

Recommendation on the papers of a Notice of Requirement under the Resource Management Act 1991



Recommendation of Commissioners on a Notice of Requirement by the Minister of Education to alter Designation 4912 Chapel Downs School to extend the year group from Year 0 to 8 to provide for Year 0 to 10 students at 170 Dawson Road, Flat Bush.

The Commissioners appointed by the Auckland Council to consider the proposal recommend to the Ministry of Education that the Notice of Requirement is **CONFIRMED** subject to conditions. The reasons are set out below.

INTRODUCTION

1. This recommendation is made on behalf of the Auckland Council (“the Council”) by Independent Hearing Commissioners Janine Bell and Michael Parsonson, appointed and acting under delegated authority under sections 34 and 34A of the Resource Management Act 1991 (“the Act”).
2. The notice of requirement (“NoR”) was referred to Commissioners for recommendation. This report assesses the NoR under section 171 of the Act. This report addresses the issues raised in the submissions and contains our recommendation to the Requiring Authority under section 171(2) of the Act.

BACKGROUND

3. Pursuant to section 181 of the Act, the Ministry of Education, as the Requiring Authority, gave notice to the Council to alter the existing designation (4912) as it relates to the continued use of the site at 170 Dawson Road, Flat Bush (the site) for Chapel Downs School.
4. In summary, the alteration will enable the extension of school age children being accommodated on the school site from Year 0 to Year 8 to Year 0 to Year 10. The changes to the designation are required to enable the school site to be used efficiently to continue to cater for and meet expected population growth and related school demand of the revised age cohorts in the locale.
5. In addition, the Minister proposes changes to the purpose and a “new suite of conditions in detail which are intended to wholly replace the existing mix of standard and site-specific conditions that currently apply to Designation 4912.”¹. The changes to the existing conditions address key considerations that arise from the extension of the education purposes to include Years 9 and 10.

¹ Proposed Designation Alteration for Chapel Downs School 170 Dawson Road, Flat Bush, Forme Planning, Updated May 2024, page 44, Section 7.6

6. The designated site has frontage to both Dawson Road and Chapel Road with an underlying zoning of Mixed Housing Urban (MHU). The site and surrounding area are subject to the MANA [Moderate Aircraft Noise Area] Overlay. This overlay requires consideration of the acoustic measures owing to the presence of aircraft noise originating from overflights arriving to or departing from Auckland Airport. There are also overland flow paths on the site.
7. As set out in paragraph 2.5 of the Council's s42A report, the statutory requirements of the RMA, relating to the Medium Density Residential Standards (MDRS), are relevant to the underlying zoning of the subject site.

NOTIFICATION

8. At the request of the Requiring Authority, the NoR was publicly notified on 23 May 2024. Submissions closed on 22 June 2024.

SUBMISSIONS

9. Three submissions were received. One submission in support was received from the School's Board of Trustees. The other two were received from Auckland Airport [AIAL] and Board of Airline Representatives NZ [BARNZ].
10. Both the AIAL and BARNZ submissions raised similar concerns. In summary that the proposed alteration to the designation to include the Year 9 and 10 cohort will result in a significant increase in the number of students, teachers and support staff at the school which is located in the MANA overlay and increases the potential for reverse sensitivity effects on Auckland Airport. The submissions considered that in principle, the MANA is not a desirable location for the development or intensification of education facilities given the potential reverse sensitivity effects on the airport.
11. The submissions sought either the alteration to designation be withdrawn or, alternatively that conditions be imposed that adequately address the effects of aircraft noise on the learning environment and avoid the potential reverse sensitivity effects on Auckland Airport / the airlines. Copies of submissions were included as Attachment D to the Council's s42A planner's report.
12. Following the closing of submissions the parties met with MoE and as a result both these submitters have confirmed that provided the agreed conditions are imposed, they do not oppose the NoR and do not wish to appear at a hearing.

LOCAL BOARD COMMENTS

13. The Howick Local Board considered the NoR at its meeting on 15 August 2024. The Board acknowledged:
 - (i) the growing population in Flat Bush has increased the need for more educational opportunities which the Ministry of Education is responding to,
 - (ii) the support from the school Board of Trustees and

- (iii) the opposition from the Auckland International Airport and Board of Airline Representatives regarding concerns relating to the effects of aircraft noise on the school and potential reverse sensitivity effects.
- 14. The Board noted the issues in relation to the aircraft noise overlay, the impacts of increased transport demand on the surrounding transport network that may lead to adverse operational and safety effects, along with the Auckland Transport recommendations in relation to the pick-up and drop-off access off Chapel Road. The comments also suggest possible conditions including capping the school roll, staggering school start and finish times, provide remote pick up and drop off areas and the need for regular reviews by Auckland Transport. A copy of the Board comments is provided in Attachment 4 to the Council's s42A report.

PROCEDURAL MATTERS

- 15. A report and recommendation on the NoR were prepared by Council officers ("the Council's s42A report"). This report, along with the Council's various specialist assessments were circulated to the parties. All three submitters waived their right to be heard on the matter at a hearing.
- 16. The appointed panel determined that they could make a recommendation on the evidence provided without proceeding to a hearing.
- 17. Pursuant to section 100 of the RMA, a hearing in respect of the application was not held as neither the applicant nor any of the submitters wished to be heard.

ISSUES IN CONTENTION

- 18. Following the closing of the submission period, the Requiring Authority engaged with AIAL and BARNZ. Both AIAL and BARNZ have advised the Council that they do not oppose the NoR provided the set of conditions agreed between the parties is imposed on the designation.
- 19. Therefore, there were no issues in contention.

RELEVANT STATUTORY PROVISIONS CONSIDERED

- 20. The Minister of Education is a Requiring Authority in terms of s166 of the Act. The Minister has given notice to the Auckland Council of the Requiring Authority's requirement for an alteration to the Designation 4912 to enable the extension of school age children being accommodated on the school site from Year 0 to Year 8 to Year 0 to Year 10.
- 21. Section 171 of the Act sets out the matters to which a territorial authority must have regard when considering a requirement and any submissions received, and in making its recommendations to the requiring authority. Section 171 is subject to Part 2, which states the purpose and principles of the Act.
- 22. Section 171(1) requires:

- (1) *When considering a requirement and any submissions received, a territorial authority must, subject to Part 2, consider the effects on the environment of allowing the requirement, having particular regard to -*
- (a) *any relevant provisions of -*
 - (i) *a national policy statement:*
 - (ii) *a New Zealand coastal policy statement:*
 - (iii) *a regional policy statement or proposed regional policy statement:*
 - (iv) *a plan or proposed plan; and*
 - (b) *whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if –*
 - (i) *the requiring authority does not have an interest in the land sufficient for undertaking the work; or*
 - (ii) *it is likely that the work will have a significant adverse effect on the environment; and*
 - (c) *whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and*
 - (d) *any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.*

Section 171(1)(a) – Any relevant provisions of a national policy statement, a New Zealand coastal policy statement, a regional policy statement or proposed regional policy statement, a regional plan, a district plan or proposed district plan.

23. Pursuant to section 171(1)(a), when considering the requirement, we must, subject to Part 2, consider the effects on the environment of allowing the requirement, having particular regard to any relevant provisions of a national policy statement, the New Zealand Coastal Policy Statement, the regional policy statement, the proposed regional policy statement and the relevant regional and district plans and proposed plans.
24. Collectively the Minister's Notice of Requirement application and the Council Planner's report provides a comprehensive commentary on the relevant national policy statements and the Auckland Unitary Plan (including Chapter B the Regional Policy Statement). We do not intend to repeat this material in this recommendation report; rather we rely on the application documents and officer's report in this regard, except to indicate that the following documents were considered of particular relevance in reaching our decision:
- National Policy Statement on Urban Development (2020).

- Auckland Unitary Plan, including Chapter B Regional Policy Statement.

25. The New Zealand Coastal Policy Statement was not considered relevant in relation to this particular requirement. No regional plans are relevant to the consideration of this NoR. Any subsequent applications to develop the site that triggers the need for resource consents under the regional plans will be applied for at that time.

Section 171(1)(b) – Adequate consideration has been given to alternative sites, routes, or methods of undertaking the work or that it is likely that the work will have a significant adverse effect on the environment.

26. The Ministry of Education already has an interest in the land which is designated for educational purposes in the AUP (OP). As set out in the assessment of environmental effects and supported by the assessment in the Council officer's report, the works, will not have a significant adverse effect on the environment. Accordingly, it is not necessary to assess alternative sites, routes or methods.

Section 171(1)(c) - Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought.

27. As set out in the NoR, the Education and Training Act 2020 requires the Minister of Education to ensure that the school network has sufficient capacity that all school-aged students can enrol in State education. The notice of requirement and designation processes are the primary RMA mechanisms available to the Minister to enable the provision of additional capacity in the school network to respond to population growth over time and thus meet the requirements of the Education and Training Act 2020.

28. The alteration to the existing designation will enable the site to cater for school age children from years 0-10 and is reasonably necessary in achieving the objective of the Minister of Education in providing state schooling. In the longer term the designation provides certainty and flexibility for the operation of the facilities on site.

Section 171(1)(d) Other matters considered reasonably necessary in order to make a recommendation on the requirement.

29. No other matters were considered reasonably necessary in order to make a recommendation on the requirement.

Part 2 of the Act

30. Part 2 of the Act sets out the purpose and principles of the RMA. In terms of section 5, we accept that the proposed alteration to the designation to the Chapel Downs School at 170 Dawson Road, Flat Bush to provide for Year 0 to 10 will assist in providing for the community's social, cultural and economic wellbeing.

31. In terms of section 6, while both the Minister and the Council officer concluded that there were no Matters of National Importance of relevance to this proposal, we are of the view that s.6 (e) on the relationship of Māori and their culture and traditions

with their ancestral lands, water, sites, waahi tapu and other taonga is relevant (as is section 7 (a)). The relevant mana whenua groups have been consulted on the designation alteration.

32. There are also a number of Other Matters under **Section 7**, of relevance to the proposed designation, to which we must have regard namely:
 - (a) Kaitiakitanga;
 - [(aa) The ethic of stewardship;]
 - (b) The efficient use and development of natural and physical resources;
 - (c) The maintenance and enhancement of amenity values;
 - (f) Maintenance and enhancement of the quality of the environment;
33. **Section 8**, of the Act requires all persons exercising functions and powers under the Act, in relation to managing the use, development, and protection of natural and physical resources, to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). These also enable consideration of section 6 (e) and 7 (a) matters.
34. Overall, we agree with the Requiring Authority and the Council officer's assessment that the NoR meets the relevant provisions of Part 2 of the RMA and will achieve the purpose of the RMA, being sustainable management of natural and physical resources.
35. We note that the AEE summarises the consultation undertaken with mana whenua and that the Ministry sent an information package outlining the project and a proposed masterplan to all mana whenua groups identified by Auckland Council as having an interest in the Chapel Downs area. In response to this approach, five iwi requested further information and ongoing engagement, with Te Ākitai Waiohū preparing a Cultural Values Assessments (CVA) and Ngāi Tai ki Tāmaki meeting with the Ministry to discuss the project.
36. The AEE records the main points of discussion included stormwater treatment, erosion and sediment control, native planting and incorporating Māori values and concepts within the design aspects of the development. These requirements can be accommodated and implemented in the design and development of the project's future delivery stages. Ngāti Tamaoho and Ngāti Whanaunga – Coromandel also responded confirming an interest in discussing some aspects of the project. The AEE records that the Minister's representatives will continue to undertake engagement with mana whenua that may be required as a result of this designation process and subsequent future project implementation.
37. In terms of section 7, the effects of the alteration of the designation have been assessed by the requiring authority and reviewed by the Council's specialists who agree that any actual and potential adverse effects on the environment can be avoided, remedied or mitigated, subject to the imposition of appropriate conditions and that the life supporting capacity of the site's environment can be sustained.

The alteration of the designation will provide certainty for the Minister of Education and the local community for the ongoing 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 alteration to the designation will not generate significant adverse on the surrounding environment.

CONCLUSIONS

38. Section 171 of the RMA provides the means by which the NoR can be recommended to be confirmed or otherwise by the Council. In terms of section 171 we have concluded that the NoR to alter Designation 4912 Chapel Downs School to extend the year group from Year 0 to 8 to Year 0 to 10 students is appropriate subject to the imposition of the site-specific conditions we are recommending to be adopted (see Attachment A) by the requiring authority and should be confirmed subject to the recommended conditions.
39. We have concluded that the NoR and associated works are:
- reasonably necessary for achieving the objectives of the requiring authority,
 - generally consistent with the relevant AUP provisions and
 - generally in accordance with Part 2 of the RMA.
 - Restrictions, by way of conditions, imposed on the designation can avoid, remedy or mitigate any potential adverse environmental effects.
40. We recognize that the proposed alteration will generate adverse environmental effects but consider subject to the imposition of recommended conditions the adverse effects will be mitigated and are outweighed by the positive benefits of providing for the educational and community wellbeing of the local Flat Bush community. Proposed conditions recommended to be attached to the designation will ensure that adverse effects are avoided or mitigated to the extent that is practicable and address the maintenance and enhancement of amenity values and quality of the environment, such as noise, traffic safety and the location of future school buildings on site. These matters will be addressed at the Outline Plan stage which must occur before any new work commences and is subject to overview by the Council.

RECOMMENDATION

In accordance with section 171(2) of the Resource Management Act 1991, the Auckland Council recommends to the Minister of Education that the Notice of Requirement to alter Designation 4912 Chapel Downs School to extend the year group from Year 0 to 8 to Year 0 to 10 students at 170 Dawson Road, Flat Bush be confirmed, and be subject to the conditions set out in Attachment A.

REASONS FOR THE RECOMMENDATION

Under section 171(3) of the Act the reasons for the recommendation are:

1. 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.
2. 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.
3. The designation is in general accordance with relevant objectives, policies of the Auckland Unitary Plan (Operative in Part).
4. Subject to the recommended conditions, set out in Attachment A, the designation will avoid, remedy or mitigate adverse environmental effects.

AMENDMENTS TO THE UNITARY PLAN (OPERATIVE IN PART)

That the Auckland Unitary Plan (Operative in Part) Designation 4912 Chapel Downs School at 170 Dawson Road, Flat Bush be amended by

1. Altering the purpose to: "Educational Purposes – Primary School (Years 0-10) and may include early childhood education (preschool)."
2. Deleting the standard conditions for all Minister of Education designations and the existing site- specific conditions that apply to this designation are replacing these in their entirety with the conditions set out in Attachment A.



Janine Bell
Independent Commissioner (Chairperson)

Date: 24 June 2025

ATTACHMENT A

Amend Chapter K Designations by deleting the existing Minister of Education Designation 4912 Chapel Downs School and replacing with the following:

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 – Primary School (Years 0-10) and may include early childhood education (preschool).

Conditions

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 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 (0700 – 2200)	55 dB LAeq
Sunday 9.00am – 6.00pm	
All other times	45 dB LAeq 75 dB LAFmax

These noise limits do not apply to noise from normal school sports and school recreational activities occurring between 8.00am and 6.00pm 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 2.

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 equivalents.

5. On-site Car Parking – ECE

In addition to any car parking required for the school, on-site car parking for ECE (preschool) shall be provided at a rate of one car park for every 10 children the facility is licensed or designed to accommodate, plus one per each FTE 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;
 - 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 – 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 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:
 - 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; and
 - c. 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 Plans

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 176A 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 9(d) 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 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 LAeq (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

Space	Design Sound Level Range (dB LAeq(6 hours))
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:

- i. a record of consultation with Auckland International Airport and the Board of Airline Representatives New Zealand;
- ii. a statement that the site is located in proximity to the Airport and the airport operations will necessarily involve aircraft noise;

- iii. 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.
- iv. 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;
- v. a statement that external windows and doors in buildings need to remain closed to achieve the required noise reduction; and
- vi. 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 OP. 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.