

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:

13-15 Trig Road, Whenuapai, Auckland.

Lot 5 DP66045 (Title ID 192542)

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:

Add new designation No. 46XX 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 4 June 2021:

Alter **Chapter K Designations** as follows:

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

North and West

Number	Purpose	Location
.....		
<u>46XX</u>	<i>Educational Purposes – Primary School (Years 0-8) and Early Childhood Education (Pre-School).</i>	<i>13-15 Trig Road, Whenuapai</i>

Insert the following new designation:

46XX Primary School and ECE Kingseat

<u>Designation Number</u>	<u>46XX</u>
<u>Requiring Authority</u>	<u>Minister of Education</u>
<u>Location</u>	<u>13-15 Trig Road, Kingseat</u>
<u>Rollover Designation</u>	<u>NA</u>
<u>Lapse Date</u>	<u>The designation shall lapse on the expiry of 5 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 1 – 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 any future pre-school]

[Drafting Note 2 – not to be included in the designation, the initial school development will service overflow from the school network capacity in Whenuapai North, Redhills and Hobsonville and will precede urban development of the adjacent land. Therefore, the initial development will rely on an on-site wastewater treatment solution which will require regional resource consent. In practice this will limit the scale of the school and the ability to transition to a larger master plan roll for the school and ECE until such time that urban development occurs in the adjacent area and a reticulated wastewater system is available. Accordingly, no specific designation conditions are proposed in regard to wastewater].

[Drafting Note 3 – not to be included in the designation, a natural wetland is located on the south eastern boundary of the site. No specific designation conditions are proposed to protect this feature as restrictions and regional consent triggers in regard to discharges and proximity of earthworks and vegetation clearance are included in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 that will still apply].

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 or outdoor space/outdoor recreation purpose (including any future urban zoned land subject to a proposed residential or outdoor space/outdoor recreation purpose zoning in any notified plan change).

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 (including any future urban zoned land subject to a proposed residential zoning in any notified plan change), or within the notional boundary of any site in a rural zone:

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

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 separate Outline Plans of Works for the initial construction and development of both:

- Phase 1: Overflow school to serve a shortfall in the school network capacity in Whenuapai North, Redhills and Hobsonville.
- Phase 2: School and Early Childhood Education (ECE) to serve the long term needs of the local adjacent school catchment as the adjacent area is live zoned and developed for urban purposes.

The outline plans of works for each phase of development described above (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, 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. 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 development on this site relevant to the particular development phase (i.e. Phase 1 or Phase 2), 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 31 May 2021, 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 (including for any ECE constructed as part of Phase 2 of the school site development), 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 any ECE constructed as part of Phase 2 of the school site development:
 - 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 and suitability of alternative access, including any alternative roads to Trig Road approved or constructed.
 - 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. Unless already delivered by others, details of any on-road interventions and the time and means by which these are to be implemented. On-road interventions may include:

- Installation of pedestrian crossing on Trig Road
 - Footpath linking Trig Road pedestrian crossing with the entrance to the school
 - Localised road widening to include a right-turn bay
- vii. Where vehicular access is provided from Trig Road, the effects of the location and design of vehicular 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 any adjoining roads, such as bus stops, bus lanes and cycleways.
- viii. Traffic generation and any means of mitigating adverse effects on the efficiency and safety of the surrounding transport network;
- 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 for each school development phase 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. Any agreement reached with Auckland Transport on mitigation measures recommended in the Integrated Transport Assessment (ITA), prepared by Abley (dated 31 May 2021) and/or any subsequent transportation assessment, their funding, the authority responsible for their implementation, and the timing for implementation.

4. **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 teaching spaces.
- d) A joint Travel Plan for the school and ECE on the site may be developed.

5. **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.

6. **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. No other sites have been considered.

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 to designate the site for educational purposes. Any resource consents will be sought concurrently with an outline plan of works once the educational facilities have been designed. Resource consents may or will be required for the following:

- Bulk Earthworks
- Disturbance of contaminated soil (to be conformed following soil sampling)
- On-site stormwater discharge
- On-site wastewater discharge

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 Auckland Transport. 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 4 June 2021 and all appended technical reports and supporting documents.



Signed by
David Bos (Regional Asset Manager, Education Infrastructure Service, Auckland)
Ministry of Education
(pursuant to a delegated authority dated November 2020)

8/6/2021

Date