

FORM 18

NOTICE OF REQUIREMENT BY MINISTER, LOCAL AUTHORITY, OR REQUIRING
AUTHORITY FOR A NEW DESIGNATION OR ALTERATION OF DESIGNATION

Section 168 of the Resource Management Act 1991

To: Auckland Council

The Minister of Education ('the Minister') gives notice of a requirement for designation for a public work.

The site to which the requirement applies is as follows:

3064-3066 Great North Road, New Lynn, Auckland.

Lot 12-14 Deposited Plan 42203 and Part Lot 15-17 Deposited Plan 42203 and Section 7, 20-22 Survey Office Plan 429885 and Section 1 Survey Office Plan 501351 and Lot 2 Deposited Plan 507702 (CT identifier 772290).

The nature of the proposed public work (or project or work) is:

To enable the establishment of a new primary school catering for school age children from Year 0 to Year 6 (contributing primary school), as well as a new Early Childhood Education Centre (ECE) catering for preschool children.

The nature of the proposed restrictions that would apply are:

1. Add new designation No. 46XX to the Auckland Unitary Plan as shown on the designation plan included in Appendix A (a shape file can be provided in due course once the boundaries are confirmed):
2. Alter **Chapter K Designations** as follows:

2.1. Designation Schedule – Minister of Education (1/3).....

North and West

<i>Number</i>	<i>Purpose</i>	<i>Location</i>
<i>....</i>		
<u>46XX</u>	<i>Educational Purposes – Primary School (Years 0-6) and Early Childhood Education (Pre-School).</i>	<i>3094-3096 Great North Road, New Lynn</i>

2.2. Insert the following new designation:

46XX Primary School and ECE New Lynn

<u>Designation Number</u>	<u>46XX</u>
<u>Requiring Authority</u>	<u>Minister of Education</u>
<u>Location</u>	<u>3094-3096 Great North Road, New Lynn</u>
<u>Rollover Designation</u>	<u>NA</u>
<u>Lapse Date</u>	<u>The designation shall lapse on the expiry of 10 years from the date on which it is included in the district plan if it has not been given effect to before the end of that period.</u>

Purpose

Educational Purposes – Primary School (Years 0-6) and Early Childhood Education (Pre-School).

Conditions

The standard conditions for all Minister of Education designations apply to this designation, except that where any standard condition conflicts with a site-specific condition below, the site-specific condition shall take precedence.

[Drafting note – not to be included in the designation, the standard conditions for height in relation to boundary, and on site car parking have been modified to better reflect the Business - Metropolitan Centre Zone and proximity to the transport hub, and in regard to noise to ensure the noise restriction also applies to the pre-school]

- Building height in relation to boundary***
Any new building or building extension shall comply with the height in relation to boundary controls of 8m high at the boundary and 60 degrees from any land zoned Residential – Terrace Housing and Apartment Zone. For the avoidance of doubt should any change to the name of the Terrace Housing and Apartment Zone occur in the future, this control shall apply from the south side of the Rail Corridor adjoining the school site.
- Noise***
The noise (rating) level arising from the operation of the school and pre-school must comply with the following noise levels when measured at the boundary of any residentially zoned site, or within the notional boundary of any site in a rural zone:

DAY/TIME	NOISE LEVEL
<i>Mon – Sat, 7.00am – 10.00pm (0700 -2200)</i>	<i>55 dB L_{Aeq}</i>

<i>Sunday 9am to 6pm</i>	
<i>All other times</i>	45 dB L_{Aeq} 75 dB L_{AFmax}

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

Noise levels shall be measured and assessed in accordance with NZS 6801:2008 "Measurement of Environmental Sound" and NZS 6802:2008 "Environmental Noise".

Noise from construction shall not exceed the limits recommended in, and shall be measured in accordance with, New Zealand Standard NZS 6803:1999 "Acoustics – Construction Noise".

3. On-Site Car Parking - Schools

There shall be no minimum car parking requirement. The maximum number of car parks, excluding any short term pick up and drop off bays, accessible spaces and car parking for the Early Childhood Education (Pre-school), shall not exceed 62 spaces.

4. On-Site Car Parking – Early Childhood Education (Pre-school)

There shall be no minimum or maximum car parking requirement. An appropriate level of car parking recommended by a suitably qualified traffic engineer/transportation planner shall be specifically addressed in the outline plan to establish this activity.

5. Establishment Outline Plan of Works

The Requiring Authority shall submit an Outline Plan of Works for the construction and development of the school and/ECE facility:

- a) *A School Design Concept Plan including:
 - i. *General location of access points, staff car parking and drop off/pick up areas;*
 - ii. *General location of future buildings and open space (such as playgrounds and sports fields).**
- b) *An urban design statement by a suitably qualified urban designer that addresses how the school design concept responds to the public realm and incorporates CPTED principles (such as passive surveillance over the streetscape).*
- c) *A Landscaping Plan developed by a suitably qualified landscape architect/planner/designer.*
- d) *A Traffic Impact Assessment (TIA) Report prepared by a suitably qualified traffic engineer/transportation planner which, taking into account the*

Integrated Transport Assessment (ITA) prepared by Jacobs dated 26 May 2020, addresses safety, efficiency and the following specific matters:

- i. Safe access for vehicles, cyclists and pedestrians including measures to separate vehicle entry and pedestrian/cyclist entries, adequacy of footpath widths adjacent to the school site; and any necessary mitigation;*
 - ii. Traffic light phasing for intersections adjacent to the school (subject to the approval of the road controlling authority);*
 - iii. Car parking, cycle parking, bus parking and pick up and drop off areas, and sufficient loading space to facilitate deliveries and rubbish removal;*
 - iv. The pick up and drop off area(s) shall be provided wholly on-site and designed to accommodate predicted demand, and to ensure sufficient on-site bus parking is provided (which may be informal use of on-site pick up and drop off spaces or loading spaces.*
- e) A Stormwater Management Plan prepared by a suitably qualified specialist which implements water sensitive design and addresses stormwater flow, quality, flooding effects and hydrology mitigation including:*
- i. The location and sizing of any on-site stormwater detention and retention (including re-use) and/or connection to Auckland Council's public stormwater network;*
 - ii. Management of any overland flow path; and*
 - iii. Management of any flooding hazards at the time of development.*
- f) Details of the proposed water and wastewater connections to the site.*

6. School Travel Plan

- a) Prior to the opening of the school the requiring authority shall, either directly or through the School Board of Trustees, develop a Travel Plan in consultation with Auckland Transport.*
- b) The School Travel Plan shall provide specifically for measures to reduce vehicle dependence, including walking school buses, carpooling, the encouragement of the use of public transport, the use of remote pick up/drop off locations if appropriate, and the encouragement of walking and cycling. This Travel Plan shall also specifically address the following matters:*
- i. Safe access to the entry points to the school. Features such as Kea Crossings or Zebra Crossings should be specifically considered.*
 - 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. The amount of any cycle and scooter parking required.*

- c) *The School Travel Plan shall be developed in consultation with Auckland Transport and shall include details of the required monitoring. The School Travel Plan shall be reviewed at the time of submitting each subsequent Outline Plan of Works relating to increased student capacity.*
7. ***On-site pick up and drop off***
- a) *An on-site pick up and drop off area for the school shall be provided. The number of pick up and drop off bays shall be determined by an assessment of the peak demand for vehicles entering and exiting the site, to be demonstrated by a transport assessment to be submitted as part of any outline plan to increase classroom numbers. Bays may be provided on a staged basis consistent with each stage of school development.*
- b) *An assessment of the need for a bus pick-up and drop-off facility for the schools shall be submitted as part of any outline plan to increase classroom numbers. Bus facilities may be provided on a staged basis consistent with each stage of school development.*
8. ***Vehicle Access to Cambridge Lane***
- All operational vehicle access to the site shall be via Cambridge Lane.*
9. ***Construction***
- A construction management plan shall be prepared and submitted with any outline plan or works for major site works.*

The effects that the public work (or project or work) will have on the environment, and the ways in which any adverse effects will be mitigated are:

The proposal will result in no significant adverse effects. An assessment of effects, including mitigation, is contained in the attached Assessment of Environmental Effects Report.

Alternative sites, routes, and methods have been considered to the following extent:

The proposed designation applies to an existing site owned by the Crown for educational purposes. Details of other sites considered are included in the attached Assessment of Environmental Effects Report.

Use of designation as a tool for providing for the proposed educational facilities for which the Minister has financial responsibility is the mechanism used widely by the Minister as part of a national strategy for establishing, maintaining and operating school sites.

Part 8 of the RMA provides for requiring authorities to seek provision for designations in District Plans. The primary reasons for adopting this technique are:

- a. The Minister has a national strategy to designate all state schools.
- b. Designations provide greater certainty in terms of future management options for a site, because it allows the Minister to carry out ongoing development of the site in accordance with the designated purpose indefinitely.
- c. Designation recognises the long-term commitment to the particular site, as well as identifying the site on the District Plan maps.

The public work (or project or work) and designation are reasonably necessary for achieving the objectives of the requiring authority because:

The Education Act 1989 empowers the Minister of Education to designate schools. Those elected to the Board of Trustees are legally responsible for the management of their school, in the same manner as applies to all other State schools.

The project is required to provide opportunities for students to undertake their studies as provided for under the Education Act 1989. Accordingly, establishment of a school catering for school age children from years 0-6 as well as early childhood education centres catering for preschool children, is reasonably necessary in achieving the objective of the Minister of Education in providing state schooling.

The following resource consents are needed for the proposed activity and have (or have not) been applied for:

No resource consents are required at this stage. Any resource consents will be sought concurrently with an outline plan of works once the educational facilities have been designed.

The following consultation has been undertaken with parties that are likely to be affected:

Consultation has been undertaken with relevant Mana Whenua groups with an interest in the local board area, whilst communication has been undertaken with the local board, and the relevant Council departments and Council Controlled Organisations (CCOs). A summary of consultation and communication has been provided in the attached Assessment of Environmental Effects Report.

The Minister of Education attaches the following information required to be included in this notice by the district plan, regional plan, or any regulations made under the Resource Management Act 1991.

Notice of Requirement - Assessment of Environmental Effects Report prepared by Incite dated 3 June 2020 and all appended technical reports and supporting documents.

J Taylor-Clarke

Signed by
Jayne Taylor-Clarke (Regional Infrastructure Manager, Auckland)
Ministry of Education
(pursuant to a delegated authority dated December 2019)

19.06.2020

Date