



11/12/2023

Auckland Council
Private Bag 92300
AUCKLAND 1142

Attention: John Duguid, Manager, Plans and Places

Tēnā koe

Decision of the Minister of Education on a notice of requirement under section 168 of the Resource Management Act 1991 to designate land at 401 Jesmond Road, 281 Jesmond Road and part of 341 Jesmond Road, Drury West, for "Education Purposes - Secondary School (Years 7-13) and Early Childhood Education (ECE)".

Thank you for your letter dated 24 November 2023 confirming Auckland Council's (**Council**) recommendation (**Recommendation**) in accordance with section 171 of the Resource Management Act 1991 (**RMA**) to confirm the above notice of requirement (**NOR**), subject to the imposition of conditions.

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 exception of renumbered conditions), with the Minister agreeing with the Recommendation's conclusions contained within Council's Section 42A Report, that:

- The notice of requirement is consistent with Part 2 of the RMA in that it enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety.
- The notice of requirement is consistent with and gives effect to the relevant national environmental standards, national policy statements and the Auckland Unitary Plan (Operative in Part).
- In terms of section 171(1)(b) of the RMA, it is not necessary to consider alternative sites as the Minister has an interest in the land which has been acquired for educational purposes and the work is not likely to have significant adverse environmental effects.
- In terms of 171(1)(c) of the RMA, the notice of requirement is reasonably necessary to achieve the Minister's objectives.



- Restrictions, by way of conditions attached to the notice of requirement have been recommended to avoid, remedy, or mitigate adverse environmental effects associated with the works.

For completeness, whilst accepting the Recommendation in whole, renumbering of the conditions has been required as there were two conditions referred to as condition 6 - Establishment Outline Plan of Works and School Travel Plan. School Travel Plan has been renumbered to condition 7 with subsequent conditions renumbered. Additionally renumbered condition 7b has been amended to include the words "and revised" to be consistent with what was agreed with Auckland Transport.

The Minister subsequently confirms the NOR designating approximately 8.42 hectares of land identified as Area A, Area B and Area C for "Education Purposes – Secondary School (Years 7-13) and Early Childhood Education (ECE)", subject to the conditions set out in Attachment [A] and [B].

The Minister confirms that the Auckland Unitary Plan (Operative in Part) be amended as set out in Attachment [A] and Attachment [B] to:

1. Include a new designation "Education Purposes – Secondary School (Years 7-13) and Early Childhood Education (ECE), 401 Jesmond Road, 281 Jesmond Road and part 341 Jesmond Road, Drury West".

Please notify this decision to all submitters in accordance with s173 of the Act.

Nāku noa, nā



Clive Huggins

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Encl: ATTACHMENT [A] – Amendment to Auckland Unitary Plan
ATTACHMENT [B] – CONFIRMED DESIGNATION CONDIITONS

Attachment A – Amendment of Auckland Unitary Plan

1. Amend Designation Schedule - Minister of Education

By including the following new designation:

Number	Purpose	Location
50XX (reference number TBC)	Educational Purposes - Secondary School (Years 7-13) and Early Childhood Education (ECE)	401 Jesmond Road, 281 Jesmond Road and part of 341 Jesmond Road, Drury West

2. Include the following new designation

50XX (TBC) Secondary School (Years 7-13) and Early Childhood Education (ECE)

Designation Number	50XX
Requiring Authority	Minister of Education
Location	401 Jesmond Road, 281 Jesmond Road and part of 341 Jesmond Road, Drury West
Rollover Designation	NA
Lapse Date	10 January 2033 if it has not been given effect to before this date.

Attachment [B] - Confirmed Designation Conditions

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 [attached to this schedule] from adjoining land zoned primarily for a residential purpose or zoned for an open space/outdoor recreation purpose.

2. Noise (operational)

The noise (rating) level arising from the operation of the school and pre-school must comply with the following noise levels when measured within the notional boundary of any site in a rural zone:

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.

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

Additional on-site car parking shall be provided at the rate of two carparks 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 a lesser 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 equivalents.

4. On-site Car Parking – Early Childhood Education (Pre-School)

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 a lesser level is appropriate.

5. Outline Plans

That an outline plan of works 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 conflict with any designation condition or 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.

6. Establishment Outline Plan of Works

The Requiring Authority shall, in accordance with the requirements of s176A of the Resource Management Act 1991, submit an Establishment Outline Plan for the construction and development of the school and/or early childhood education centre (ECE) which shall include the following further information:

- a) A Design Concept Plan for the site showing:
 - i. The general location of access points for vehicles, cyclists, scooters and pedestrians (including to any existing or planned local-road connections on the northern or eastern boundary), 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;
 - iii. The general location of building platforms, areas for proposed buildings and open space (such as playgrounds and sport fields); and
 - iv. "Indicative" areas accommodating future education purpose growth on this site, including building platforms, car-parking areas, vehicular access, manoeuvring and circulation areas.
- b) A Traffic Assessment (TA) report prepared by a suitably qualified traffic engineer and/or transportation planner which, taking into account the Integrated Transport Assessment (ITA) dated 19 January 2021, addresses safety, efficiency and the following specific matters:
 - i. Safe access to the Site for pedestrians, cyclists and vehicles (including buses, rubbish trucks and for ground and building maintenance) and appropriate measures and treatments to minimise conflict 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, manoeuvring for cars and school buses (if required). The following matters should be specifically addressed as they relate to the school and ECE:
 - Potential effects on the safe and efficient operation of the adjoining network;
 - Providing for the continuity of cycle and pedestrian facilities;
 - Providing access points to the school for those who walk and cycle on either side of the pick-up and drop-off areas; and
 - Consideration of the need for an on-site pick-up and drop-off area for the ECE independent of the school.
 - iv. Any impediments to the safe and efficient movement of pedestrians and cyclists within the surrounding transport network and any measures needed to mitigate these;
 - v. Traffic generation and any means of mitigating adverse effects on the efficiency and safety of the surrounding transport network.
- c) A summary of Consultation and Engagement with Auckland Transport recording agreements reached on transport matters described below, and any effects associated with the school and ECE on the adjoining existing and future roading network. A copy of the draft Design Concept Plan and draft Traffic Assessment prepared to support the Establishment Outline Plan will 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, such as those included in *Auckland Transport – Transport Design Manual* (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 school and ECE traffic and transport;
 - iii. Internal school bus access (if any) and the location of any public bus stops and shelters along the school and ECE road frontages;
 - iv. The provision of footpaths on pedestrian routes.

In the event that the opening date for the new school will be prior to the completion of the upgrading of the Jesmond Road/SH22 intersection the Minister shall also include Waka Kotahi in the above consultation and engagement process.

7. 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. The purpose of the School Travel Plan is to provide specifically for measures to reduce vehicle dependence, including through walking school buses, and the encouragement of the use of public transport, carpooling and walking and cycling. The School Travel Plan shall also specifically address the following matters:
 - i. Safe access to the entry points of 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. Location and provision on site of any scooter and cycle parking.
- b) The School Travel Plan shall be developed and revised in consultation with Auckland Transport and shall include a monitoring and review programme. As a minimum, the School Travel Plan shall be revised at the time of submitting each subsequent outline plan where there is an increase in student numbers.
- c) A joint Travel Plan for the school and early childhood education centre on the site may be developed.

8. Jesmond Road Upgrade

- a) If the section of Jesmond Road between the school's southern and northern boundaries has not been upgraded by others to urban collector standard, the requiring authority shall undertake the frontage works prior to the operation of the school and/or ECE commencing.
- b) Upgrade works to the eastern side of Jesmond Road, between the school site's southern and northern boundaries, would include:
 - i. Road widening consistent with the Drury 1 Precinct;
 - ii. The provision of pedestrian footpaths and cycle facilities;
 - iii. Pavement upgrades and any carriageway widening; and
 - iv. Integrated utilities, planting, kerb and channel and stormwater mitigation measures.

Advice Note

If the proposal required the construction of any road signage, road markings or traffic control devices within the legal road the consent holder is required to submit a Resolution report for approval by Auckland Transport Traffic Control Committee to legalise the proposed traffic control devices (e.g. traffic signs, road marking and traffic calming devices).

The Resolution report, prepared by a qualified traffic engineer, will need to be approved so that the changes to the road reserve can be legally implemented and enforced. The resolution process may require consultation to be undertaken in accordance with the Auckland Transport's standard procedures. It is the responsibility of the consent holder to prepare and submit a permanent Traffic and Parking Changes report to Auckland Transport

for review and approval. It is recommended that the resolution process be initiated at least 8 weeks prior to the installation of permanent traffic and parking controls.

No installation of any road markings will be permitted before the resolution is approved by the Auckland Transport Traffic Control Committee (TCC). All costs associated with the resolution process shall be met by the consent holder.

9. Jesmond Road to Waihoehoe Road FTN

Unless otherwise agreed with Auckland Transport, vehicular access (beyond vehicle access to support efficient maintenance of school and or ECE grounds and buildings), shall not be provided for the school and ECE from the future Jesmond Road to Waihoehoe Road Link.

10. On-site pick up and drop-off

- a) Vehicular on-site pick up and drop off area for the school and ECE 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. This assessment will be undertaken, and the results submitted, as part of any future outline plans where there is an increase in student numbers.
- b) An assessment of the need for a school 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.

11. Construction

A construction management plan shall be prepared and submitted with any outline plan for major site works.