

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:

1043 Linwood Road, Kingseat, Auckland.

Section 1 of approved title plan SO 544969 (new title yet to issue)

Underlying title is Lot 2 DP 417814 (CT identifier 468658).

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 8 (full 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. 50XX to the Auckland Unitary Plan as shown on the designation plan included in Appendix A of the Notice of Requirement - Assessment of Environmental Effects Report prepared by Incite dated 19 October 2020 (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 (3/3).....

South

Number	Purpose	Location
.....		
<u>50XX</u>	<i>Educational Purposes – Primary School (Years 0-8) and Early Childhood Education (Pre-School).</i>	<i>1043 Linwood Road, Kingseat</i>

2.2. Insert the following new designation:

50XX Primary School and ECE Kingseat

<u>Designation Number</u>	<u>50XX</u>
<u>Requiring Authority</u>	<u>Minister of Education</u>
<u>Location</u>	<u>1043 Linwood Road, Kingseat</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 0-8) 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 condition for height in relation to boundary has been modified to better reflect the Auckland Unitary Plan control for residential zones, and in regard to noise to ensure the noise restriction also applies to the pre-school]

1. ***Building height in relation to boundary***
Any new building or building extension (excluding goal posts and similar structures) shall comply with the height in relation to boundary controls of 2.5m high at the boundary and 45 degrees from any adjoining land zoned primarily for a residential purpose, or zoned primarily for an outdoor space/outdoor recreation purpose.

2. ***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:

<i>DAY/TIME</i>	<i>NOISE LEVEL</i>
<i>Mon – Sat, 7.00am – 10.00pm (0700 -2200)</i>	<i>55 dB LAeq</i>
<i>Sunday 9am to 6pm</i>	
<i>All other times</i>	<i>45 dB LAeq 75 dB LAFmax</i>

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. **Establishment Outline Plan of Works**

The Requiring Authority shall, in accordance with the requirements of s176A of the Resource Management Act 1991, submit an Outline Plan of Works for the construction and development of the school and Early Childhood Education Centre (ECE) which shall include the following further information:

a) A Design Concept Plan for the site including:

- i. The general location of access points for vehicles, cyclists, scooters and pedestrians, on-site parking areas (including cars, cycle and scooter parks), and on-site pick up and drop off areas;
- ii. Measures and treatments at all access points to manage conflict between pedestrians, cyclists, scooter users and vehicles, including alternative access frontages where practicable to avoid direct access from Linwood Road
- iii. General location of building platforms, areas for proposed buildings and open space (such as playgrounds and sports fields); and
- iv. "Indicative" areas accommodating future education purpose growth on this site, including building platforms, car parking areas, vehicular access, maneuvering and circulation areas.

b) A Transport Assessment prepared by a suitably qualified traffic engineer/transportation planner which, taking into account the Integrated Transport Assessment (ITA) prepared by Abley Ltd dated XYZ 2020, addresses safety, efficiency and the following specific matters:

- i. Safe access for pedestrians, cyclists and vehicles (including buses, 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 area(s) specifically designed to accommodate predicted demand including vehicular access, circulation, maneuvering for cars and buses (if required). The following matters shall specifically be addressed as they relate to the school and ECE:

- a) *Potential effects on the safe and efficient operation of the surrounding transport network and the internal school circulation;*
 - b) *Providing for the continuity of cycle and pedestrian facilities;*
 - c) *Providing safe separated access points to the school for those who walk or cycle on either side of the pick-up and drop off access; and*
 - d) *An onsite pick-up and drop-off area for the ECE independent of the school;*
 - e) *The availability of alternative access, including side roads from Linwood Road-*
- iv. *Any impediments on the safe and efficient movement of pedestrians and cyclists as they relate to the school and ECE within the surrounding transport network and any measures required to mitigate these;*
- v. *Traffic generation and any means of mitigating adverse effects on the efficiency and safety of the surrounding transport network;*
- vi. *Where vehicular access is provided from Linwood Road:*
- 1) *the effects of the location and design of the access on the safe and efficient operation of the adjacent transport network having regard to:*
 - *visibility and safe sight distances;*
 - *existing and future traffic conditions including speed, volume,*
 - *type, current accident rate, and the need for safe maneuvering;*
 - *proximity to and operation of intersections;*
 - *existing community or public infrastructure located in the adjoining road, such as bus stops, bus lanes and cycleways.*
- c) *A summary of the consultation and Engagement with Auckland Transport recording agreements reached on the transport matters described below, and effects associated with the school and the ECE on the surrounding existing and future roading network. A copy of the draft Design Concept Plan and draft Traffic Assessment prepared to support the Establishment Outline Plan shall be provided to Auckland Transport for the purposes of this consultation and engagement.*

The specific transport matters that will be considered and discussed include:

- i. *Measures and treatments to ensure safe access is provided to the school and ECE for all transport modes, including implementation timeframes;*
- ii. *Measures and treatments to the surrounding road network as they relate to the school and ECE, such as those included in Auckland*

Transport's Transport Design Manual (TDM) or updated equivalent Auckland Transport design standards which apply at the time of the preparation of the Establishment Outline Plan. These may include road widening, pedestrian and cycle facilities (crossings and paths), right turn bays, signs, road markings (e.g. No Stopping At All Times (NSAAT)), traffic management and calming measures to support forecast increases of traffic and travel modes that are attributed directly to the school and ECE.

iii. Bus access (if any) and the location of bus stops and shelter along the school and ECE road frontages;

iv. The provision of footpaths on pedestrian routes.

4. Access to Linwood Road

a) Where alternative road access is available at the time the first stage of the school is constructed, vehicle access shall not be taken from Linwood Avenue unless otherwise agreed with Auckland Transport.

b) In the event that vehicular access is to be provided from the road frontage with Linwood Road, the school shall not be opened until such time that Linwood Road is upgraded. The upgrade of school site frontage with Linwood Road shall be the responsibility of the Ministry of Education.

5. 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 School Travel Plan.

b) The purpose of the School Travel Plan is to 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; and

iv. Location and provision on site of any scooter and cycle parking required.

c) The School Travel Plan shall be developed in consultation with Auckland Transport and shall include a monitoring programme. The School Travel Plan shall be reviewed at the time of submitting each subsequent Outline Plan of Works relating to increased student numbers.

- d) *A joint Travel Plan for the school and ECE on the site may be developed.*
6. **On-site pick up and drop off**
- a) *Vehicular on-site pick-up and drop-off areas for the school shall be provided. The number of pick-up and drop-off bays shall be determined by an assessment of the predicted demand for vehicles entering and exiting the site. This assessment will be undertaken, and the results submitted, as part of any outline plans where there is an increase in teaching spaces. 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 school shall be submitted as part of any outline plan to increase teaching spaces. Bus facilities may be provided on a staged basis consistent with each stage of school development.*
7. **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 and Training Act 2020 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 and Training Act 2020. Accordingly, establishment of a school catering for school age children from years 0-8 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 19 October 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 / 10 / 2020

Date