

Memo

Date 13/03/2024

To: Warren MacLennan, Manager – Planning Regional, North, West and Islands
 From: Myles Anderson, Policy Planner – Planning Regional, North, West and Islands

Subject: **Plan Modification: Clause 20A error correction to Auckland Unitary Plan (Operative in Part 2016)**



I seek your approval to correct an error pursuant to clause 20A, schedule 1, Resource Management Act 1991:

A local authority may amend, without using the process in this schedule, an operative policy statement or plan to correct any minor errors.

You have delegated authority, as a tier four manager, to make a decision to correct an error under clause 20A. Schedule 2A of the Auckland Council Combined Chief Executives Delegation Register authorises all powers, functions, and duties under RMA’s first schedule (except clause 17 which cannot be delegated) to tier four positions.

Provision in AUP or HGI District Plan	AUP(OIP) Chapter K: Designation Schedule - Minister of Education 4669 Primary School, Arohanui Special School, Northern Health School and ECE - Minister of Education
Subject site and legal description (if applicable)	1 Dunlop Lane, Massey (part of Lot 1 DP 538938 and Lot 4 DP 537938)
Nature of error	A Clause 20A modification is required to correct: <ol style="list-style-type: none"> 1. The reference that all standard conditions which apply to Minister of Education designations apply to this designation does not specify that site-specific conditions take precedence where there is conflict. 2. A minor spelling error in Condition 8 Construction.
Effect of change	The changes are minor and are to: <ul style="list-style-type: none"> • Update the reference to the standard conditions applied to Minister of Education designations to specify that the site-specific conditions take precedence so that there is not a conflict between site-specific and standard conditions. • Correct a minor spelling error in Condition 8 Construction <p>The effect of these changes are neutral and will not affect the rights of some members of the public.</p>
Changes required to be made (text and/or in-text diagrams)	Amend Chapter K: Designation Schedule - Minister of Education 4669 Primary School, Arohanui Special School, Northern Health School and ECE - Minister of Education, in the Operative in Part version. Refer to Attachment 1
Changes required to be made (AUP or HGI maps)	Not Applicable
Attachments	Attachment 1: Clause 20A Corrections to text (strikethrough/underlining) Attachment 2: Updated text (Clean)

Maps prepared by: Geospatial Specialist	Text Entered by: Maninder Kaur-Mehta Planning Technician
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<p>Signature:</p> <p style="text-align: center;">N/A</p>	<p>Signature:</p> 
<p>Prepared by: Myles Anderson Policy Planner – Regional, North, West & Islands</p>	<p>Reviewed by: Eryn Shields Team Leader Planning – North/West</p>
<p>Signature:</p> 	<p>Signature:</p> 
<p>Decision: I agree/disagree to correct the error under clause 20A, schedule 1, RMA 1991 using my delegated authority</p> <p>Manager Planning - North, West and Island Planning - North/West Date:</p>	
<p>Signature:</p> 	

Attachment 1: Clause 20A corrections to text (~~strikethrough~~/underlined)

4669 Primary School, Arohanui Special School, Northern Health School and ECE

Designation Number	4669
Requiring Authority	Minister of Education
Location	1 Dunlop Lane, Massey (part of Lot 1 DP 538938 and Lot 4 DP 537938)
Rollover Designation	NA
Lapse Date	08 March 2034

Purpose

Educational Purposes – Primary School (Years 0-8), Specialist Schools (Years 0-13) 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.**

1. Building height in relation to boundary

Any new building or building extension (excluding goal posts and similar structures) shall comply with a building height in relation to boundary control of 60 degrees measured from a point 4m vertically above ground level at the boundary of any adjoining land zoned primarily for a residential purpose or zoned for an open space/outdoor recreation purpose. This shall not apply to any front/road boundary.

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:

DAY/TIME	NOISE LEVEL
Mon – Sat, 7.00am – 10.00pm (0700 -2200)	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 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

each school and the 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 buses, 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 on this site, including building platforms, car parking areas, vehicular access, manoeuvring 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 Limited dated 11 April 2023, addresses transport network safety, efficiency and the following specific matters:
 - i. Safe access for pedestrians, cyclists, scooters, 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, manoeuvring for cars and buses. The following matters shall specifically be addressed as they relate to each school and the ECE:
 - Potential effects on the safe and efficient operation of the surrounding transport network and the internal circulation between and within each school and the ECE;
 - Providing for the continuity of pedestrian, cycle and scooter facilities;
 - Providing safe separated pedestrian/cyclist circulation areas and access points to the school;
 - Provision of speed calming measures at entry and exit points.

- iv. Traffic generation and any means of mitigating adverse effects on the efficiency and safety of the surrounding transport network.
 - v. Any impediments on the safe and efficient movement of pedestrians, cyclists, and scooter as they relate to each school and the ECE within the surrounding transport network and any measure to mitigate these.
 - vi. 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 manoeuvring;
 - 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 schools 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 of Works 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 each school and the ECE for all transport modes, including implementation timeframes;
- ii. Measures and treatments to the surrounding road network as they relate to each school and the 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; and
- 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 11 April 2023 and/or any subsequent transportation assessment, their funding, the authority responsible for their implementation, and the timing for implementation.

- d) A site-specific Stormwater Management Plan in accordance with the adopted Redhills Stormwater Management Plan must be 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; and
 - ii. Management of any flooding hazards at the time of development including setting minimum floor levels and avoiding any increase to flooding hazards upstream or downstream of the site

Advice Note

The Transport Assessment should also consider the following if relevant:

- the progression of residential development within the school catchment area, comprising primarily the Redhills Precinct to the north and south;
- the traffic impact on Fred Taylor Drive and Don Buck Road, prior to the provision of alternative north-south road links within the Redhills Precinct.

4. Subsequent Outline Plan of Works

Where any subsequent proposal to increase the number of teaching spaces or to modify any vehicle access, parking or vehicle circulation feature arises, the Requiring Authority shall, submit an Outline Plan of Works which includes the following information:

- a) An assessment of any departures from the Design Concept Plan for the site submitted with the establishment outline plan or any subsequent update of that plan as part of any other outline plan
- b) An updated Transport Assessment prepared by a suitably qualified traffic engineer / transportation planner, which addresses all matters listed in condition 3(b);
- c) A summary of any engagement and consultation with Auckland Transport.

5. School Travel Plan

- a) Prior to the opening of any of the schools, the requiring authority shall either directly or through the relevant Schools 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. Set the sustainable travel mode goals of the schools and ECE and identify and deliver mechanisms to address poor numbers of active mode trips to the schools and ECE, or any other adverse transport network effects identified as attributable to the schools and ECE operations.
 - ii. Safe pedestrian access to the entry points to the school. Raised Zebra Crossings should be specifically considered;
 - iii. Consistency with or use of Auckland Transport's TravelWise programme, or any equivalent programme adopted;
 - iv. Measures to separate vehicle entry and pedestrian/cyclist/scooter entries and circulation areas; and
 - v. Location and provision on site of any scooter and cycle parking required.
- c) The School Travel Plan and any subsequent reviews 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 of Works relating to increased teaching spaces.
- d) In addition to (c) above, the Requiring Authority either directly or through the School Board, shall monitor the location of new enrolments and shall provide the results of this monitoring to the Auckland Transport Development Planning Team Leader North/West on an annual basis. The travel plan shall be reviewed and if necessary revised within 2 months of providing the annual monitoring results. This monitoring shall continue until the following roads (including provision for active modes), as shown on approved subdivision plan 147258-SC01 Rev W for the Raphoe subdivision BUN60376072, are completed:
- i. Dunlop Road;
 - ii. Baker Lane including a crossing of the Ngongetepara Stream;
 - iii. Road 11 including connection with Road 1 and Dunlop Road;
 - iv. Road 13 including connection with Baker Lane and Road 11; and
 - v. Road 1 including a crossing of the Ngongetepara Stream.

The purpose of this travel plan review will be to identify and incorporate any necessary mitigation measures into the travel plan to support safe access to and from the school whilst the transport network and associated active mode provision is implemented in the local area.

This is not applicable to Arohanui School or Northern Health School as the catchment they serve is wider.

- e) A joint Travel Plan for the different schools 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 schools 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 primary 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.

Advice Note

Design of the pick-up and drop-off area layout should be in accordance with the appropriate requirements of Chapter E27 of the AUP, such as vehicle crossing widths, numbers and dimensions of parking.

7. On-road Interventions

- a) Unless already delivered by others or otherwise agreed with Auckland Transport, the Ministry of Education will be responsible for the funding and delivery of the following on-road interventions prior to the opening of each school and the ECE:
 - i. Construction to their final form of Roads 1, 2, 11 and 13, and the interim turning bay at the western end to Road 13 (roads as labeled in approved subdivision plans BUN60376072) along each frontage to the site;
 - ii. Safe pedestrian crossing points on each road frontage to the site;
 - iii. No Stopping At All Times (NSAAT) lines along Road 13 Road Frontage, except where any public parking bays are provided;
 - iv. NSAAT lines on the opposite side of Road 13 from the pick-up and drop-off entry point to the site, to provide on-road space for westbound through-traffic to pass any vehicles waiting to turn right into the site.

8. Construction

A construction management plan shall be prepared and submitted with any outline plan of works for major site works. The purpose of the plan is to set out the practices and procedures to be adopted during the construction of each school and the ECE (including site enabling works) in order to manage adverse effects on the adjacent environment including other land and public areas. The matters to be addressed in the plan shall include:

- Hours of operation;
- Contractor contact details for any incidents associated with construction;
- Sediment and Erosion Control Measures including measures to prevent contamination of watercourses or receiving waters;
- Construction traffic management measures;
- The location of parking for contractors and their employees;
- Measures such as wheel washes to avoid tracking soil onto roads; and
- The management of noise and vibration effects.

9. Mana Whenua

Prior to the lodgement of the Establishment Outline Plan with Council, the Requiring Authority must undertake engagement with Te Kawerau ā Maki. The purpose of the engagement will be to discuss ways to achieve the outcomes outlined in the Cultural Impact Assessment (CIA) Report prepared by Te Kawerau ā Maki dated 24 September 2022. Matters addressed and discussed should include (but are not limited to) the following specific matters as they relate to the development of the schools and ECE:

- a) Cultural Design of Structures and Landscape,
- b) Potential naming of new school (primary),
- c) Use of Topsoil conservation management plan for any earthworks,
- d) Robust sediment controls,
- e) Treatment-train approach to stormwater utilising soil and plant-based filtration where possible,
- f) The use of exclusively native vegetation for landscaping,
- g) Consideration of lighting design to minimise light spill,
- h) Development of on-going relationship between the establishment Board of Trustees and future school and Te Kawerau ā Maki to learn and collaborate on the enhancement of the Ngongetepara awa adjacent to the site.

A summary of the outcomes of the engagement shall be included in the OPW.

Attachments

No attachments

Attachment 2: Updated text (Clean)

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Advice Note

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- g) Consideration of lighting design to minimise light spill,
- h) Development of on-going relationship between the establishment Board of Trustees and future school and Te Kawerau ā Maki to learn and collaborate on the enhancement of the Ngongetepara awa adjacent to the site.

A summary of the outcomes of the engagement shall be included in the OPW.

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