complied with thereafter.