

24 January 2019



Dear Neighbour,

Information about Oranga Tamariki Residence Whakatakapokai

Proposed Alteration to Designation

I am writing to you on behalf of Oranga Tamariki–Ministry for Children (Oranga Tamariki) to advise you about alterations that we will be seeking to the designation for the Whakatakapokai Residence. I am writing to you as you are an occupier/landowner of a property adjacent to or near the Whakatakapokai site.

Background

The Oranga Tamariki Act 1989 (the Oranga Tamariki Act) has been amended and those changes are due to come into force on 1 July 2019. In order to prepare for these changes, Oranga Tamariki is proposing alterations to the designation of Whakatakapokai to better enable the purpose of the designation to align with these changes.

What we would like to do

The alterations to the Whakatakapokai designation that Oranga Tamariki will seek include:

- amending the designated purpose to allow for placements of tamariki and rangatahi for either care and protection or youth justice reasons. Note: this is to allow for future operational flexibility across our residences. It is not intended that such placements would occur at the same time in the residence unless such children or young people were able to be housed separately;
- enabling Whakatakapokai to accommodate tamariki and rangatahi who are placed in the custody of the chief executive of Oranga Tamariki; and
- allowing for an increase in the number of tamariki and rangatahi who may live at Whakatakapokai from 20 to 30.

The Minister for Children is responsible for changes to the designations and she intends to lodge an application for a Notice of Requirement to amend the designation with Auckland Council in February 2019. The public will then be notified about the application and people will be able to make submissions. The time for making those separate submissions to the Council is likely to be in March 2019. You will be able to make a formal submission on the application at that time. The Minister will also be seeking that the proposal be directly referred to the Environment Court for determination given that the amendments to the Act take effect on 1 July 2019.

Further information about the proposal and details about the Auckland Council submission process is set out on the attached page.

Please get in touch

It's really important to us that we hear from the local community about what they think of these proposals before the formal Council and Court processes get underway. That is why we are writing to you now, before the formal Auckland Council public notification process, to tell you about the proposal and to give you the chance to provide feedback to us.

If you would like any further information or would like to provide feedback about the proposal, please:

- contact our Project Consultant Nick Pollard by phone, 09 359 5234 or by email, nick.pollard@boffamiskell.co.nz
- complete the attached feedback form and post it in the envelope supplied with this letter or email it to Nick Pollard at the email address above.

Please provide any feedback **by Thursday, 7 February 2019**. Your feedback will be considered as part of the preparation of the application for an alteration to the designation.

We appreciate you taking the time to read this letter and considering these proposals.

Kind regards,

A handwritten signature in black ink, appearing to read 'P. Dinham', with a stylized flourish at the end.

Phil Dinham
Acting Deputy Chief Executive Youth Justice Services
Oranga Tamariki–Ministry for Children

Further Information:

Changes to the Oranga Tamariki Act (the Oranga Tamariki Act)

The amendments to the Oranga Tamariki Act change the purposes and principles to better ensure children and young people are at the centre of decision-making while considering them within the context of their family, whānau, hapū, iwi, family groups, and broader networks and communities. These changes include extending the youth justice jurisdiction to include most rangatahi who are 17, except for those charged with certain serious offences.

The Whakatakapokai existing designation and proposed alterations to the designation

The main alterations to the Whakatakapokai designation that Oranga Tamariki will be seeking are set out in the letter above. The following provides further information:

- Whakatakapokai is currently a Care and Protection Centre established under section 364 of the Oranga Tamariki Act 1989. The current purpose of the designation (identified as Designation 5900 in the Auckland Council Unitary Plan) authorises the placement of tamariki and rangatahi up to (but not including) 17 years of age. The designation's purpose and conditions limit the number of tamariki and rangatahi who can live at Whakatakapokai to a maximum of 20.
- Most of the young people that Oranga Tamariki will be responsible for as a result of the changes are going to be under 18. There are a small number of young adults aged 18 and 19 who we may also be asked by the adult or youth courts (or Police or Corrections) to provide care for. We need to ensure that we are able to place all of the young people that we might be asked to care for, when the law provides for us to be able to do that. This means that the residence may accommodate rangatahi who are aged up to and including 19 years when they are placed in the custody of the chief executive of Oranga Tamariki or if they remain there for a time after they turn 18 as they transition out of care.
- In order to accommodate the additional demand for placements generated as a result of the changes to the Oranga Tamariki Act, the alterations to the designation will seek to amend the designated purpose to allow placements of young persons for either care and protection or youth justice reasons. It is noted that this is to allow for future operational flexibility across our residences and it is not intended that such placements would occur at the same time in the residence unless such children or young people were able to be housed separately.
- The alterations proposed to the Whakatakapokai designation do not currently involve any physical changes to the site however in the future some additional buildings may be required to enable the facility to better cater for the more integrated and child-centred approach to care and to support those who may be transitioning out of care.
- The changes proposed would enable an increase in the number of placements available at Whakatakapokai from 20 to 30. The increase in capacity from 20 to 30 will increase staff numbers. The ratio of staff to residents will be increased to reflect these changes and other changes to the Oranga Tamariki Act that seek better outcomes from a more integrated and child-centred approach to care. It is noted that the increase in overall capacity does not mean that the residence will always operate at the maximum capacity.

Auckland Council Public Notification Process

When the Auckland Council receives the application for a Notice of Requirement to amend the designation it will publicly notify the application and directly notify people they decide are affected persons. Submitters will have 20 working days to lodge submissions to the application. The Council's notification letter will outline how to make a submission and provide a link to the submission forms on its website.

It is anticipated that the Notice of Requirement application to alter the designation will be notified in March 2019.