



24/07/2025

Tēnā koe

**Decision of the Minister of Education under Section 172 of the Resource Management Act 1991 for alterations to Designation 4912 at 170S Dawson Road, Flat Bush (Chapel Downs School)**

Thank you for your letter dated 24 June 2025 advising of Auckland Council's (**Council**) Recommendation to confirm the alteration to designation 4912 in accordance with section 171 of the Resource Management Act 1991 (**RMA**).

The notice of requirement (**NoR**) was initially lodged with Auckland Council in July 2024, and sought to:

- Alter the purpose of the designation from Primary School Years 0-8 to Years 0-10 (retaining the potential for early childhood education);
- Delete the standard conditions for all Minister of Education designations and existing site-specific conditions for this site; and
- Replace the standard and site-specific conditions with new conditions set out in Form 18 that accompanied the NoR.

The matter was considered by Commissioners Janine Bell and Michael Parsonson with a hearing held "on the papers" on the basis that the submitters had confirmed that they did not wish to be heard.

In accordance with section 172(1) of the RMA, the Minister of Education (**Minister**) advises the Council that the Recommendation is accepted in whole, with the Minister agreeing with the Recommendation's conclusions, that:

- The NoR satisfies section 171 of the Act as the altered designation is reasonably necessary for achieving the objectives of the Requiring Authority and will enable the efficient, safe and controlled use of the existing school site to better support the ongoing operation and anticipated growth in demand of school facilities in the local area.
- The work proposed by the designation is consistent with Part 2 of the Act in that it represents the sustainable management of natural and physical resources.
- The designation is in general accordance with the relevant objectives and policies of the Auckland Unitary Plan (Operative in Part).
- Subject to the recommended conditions, the designation will avoid, remedy or mitigate adverse environmental effects.



The Minister subsequently confirms the NoR to alter the purpose of designation 4912 to “Education Purposes – Years 0-10 and may include early childhood education (ECE)” along with the updated conditions.

A full set of updated conditions are attached to this decision in attachment A.

Please notify this decision to all submitters in accordance with s173 of the RMA, within 15 working days of today’s date.

Dated this day 24 of July 2025 and signed by:

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

Nāku noa, nā

Clive Huggins  
Director, Land Investment and Planning  
School Property  
Te Tāhuhu o te Mātauranga | Ministry of Education

# Conditions Template Auckland Council Condition Format

## Attachment [B] - Confirmed Designation Conditions 4912 Chapel Downs School

Designation Number	4912
Requiring Authority	Minister of Education
Location	170 Dawson Road, Flat Bush
Rollover Designation	Yes
Legacy Reference	Designation 12, Auckland Council District Plan (Manukau Section) 2002
Lapse Date	Given effect to (i.e. no lapse date)

### Purpose

Educational Purposes – Years 0-10 and may include early childhood education (preschool).

The standard conditions for Minister of Education designations do not apply to this designation. Only the site-specific conditions below apply to this designation.

#### 1. Building Height

Any new building or building extension (excluding goal posts and similar structures) shall comply with the height in relation to boundary controls of 60 degrees measured from a point 4m vertically above ground level at the boundary of any adjoining land zoned residential or open space.

#### 2. Operational Noise

The noise (rating) levels arising from the operation of the school must comply with the following noise limits when measured within the boundary of any residentially zoned site:

DAY/TIME	NOISE LEVEL
Mon – Sat, 7.00am – 10.00pm	55 dB $L_{Aeq}$
Sunday 9am to 6pm	
All other times	45 dB $L_{Aeq}$ 75 dB $L_{AFmax}$

These noise limits do not apply to noise from school sports and school recreational activities occurring between 8am and 6pm Monday to Saturday.

Operational noise levels shall be measured and assessed in accordance with NZS 6801:2008 “Acoustics – Measurement of environmental sound” and NZS 6802:2008 “Acoustics – Environmental noise”.

### 3. Construction Noise

Construction noise must be measured and assessed in accordance with NZS 6803:1999 "Acoustics – Construction noise". Construction noise must comply with the guideline upper limits of NZS 6803:1999, except that the limits between 7.30 am and 6.00 pm on Monday to Saturday may be exceeded by up to 10 dB where compliance with the guideline upper limits is not practicable.

A Construction Noise and Vibration Management Plan (CNVMP) must be submitted to Auckland Council for certification before any construction works that cannot comply with the guideline upper limits of NZS 6803:1999 are undertaken. The objective of the CNVMP is to identify and require the adoption of the best practicable option to minimise construction noise and vibration effects and enable compliance with Condition 3.

### 4. On-site Car Parking - Schools

Additional on-site car parking shall be provided at the maximum rate of one carpark per new classroom or classroom equivalent, except where the council accepts, on the basis of a specifically commissioned parking study by an appropriately qualified engineer and/or transportation planner, that an alternative level is appropriate. For the avoidance of doubt, this condition shall only apply where there is a net increase in the number of classrooms or classroom equivalent

### 5. On-site Car Parking – Early Childhood Education

In addition to any car parking required for the school, on-site car parking for early childhood education (preschool) shall be provided at the rate of one car park per every 10 children the facility is licensed or designed to accommodate, plus one per each fulltime staff member required for the license or design capacity of the centre, except where the Council accepts, on the basis of a specifically commissioned parking study by an appropriately qualified engineer and/or transportation planner, that an alternative level is appropriate.

### 6. Outline Plans

Provided it does not conflict with any other conditions of designation 4912, an outline plan shall not be required for:

- a) Any internal building works other than those that result in a net increase in the number of classrooms or classroom equivalents;
- b) General building maintenance and repair work including but not limited to re-painting, re-cladding and re-roofing;
- c) Installing, modifying and removing playground furniture and sports structures (e.g. goal posts);
- d) Amending any internal pedestrian circulation routes/pathways;
- e) Installing, maintaining or repairing any in ground infrastructure services such as stormwater, sewerage and water lines and connections, including any ancillary earthworks;
- f) Provision of landscaping and gardens, provided that it does not alter landscaping required as mitigation as part of an outline plan for other works; or
- g) General site maintenance and repair work, or boundary fencing otherwise permitted by the Unitary Plan; or

- h) any temporary or mobile facilities or structures (e.g. oral health clinic, life education class, emergency generator).

## 7. Establishment Outline Plan of Works – Years 9 and 10

The Requiring Authority shall submit an Outline Plan for initial construction and development of school facilities for years 9 and 10 students.

The Establishment Outline Plan of Works shall include the following information:

- a) A Design Concept Plan for the site including:
  - i. The general location of access points for vehicles, cyclists, scooters and pedestrians;
  - ii. The general location of on-site parking areas (including cars, cycle and scooter parks), and on-site and off-site pick up and drop off areas (if required);
  - iii. Measures and treatments at all access points to manage conflict between pedestrians, cyclists, scooter users and vehicles;
  - iv. General location of building platforms, areas for proposed buildings and open space (such as playgrounds and sports fields); and
  - v. “Indicative” areas intended to accommodate future buildings and facilities, including building platforms, car parking areas, vehicular access, manoeuvring and circulation areas.
- b) An acoustic assessment of aircraft noise levels experienced on the site. This assessment will inform concept building location and design to create appropriate indoor acoustic environments in accordance with conditions 10 and 11. This assessment will also identify and recommend how effects of aircraft noise on outdoor educational activities will be mitigated as far as practicable – for example through site design, or other physical design responses; or by school management of outdoor curriculum, or other means.
- c) A Transport Assessment prepared by a suitably qualified traffic engineer/transportation planner which addresses transport network safety, efficiency and the following specific matters:
  - i. Safe access for pedestrians, cyclists and vehicles (including buses (if required), rubbish trucks and for ground and building maintenance) and appropriate measures and treatments to minimise conflicts between all transport modes;
  - ii. On-site staff and visitor car parking, cycle and scooter parking, and loading spaces to facilitate deliveries and rubbish removal;
  - iii. On-site pick-up and drop-off (PUDO) area(s), if required, including ensuring their design manages demand (to the extent enabled by the School Travel Plan), including vehicular access, circulation, manoeuvring for cars and buses (if required).
  - iv. The following matters shall specifically be addressed as they relate to the school, including any measures required to mitigate or address these matters:

- Potential effects on the safe and efficient operation of the surrounding transport network and the internal school circulation;
  - Providing for the continuity of cycle and pedestrian facilities; and
  - Providing safe separated access points to the school for those who walk or cycle.
- v. Any impediments on the safe and efficient movement of pedestrians and cyclists as they relate to the school within the surrounding transport network and any measures required to mitigate these;
  - vi. Traffic generation and any means of mitigating adverse effects on the efficiency and safety of the surrounding transport network;
- d) A summary of the consultation and engagement with Auckland Transport. A copy of the draft Design Concept Plan and draft Transport Assessment prepared to support the Establishment Outline Plan shall be provided to Auckland Transport for the purposes of this consultation and engagement.

#### 8. Subsequent Outline Plan of Works

Where any subsequent proposal arises that increases the number of teaching spaces by six or more, or modifies any vehicle access, the Requiring Authority shall submit an Outline Plan which includes the following information:

- a) A Design Concept Plan for the site including:
  - i. The general location of access points for vehicles, cyclists, scooters and pedestrians;
  - ii. The general location of on-site parking areas (including cars, cycle and scooter parks), and on-site and off-site pick up and drop off areas;
  - iii. Measures and treatments at all existing and new access points to manage conflict between pedestrians, cyclists, scooter users and vehicles;
  - iv. General location of building platforms, areas for proposed buildings and open space (such as playgrounds and sports fields); and
  - v. “Indicative” areas intended to accommodate future buildings and facilities, including building platforms, car parking areas, vehicular access, manoeuvring and circulation areas.
- b) An acoustic assessment of aircraft noise levels experienced on the site. This assessment will inform concept building location and design to create appropriate indoor acoustic environments in accordance with conditions 10 and 11. This assessment will also identify and recommend how effects of aircraft noise on outdoor educational activities will be mitigated as far as practicable – for example through site design, or other physical design responses; or by school management of outdoor curriculum, or other means.
- c) An updated Transport Assessment prepared by a suitably qualified traffic engineer / transportation planner, which addresses all matters listed in condition 7(c);
- d) A summary of engagement and consultation with Auckland Transport in accordance with condition 7(d).

8A. For development of classrooms or buildings that increase the number of teaching spaces by fewer than six, a standard Outline Plan must be submitted in accordance with section 176 of the RMA.

#### 9. School Travel Plan

- a) Prior to the first Outline Plan required under either condition 7 or 8, the Requiring Authority shall either directly or through the School Board of Trustees, develop a School Travel Plan. The purpose of the School Travel Plan is to set sustainable travel mode goals to reduce vehicle dependence and reduce the impact of vehicle movements on the local road network, including through active school promotion and support for walking school buses, carpooling, the encouragement of the use of public transport, the use of remote pick up/drop off locations, and the encouragement of walking and cycling.
- b) This School Travel Plan shall also specifically address the following matters:
  - i. Safe pedestrian access to the entry points to the school;
  - ii. Consistency with or use of Auckland Transport's TravelWise programme, or any equivalent programme adopted;
  - iii. Measures to separate vehicle entry and pedestrian/cyclist entries;
  - iv. Location and provision on site of any scooter and cycle parking; and
  - v. The adequacy of on-site pick-up / drop-off arrangements and management including an assessment of the existing and planned peak demand, alongside consideration of the need to prioritise use by younger students.
  - vi. The necessity for additional remote pick-up / drop-off in suitable locations.
- c) The School Travel Plan and any subsequent reviews required by condition (9d)) below shall be developed and revised in consultation with Auckland Transport and shall include a monitoring and review programme.
- d) As a minimum the School Travel Plan shall be reviewed 12 months after adoption, or upon submission of an Outline Plan (whichever comes first) and revised at the time of submitting each subsequent Outline Plan of Works relating to increased teaching spaces. The purpose of reviewing and revising the School Travel Plan will be to:
  - i. Identify the degree to which the school is meeting its sustainable travel mode goals; and
  - ii. Where necessary, adopt and incorporate transport mitigation measures into the School Travel Plan to achieve those goals, and specifically to ensure safe access to and from the school.

#### 10. Site Specific Acoustic Condition

The following acoustic and related treatment measures must be installed in any new space:

- a) Acoustic insulation to reduce aircraft noise to achieve the following indoor noise criteria in Table 1 (with all external doors and windows closed). The building design must be based on external aircraft noise levels of 61dB  $L_{Aeq}$  (6 hours) and the following frequency spectrum:

63 Hz	125 Hz	250 Hz	500 Hz	1 kHz	2 kHz	4 kHz
58 dB	62 dB	61 dB	58 dB	55 dB	55 dB	48 dB

Table 1: Design Sound Level Range – Aircraft noise

<b>Space</b>	<b>Design Sound Level Range (dB L<sub>Aeq</sub>(6 hours))</b>
Gyms	45-50
Learning spaces Technology Spaces Laboratories Libraries Teacher workspaces Staff rooms Meeting rooms Offices Breakout spaces Music teaching rooms Music practice rooms Whare Assembly Halls	35-40
Auditoria	30-35
Multimedia rooms Recording rooms	25-30

Any bathroom, water closet, laundry, corridor, hallway, lobby, stairwell, garage or other space of a similar nature not listed above that is occupied neither frequently nor for extended periods of time is excluded.

- b) All spaces not specifically excluded must have air conditioning and/or mechanical ventilation systems, that, with all windows and external doors closed;
  - i. Are designed to achieve indoor air temperatures (while occupied) of not less than 16 degrees Celsius in winter and not greater than 27 degrees Celsius in summer at 5% ambient design conditions as published by the National Institute of Water and Atmospheric Research ("NIWA")(NIWA, Design Temperatures for Air Conditioning (degrees Celsius), Data Period 2011-2020).



- ii. comply with the New Zealand Standard NZS 4303:1990 Ventilation for Acceptable Indoor Air or Australian Standard AS 1668.2 The Use of Ventilation and Air-Conditioning in Buildings;
  - iii. Generate no more than 40dB LAeq (1 min). This noise limit does not apply during the initial room-cooling phase. Noise levels from the mechanical system(s) shall be measured at typical listening positions no closer than 1 metre from any diffuser.
- c) Where the internal noise levels within any space may exceed 60dB LAeq (1 min) (for example food technology and heavy technology spaces such as woodworking where the space itself is inherently noisy), opening doors and/or windows are permissible during the period of those high noise levels, to enable sufficient ventilation associated with extractor or rangehood use. For the avoidance of doubt, all spaces must be fitted with mechanical ventilation and comply with condition 10(a) and (b) above, when internal noise levels are 60dB LAeq (1 min) or less.

#### 11. Site Specific Acoustic Condition

Where Condition 10 requires the Minister to install acoustic treatment and related ventilation measures the Minister shall obtain a certificate from a suitably qualified independent person (or persons) nominated by the Minister and approved by the Council ("an approved person"), certifying that the proposed acoustic treatment and related ventilation measures are sufficient to achieve the internal acoustic environment and ventilation requirements specified in this condition. The Minister shall provide the Council with a certificate from an approved person that the design and installation has been undertaken in accordance with good practice and complies with condition 10.

#### 12. Communications Plan

In conjunction with the first outline plan, the Requiring Authority shall, in consultation with the School Board of Trustees, develop a Communications Plan, the purpose of which is to ensure that the school community is aware of the noise environment that the school operates within.

The Communications Plan shall include:

- a) a record of consultation with Auckland International Airport and the Board of Airline Representatives New Zealand;
- b) a statement that the site is located in proximity to the Airport and the airport operations will necessarily involve aircraft noise;
- c) a statement that the Airport is authorised to operate at the noise levels provided for in Designation 1100 to the Unitary Plan and that current noise levels may increase to these limits as a result of increased airport operations to support the growth of the Airport;
- d) information regarding the mitigation measures that the Minister has undertaken to mitigate the effects of aircraft noise on the site, including the acoustic insulation of buildings within the MANA;
- e) a statement that external windows and doors in buildings need to remain closed to achieve the required noise reduction; and

- f) a procedure for the Board of Trustees to assist constructively in the management of any written complaints received from the school community in relation to aircraft noise at the site.

The Requiring Authority shall, either directly or through the school Board of Trustees, provide a copy of the Communications Plan in any enrolment or induction document for any new students or staff upon the commencement of their enrolment or employment and publish the Communications Plan on the school website. The Communications Plan shall be reviewed at the time of submitting each subsequent OPW. A copy of the first Communications Plan shall be supplied to AIAL and the Board of Airline Representatives New Zealand. When changes are made to this Communications Plan following a review process, a copy shall also be provided to AIAL and the Board of Airline Representatives New Zealand.

### 13. Options Analysis at Future Roll Growth Stage

With the first outline plan submitted to the Council after the school roll exceeds 2,200 students, the Requiring Authority shall include a summary of engagement it has undertaken with Auckland International Airport and the Board of Airline Representatives New Zealand regarding ongoing roll growth within the catchment. The summary shall include concerns raised in that engagement and the Requiring Authority's response to those concerns.

#### **Advice note:**

Engagement between the Requiring Authority and the parties listed in this condition is governed by a private side agreement. It is the Requiring Authority's responsibility to comply with these obligations and those listed in the private side agreement.