 RE: 2019-10-08 - Department of Corrections: Dowman Lodge - s9(2)(a)
s9(2)(a) Boffa Miskell)












Sent: October 9, 2019 12:28 PM

From: ERSKINE, Craig (WELLHO)

To: REILLY, Brent (WELLHO); Stacey Telling; LITTLE, Chrissie (WELLHO);

CC: STANBURY, Jo (WELLHO);

 11 Attachments

 image002.jpg (3 KB);  image003.jpg (4 KB);  image004.jpg (3 KB);  image005.jpg (26 KB); 
image006.jpg (3 KB);  image007.jpg (4 KB);  image008.jpg (1 KB);  image009.jpg (1 KB); 
image010.jpg (1 KB);  image011.jpg (1 KB);  image012.png (11 KB);

Released under the Official Information Act 1982

Thanks, have actioned.

I will loop Mark from HNZ in so he sees how this one was approached etc

From: REILLY, Brent (WELLHO)
Sent: 09 October 2019 10:15 a.m.
To: ERSKINE, Craig (WELLHO); 'Stacey Telling'; LITTLE, Chrissie (WELLHO)
Cc: STANBURY, Jo (WELLHO)
Subject: RE: 2019-10-08 - Department of Corrections: Dowman Lodge - s9(2)(a) (Boffa Miskell)

Hi Craig

As discussed today, happy for Boffa to continue and proceed with this.

Thanks

Brent Reilly

Programme Manager – Housing and Support Services

Department of Corrections, *Ara Poutama Aotearoa*

a: 93 The Terrace, Wellington

p: s9(2)(a)

e: brent.reilly@corrections.govt.nz

From: ERSKINE, Craig (WELLHO)
Sent: 09 October 2019 8:53 a.m.
To: 'Stacey Telling'; LITTLE, Chrissie (WELLHO); REILLY, Brent (WELLHO)
Cc: STANBURY, Jo (WELLHO)
Subject: FW: 2019-10-08 - Department of Corrections: Dowman Lodge - Chris Watt to s9(2)(a) (Boffa Miskell)
Importance: High

Team

See below. This is a nice pragmatic outcome.

In the interest of time / risk I strongly recommend boffas manage this one, including preparing applications.

Please advise asap and I will authorise.

I am mainly on mobile today s9(2)(a) text me if want to talk and I will call

Cheers

From: s9(2)(a) @boffamiskell.co.nz]

Sent: 08 October 2019 8:51 p.m.

To: ERSKINE, Craig (WELLHO)

Cc: STANBURY, Jo (WELLHO)

Hi Craig,

Please see advice below from WBOPDC, in particular the part I've highlighted. I think seeking a consent variation to fully align the existing consent with the proposed transitional housing use is a pragmatic way forward. It also, in my opinion, represents a low risk approach, as the existing and proposed activities are so similar that we would be able to state that the effects would be no different, and the existing conditions would only need to be amended slightly (if at all).

Let me know if you'd like to discuss further, or if you'd like for us to get on with preparing the s127 application.

Regards

s9(2)(a)

From: s9(2)(a)@westernbay.govt.nz>

Sent: Tuesday, 8 October 2019 3:52 PM

To: s9(2)(a)@westernbay.govt.nz>; s9(2)(a)@boffamiskell.co.nz>

Subject: 2019-10-08 - Department of Corrections: Dowman Lodge s9(2)(a) (Boffa Miskell)

Good afternoon s9(2)(a)

I trust you are well.

s9(2)(a) has asked me to look over your email/ proposal for the above proposal.

Firstly, thank you for a comprehensive assessment of the baseline, the established consents and the proposal; makes it much easier to work through.

I concur that the request does not 'fit' s10 Resource Management Act 1991, nor does the proposal lend itself to a new, stand-alone land use consent.

I do advise that I would not be comfortable conferring what would be taken as an 'approval' through a correspondence pathway. In considering the land use consent (and variation) in place, I consider it would be appropriate to 'tune up' the established land use consents through an application pursuant to s.127 Resource Management Act 1991 and change the conditions, information as provided such that the decisions are aligned with the proposal as presented.

Otherwise we are left with land use consents and background assessments that will not relate to the activity on the site. There is merit in ensuring the proposal and the decisions are aligned, even if the changes are minute.

I trust this approach is acceptable? Happy to discuss.

Kind regards

s9(2)(a)

Environmental Consents Manager

Kaiwhakahaere Whakaaetangaa Taiao

P s9(2)(a) FP 0800 926 732

1484 Cameron Road, Barkes Corner, Greerton, Tauranga

Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

westernbay.govt.nz | Facebook | Instagram | LinkedIn

Disclaimer:

Please note that the information provided to you by Council in this response is given on a without prejudice basis as it is derived from limited information provided by a third party and without having visited the site. Council and its staff will not be held liable for any actions taken, or outcomes that arise outside of the advice given by its staff.

From: s9(2)(a)@westernbay.govt.nz
Sent: Thursday, 3 October 2019 10:51 PM
To: s9(2)(a)@westernbay.govt.nz
Subject: FW: Dept of Corrections: Dowman Lodge

Hi s9(2)(a)

Can you have a look over this and advise s9(2)(a) agree with his assessment / approach?

Thanks

s9(2)(a)

Senior Consents Planner | Kaiwhakamahere Matua

P s9(2)(a) FP 0800 926 732

1484 Cameron Road, Barks Corner, Greerton, Tauranga

Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

westernbay.govt.nz | [Facebook](#) | [Instagram](#) | [LinkedIn](#)

Disclaimer:

Please note that the information provided to you by Council in this response is given on a without prejudice basis and is derived from limited information provided by a third party and without having visited the site. Council and its staff will not be held liable for any actions taken, or outcomes that arise outside of the advice given by its staff.

From: s9(2)(a)@boffamiskell.co.nz
Sent: Wednesday, 2 October 2019 5:36 PM
To: s9(2)(a)@westernbay.govt.nz
Subject: Dept of Corrections: Dowman Lodge

Hi s9(2)(a)

Further to our meeting on 19 September 2019, we have obtained the property file for the property at 240 Rangiorua Road, Te Puke, which contains the 'Dowman Lodge'. The following is a brief on the proposal, the existing consents applicable to the property, a permitted / consented / proposed use comparison, as well as proposed next steps.

Proposal

The Department, together with Housing NZ, are interested in acquiring the property for use as part of the 'Community Residential Transition Housing' (CRTH) programme led by both agencies. CRTHs provide "temporary, safe accommodation in the community for people leaving prison and provide a bridge between

Project Manager – Housing and Support Services). The lodge would accommodate up to 25 residents (plus supervisory staff), who are placed on a reintegration plan.

A few key points relating to the CTRH programme and the proposed use:

- Males only, 18 years of age and older.
- Accommodates those not eligible or suitable for standard supported accommodation services.
- No other viable housing options are available for the offenders, or entry into the programme would satisfy the NZ Parole Board's key considerations of risk in order to support the imposition of parole.
- The service is available to eligible short and long term serving prisoners to enable safe transition into the community, and eligible offenders subject to a community-based sentence where exclusion would otherwise result in re-incarceration or difficulty in effectively managing assessed risks.
- The service will be a regional service so it is envisaged that referrals will be received from across the region (primarily) and country (secondarily).
- Support is provided to develop employment acquisition skills and resources, and employment resiliency; including support to obtain stable employment.
- Case management support is provided to achieve the goals identified in integration plan. This will include a standard hours reintegration service between 8am to 4pm Monday to Friday.
- Support is provided to source independent long-term sustainable accommodation.
- Specialist staff provide reintegrative activities and day to day support. Staffing levels are scaled on a 'needs basis' taking into account both the number of residents (which will fluctuate, but not exceed 25) and the complexity of their respective needs / risks.
- In addition to the reintegration services programme, this proposed service will also include after hours, awake night staff from the hours of 4pm to 8am, seven days per week. Night staff will not be expected to provide reintegration activities or support and will instead hold a supervisory / safety responsibility for the property and residents.
- It is envisaged that the average stay for each resident will be between six to nine months.
- Residents are not anticipated to have access to their own vehicles. Transport to and from the lodge will be provided by two vans, with 12 vehicle movements anticipated per day associated with the vans and support services staff.

No physical works on the exterior of the lodge building or the property are proposed. Some internal reconfiguration work could be undertaken however.

Existing resource consent and site history

RC299L was a consent originally issued in April 2005 to the s9(2)(a) and provides for "residential facility catering for those with s9(2)(a)

s9(2)(a) The consent approval and associated application provided for the following aspects:

- 25 people allowed to stay on-site overnight (this includes the full time supervisory staff – one who resides on-site full time and five who arrive and leave daily).
- Approximately 10 vehicle movements per day.
- No signage.
- Existing bore water and septic tank on-site servicing.
- 16 carparks located on-site.
- Residents do not have their own vehicles – the only anticipated vehicle movements are those attributed to the daily arrival of staff members which equates to a household equivalent (10 movements per day).
- Noise restricted to 50 dBA L10 at notional boundaries during daytime and 40 dBA L10 at night time and on public holidays.
- Written approvals for the application were provided by several adjoining neighbours, but the Council approval identified that the conditions of consent were appropriate to consider the effects "de minimis" (i.e. that there are no affected parties).

stay on site overnight will allow Dowman Lodge to service a legitimate need within the community for s9(2)(a) consumers, and to operate more efficiently economically, whilst not increasing the environmental effects." The consent variation application (RC299L*01) was approved on 16 March 2016 (refer **attached**). A couple of matters of note in terms of this variation approval:

- The application was processed non-notified and no written approvals were supplied.
- Two extra vehicle movements per day were anticipated, above the existing level of 10, thereby permitting 12 movements per day.

Prior to RC299L being granted, the site was subject to a 'specified departure' (under the former Town & Country Planning Act) granted in July 1985 providing for "operating a family home for disabled persons". As such, there is a long history of supported residential uses being provided for on the site by way of Council approvals.

Permitted / Consented / Proposed use comparison

Matter	Permitted Use (District Plan: Post Harvest Zone and associated provisions)	Consented Use (under RC299L & RC299L*01)	Proposed Use (CRTH)
Activity	Seasonal worker accommodation for people associated with post-harvest operations.	"Residential facility catering for those with s9(2)(a) s9(2)(a)	Residential facility catering for people on parole or home detention, providing support for full and independent reintegration into the community.
Maximum number of overnight residents	75 seasonal workers (Rule 22.3.1(e))	35 people allowed to stay on-site overnight (this includes the full time supervisory staff – one who resides on-site overnight).	Up to 25 residents, plus night staff (unlikely to exceed five), therefore 30 total.
Length of stay	Not specified (Supplementary Seasonal Employer Work Visa has a 6 month length of stay period.	12 months	Average stay for each resident will be between six to nine months.
On-site car-parking	All carparking to be onsite (Rule 4B.4.7)	16	16
Traffic movements	Not specified - unlimited	Up to 12	Up to 12
Noise	55dBA L10 at notional boundaries during daytime and 45dBA Leq and 65dBA Lmax at night time and on public holidays (Rule 4C.1.3.2(e))	50 dBA L10 at notional boundaries during daytime and 40 dBA L10 at night time and on public holidays.	50 dBA L10 at notional boundaries during daytime and 40 dBA L10 at night time and on public holidays.
Signage	(i) Signs up to a maximum cumulative area of 3m ² per lot for the purposes of advertising the services offered or the sale of goods/produce manufactured or grown on the lot (stalls) on which the signs are to be located. (ii) Signs stating the occupants name, profession, occupation, trade or property name (where	No signage	No signage

	(Rule 4D3.1.1)		
Screening	All existing screening shall be retained on site, and if replaced, shall be by screening of a similar height and scale. A landscape strip shall be provided on all road frontages in accordance with 4C.5.3.1(a)(ii) and 4C.5.3.1(b). Shelterbelt planting comprising tree species which will attain a minimum height of 8m at maturity shall be provided on the remaining boundaries. (Rule 4C.5.3.3)	No changes to existing landscaping specified.	No changes to existing landscaping proposed.

As can be seen from this table, the proposed CRTH activity itself very closely aligns with the consented activity. From an effects perspective, the proposed CRTH activity fits within the scope of the consented activity, and would have no effects that differ to the existing use of the site.

Next steps

As the scope of the proposed activity aligns so closely with the scope of the existing consent, we propose that Council confirm compliance with the existing consent by way of return correspondence. If Council would prefer the content of this email to be put into a letter format to assist with this process we would be happy to do so.

Please note, my assessment is that an Existing Use Certificate process (under s10 RMA) to formally acknowledge the CRTH use would not be applicable, as the current consented use was established after the relevant rule of the District Plan became operative. A resource consent process to confirm the CRTH activity would also seem to be unnecessary, given the alignment with the consented use and that the same conditions as apply under RC299L could be used to appropriately manage the effects of the activity.

Once you've had an opportunity to review this I would welcome further discussion.

Regards

s9(2)(a)



Boffa Miskell

s9(2)(a)

| Planner | Principal | Full Member, New Zealand Planning Institute

E: s9(2)(a)@boffamiskell.co.nz | s9(2)(a)

LEVEL 5 | 35 GREY STREET | TAURANGA 3110 | NEW ZEALAND

www.boffamiskell.co.nz

This electronic message together with any attachments is confidential. If you receive it in error: (i) you must not use, disclose, copy or retain it; (ii) please contact the sender immediately by reply email and then delete the emails. Views expressed in this email may not be those of Boffa Miskell Ltd. No claim may be made against Boffa Miskell in regard to the use of data in any attachments. This e-mail message has been scanned for Viruses and Content.

The information contained in this message (and any accompanying documents) is CONFIDENTIAL and may also be LEGALLY PRIVILEGED, intended only for the recipient(s) named above.

If the reader of this message is not the intended recipient, you are notified that any use, copying disclosure, retention or distribution by any means of the information is strictly prohibited.

If you have received this message in error, please notify the writer immediately and destroy the original(s).

This electronic message together with any attachments is confidential. If you receive it in error: (i) you must not use, disclose, copy or retain it; (ii) please contact the sender immediately by reply email and then delete the emails. Views expressed in this email may not be those of Boffa Miskell Ltd. No claim may be made against Boffa Miskell in regard to the use of data in any attachments. This e-mail message has been scanned for Viruses and Content.

Released under the Official Information Act 1982

-----The information in this message is the property of the New Zealand Department of Corrections. It is intended only for the person or entity to which it is addressed and may contain privileged or in confidence material. Any review, storage, copying, editing, summarising, transmission, retransmission, dissemination or other use of, by any means, in whole or part, or taking any action in reliance upon, this information by persons or entities other than intended recipient are prohibited. If you received this in error, please contact the sender and delete the material from all computers.

Released under the Official Information Act 1982

