

UNITARY PLAN UPDATE REQUEST MEMORANDUM

TO Celia Davison, Manager Planning, Central South

FROM Sanjay Bangs, Senior Policy Planner, Central South






DATE 28 July 2021

SUBJECT **Alteration to Designations in accordance with s182 and s181(3) of the Resource Management Act to the Auckland Unitary Plan(AUP) Operative in part (15 November 2016)**



This memorandum requests an update to Auckland Unitary Plan Operative in part

Reason for update – Alteration to designations 5059 and 5060	
Chapter	Chapter K: Designations AUP GIS Viewer
Section	Schedules and Designations – Minister of Education AUP GIS Viewer
Designation only	
Designation #5059	Te Kura Kaupapa Maori, Kohanga Reo & Early Childcare Education
Locations:	163 and 181 Browns Road, Manurewa
Lapse Date	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.
Purpose	Educational Purposes – Te Kura Kaupapa Maori (years 0-13), Kohanga Reo and Early Childhood Education (ECE).
Designation #5060	School Road Access
Locations:	163 Browns Road, Manurewa
Lapse Date	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.
Purpose	School Road Access
Changes to text (shown in underline and strikethrough)	Remove designation 5060 in its entirety from the Auckland Unitary Plan. Text changes to D5059 are outlined in Attachment B.
Changes to diagrams	N/A
Changes to spatial data	Remove designation 5060 in its entirety from the AUP GIS Viewer. Remove designation 5059 from Section 4 SO 553023.
Attachments	Attachment A: s181 & s182 Report Attachment B: Text changes shown in strikethrough and underscore Attachment C: Updated text Attachment D: Updated GIS Viewer

<p>Prepared by: Sanjay Bangs Senior Policy Planner</p>	<p>Text Entered by: Harry Barnes Planning Technician</p>
<p>Signature: </p>	<p>Signature: </p>
<p>Maps prepared by: Shelley Glassey Senior Geospatial Specialist</p>	<p>Reviewed by: Craig Cairncross Team Leader</p>
<p>Signature: </p>	<p>Signature: </p>
<p>Signed off by: Celia Davison Manager Planning, Central South</p>	
<p>Signature: </p>	

Attachment A: s181 & s182 Report

Notice of requirement for an uplift of designation under s182 and a minor alteration to a designation under section 181(3) of the Resource Management Act 1991



Notice of requirement description

Designation number:	5059 and 5060
Requiring authority:	Minister of Education
Site address:	155, 163 and 181 Browns Road, Manurewa

Summary

Auckland Council has received Notices of Requirement (**NoRs** or **Notices**) from the Minister of Education (**MoE**) for the removal of Designation 5060 under s182 and the alteration of Designation 5059 under s181(3) of the Resource Management Act 1991 (RMA). The two applications are:

- Uplift of Designation 5060 School Road Access from 163 and 181 Browns Road, Manurewa, dated 19 May 2021
- Minor alteration to Designation 5059 *Te Kura Kaupapa Maori, Kohanga Reo & Early Childcare Education* from 155 Browns Road, Manurewa, dated 14 June 2021

The Notices have been sought because Designation 5060 providing for school access to future education facilities is now proposed to be vested as a public road to provide access to residential development on 163 Browns Road. A minor alteration under s181(3) to the conditions of Designation 5059 is sought to remove conditions related to the design of the road now deemed redundant, and to update the remaining references to the road in light of the s182 removal.

It is considered after undertaking an assessment of the Notices:

- Pursuant to s182 the effect of the removal of Designation 5060 is no more than minor and therefore Auckland Council, as the territorial authority, is required to amend its district plan, without using the process in Schedule 1, as soon as reasonably practicable.
- The proposed alteration meets the statutory tests of section 181(3) of the RMA, and can therefore be processed as a minor alteration, because:
 - the alteration involves no more than minor changes to the effects on the environment associated with the use of the land;
 - there are no adjustments to the boundaries of the existing designation;
 - both the requiring authority and Auckland Council agree with the alteration; and
 - the land is owned and occupied by the Minister of Education.

This combined report has been structured into two parts:

- Part 1: Designation uplift pursuant to s182 RMA (page 3 onward)
- Part 2: Minor alteration pursuant to s181(3) RMA (page 7 onward)

Recommendations

1. That the uplift of Designation 5060 Road Access in the Auckland Unitary Plan be confirmed.
2. That the proposed minor alteration of Designation 5059 in the Auckland Unitary Plan be confirmed, subject to the conditions recommended in Section 4, Part 2 of this report.
3. That Designation 5060 is removed in the designation map layer and Chapter K Designations in the Auckland Unitary Plan.
4. That Designation 5059 is amended in Chapter K Designations in the Auckland Unitary Plan

PART 1: DESIGNATION UPLIFT PURSUANT TO S182 RMA

1. Description

1.1. References

Designation number:	5060 School Road Access
Lodgement date:	30 June 2021
Requiring authority:	Minister of Education
Reporting officer:	Sanjay Bangs
Site address:	Section 5 SO 553023
UP Zoning:	Residential – Single House Zone

2.0 Background

2.1 Details of designation

The Minister of Education (**MoE**) has submitted a Form 23 (contained in **Attachment 1** to this report), which outlines the details and history of the designation, and the reason for its removal. This is summarised below.

Designations 5059 and 5060 were confirmed in the Auckland Unitary Plan (**AUP**) following decisions made by the MoE on 17 December 2018 which were not appealed. Concurrently the spatial extent of Designation 4931 also designated by the MoE for a Special School was reduced. The purpose of the designations are:

- 5059 Te Kura Kaupapa Maori, Kohanga Reo & Early Childcare Education
- 5060 School Road Access

The land subject to Designation 5060 was intended as a temporary designation enabling construction of a future road enabling access to a planned school and Early Childhood Education (**ECE**) activity. The road also enabled access to balance land on Section 2 SO 553023 (refer to **Figure 1 below**) which was intended to be disposed of by the MoE for other (non-education related) activities.

Section 2 SO 553023 has now been acquired by MHUD and is being developed by Fletcher Construction and Marutūāhu Rōpū Limited Partnership (an Iwi development partner). Fletcher Construction has obtained resource consent to subdivide this site and construct the road within the land alignment of Designation 5060. As such, Designation 5060 School Road Access is no longer required by the MoE and can be uplifted.

Designation 5059 will be retained on Sections 1 and 3 of the SO Plan (refer Attachment 1), to enable their use for the school and ECE activities. In order to reflect the removal of

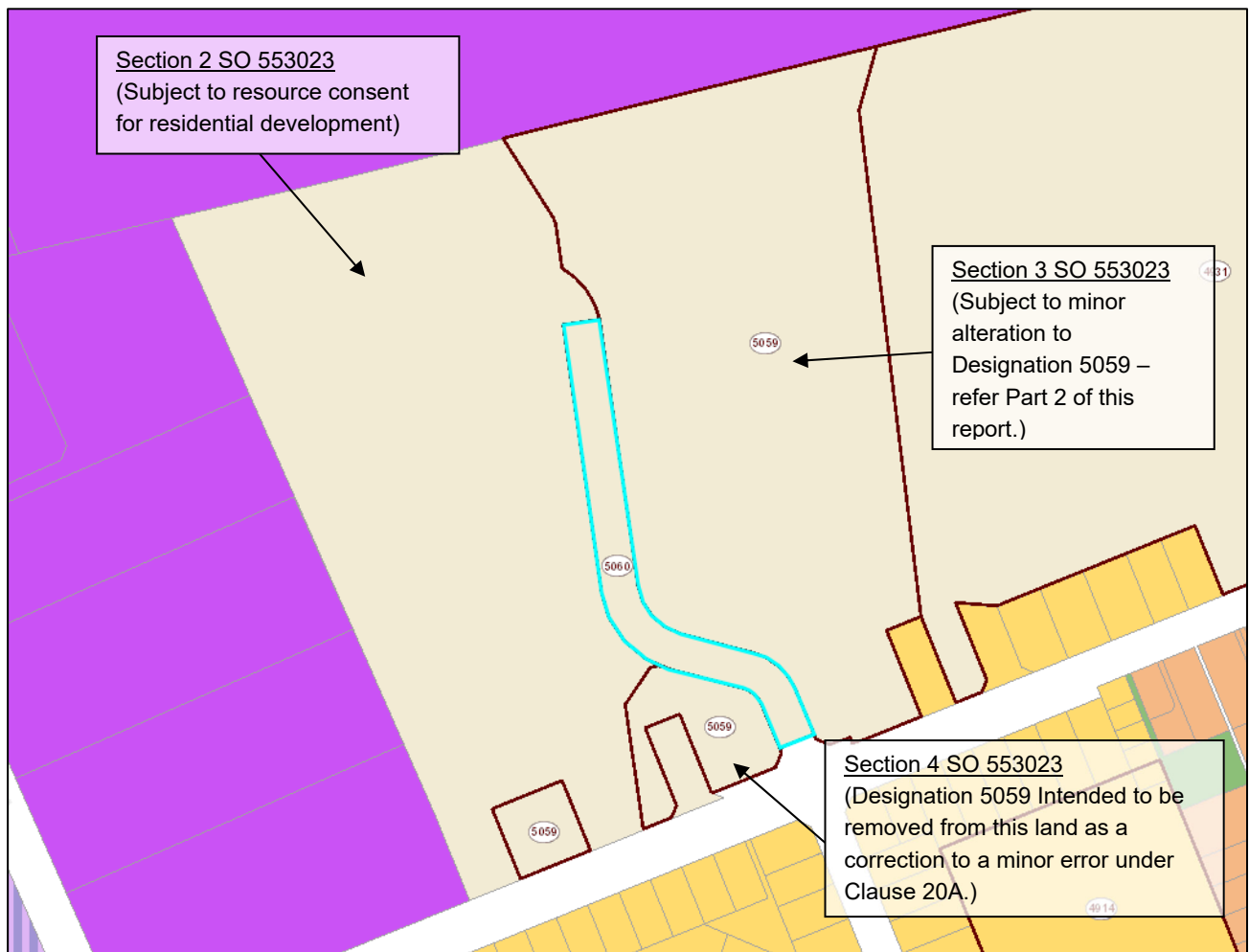
Designation 5060, the conditions within Designation 5059 are proposed to be amended through a minor alteration of Designation 5059. This is outlined and assessed in Part 2 of this report.

Note: The Notices of Requirement (**NoRs**) confirmed in 2018 included the removal of Designation 4931 over the balance land at Sections 2 and 4 SO 553023. However, the AUP update to reflect these NoRs was made in error, as it continued to apply the designation to this land. This has since been partially corrected, as the designation was removed from Section 2 SO 553023 by way of Clause 20A to the First Schedule RMA. However, the designation continues to apply in error to Section 4 SO 553023 (refer to **Figure 1**), and as such this will also be corrected by way of Clause 20A.

1.2 Land affected by removal

The designation is currently shown in the AUP maps as follows:

Figure 1: Map showing current extent of Designations 5059 and 5060¹ (area to be removed shown in blue)



¹ Note that the horseshoe shaped land subject to Designation 5059 adjoining Browns Road has the designation applied in error, which will be removed as a minor correction by way of Clause 20A.

Designation 5060 is to be removed in its entirety. The MoE has provided a site plan showing the extent of the designations as confirmed in 2018. (refer to page 12, **Attachment 1**). Designation 5060 is identified as '2' in this plan.

1.3 Delegated authority to consider alterations to designations

The Team Leader - Planning Central and South (Plans and Places Tier 5) has delegated authority, in accordance with Schedule 2A of the Auckland Council Delegations: Chief Executive Officer (updated February 2017), to exercise the Council's functions, powers, duties and discretions under the Resource Management Act 1991 in relation to Section 182 to approve a removal of a designation.

The section 182 request to remove the designation can therefore be considered by the Team Leader – Planning Central and South (Plans and Places Tier 5) and accepted or declined.

1.4 Relevant Statutory Provisions

Section 182 of the RMA allows a requiring authority to remove a designation or part of a designation if it no longer requires it. This section also applies to a notice by a territorial authority, to withdraw its own designation or part of a designation within its own district.

Section 182(2) states that as soon as reasonably practicable the territorial authority shall, without using the process in Schedule 1, amend its district plan accordingly. If the territorial authority considers that the effect of the removal of part of a designation on the remaining designation is more than minor, it may, within 20 working days of receipt of a section 182 notice, decline to remove that part of the designation.

Pursuant to Section 182(5), it is considered that the effects of the removal of Designation 5060 are no more than minor because:

- Resource consent has been granted for the construction and vesting of the road on the land subject to Designation 5060
- As the design of the road reserve has been confirmed through resource consent, the conditions of Designation 5060 relating to the design and construction of the road are no longer required. It is noted that future development of a school and ECE on the land subject to Designation 5059² may require the development on infrastructure within the road reserve to avoid, remedy or mitigate effects. However, this can be assessed through the conditions of Designation 5059, principally Condition 4 which relates to matters such as access and pedestrian movement to/from the school facilities.
- Auckland Transport as the road controlling authority support the proposed designation uplift and minor alteration.

² Sections 1 and 3 SO 553023

2.0 Recommendation

That pursuant to Section 182 of the Resource Management Act 1991 that the removal of Designation 5060 School Road Access be **accepted** and the Auckland Unitary Plan Operative in part designation overlay and text in Chapter K Designations be amended accordingly.

Prepared by: Sanjay Bangs
Senior Policy Planner
Planning Central and South

Accepted by: Craig Cairncross
Team Leader
Planning Central and South

Signature:



Signature:



Date: 1 July 2021

2 July 2021

PART 2: MINOR ALTERATION PURSUANT TO S181(3) RMA

1. Background

1.1. Minor alteration to a designation

Auckland Council has received a notice of requirement for an alteration to a Designation 5059 Te Kura Kaupapa Maori, Kohanga Reo & Early Childcare Education from the Minister of Education under section 181(3) of the RMA.

The context to the minor alteration is discussed in Part 1 of this report. Broadly speaking, the minor alteration has been prepared because Designation 5060 for school road access is no longer required and therefore is proposed to be removed. As such, this minor alteration proposes to:

- Remove redundant conditions (Condition 4(e)) relating to the design and layout of the proposed road.
- Update remaining references to the proposed road to reflect the removal of Designation 5060, and the function of the road as a local road, rather than a road specifically for school access.

The changes are outlined in Section 4 of this report.

1.2. Land affected by the alteration

The land affected by the alteration to the designation is located at 163 and 181 Browns Road (Section 3 SO 553023) and is shown in the Auckland Unitary Plan maps as follows:

Figure 2: Location of Designation 5059 (in blue) and AUP maps



1.3. Description of the site and existing environment

The site subject to Designation 5059 consists of two separate sites (Refer **Figure 2** above).

- Section 3 SO 553023 is a vacant site intended to be developed by the MoE for Kura Kaupapa (Māori language immersive school) and Kohanga Reo (Māori language early childhood education facility).
- Section 1 SO 553023 is a smaller site to the west accommodating an existing operational ECE facility.

1.4. Delegated authority

The Team Leader – Planning Central and South has delegated authority, in accordance with Schedule 2A of the Auckland Council Delegations: Chief Executive Officer (updated February 2017), to exercise the council’s functions, powers, duties and discretions under the Resource Management Act 1991 in relation to section 181(3).

The NoR can therefore be considered by the Team Leader – Planning Central and South and confirmed or declined under section 181(3)(c).

1.5. Relevant statutory provisions

Section 181 “Alteration of designation” of the Resource Management Act 1991 states:

- (1) *A requiring authority that is responsible for a designation may at any time give notice to the territorial authority of its requirement to alter the designation.*
- (2) *Subject to subsection (3), sections 168 to 179 and 198AA to 198AD shall, with all necessary modifications, apply to a requirement referred to in subsection (1) as if it were a requirement for a new designation.*
- (3) *A territorial authority may at any time alter a designation in its district plan or a requirement in its proposed district plan if-*
 - (a) *The alteration-*
 - (i) *Involves no more than minor changes to the effects on the environment associated with the use or proposed use of land or any water concerned; or*
 - (ii) *Involves only minor changes or adjustments to the boundaries of the designation or requirement; and*
 - (b) *Written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners or occupiers agree with the alteration; and*
 - (c) *Both the territorial authority and the requiring authority agree with the alteration –*

and sections 168 to 179 and 198AA to 198AD shall not apply to any such alteration.
- (4) *This section shall apply, with all necessary modifications, to a requirement by a territorial authority to alter its own designation or requirement within its own district.*

2. Analysis of the proposed alteration

The relevant matters to consider are contained in section 181(3) of the RMA as outlined above.

2.1. Assessment of Environmental effects (s181(3)(a)(i))

The requiring authority has provided an assessment of environmental effects with the NoR (refer **Attachment 2**). This assessment finds that:

As the changes to Condition 4 of Designation 5059 are administrative relating to the uplift of Designation 5060 and do not change the outcomes sought under the existing condition, the effects on the environment of the alteration are no more than minor (the effects on the environment are neutral);

I agree that the effects of the alteration are administrative in nature, in that they reflect the removal of Designation 5060. Therefore, I consider that for the purposes of s181(3)(a)(i), the alteration will involve a no more than minor change to the effects on the environment.

2.2. Assessment of minor changes or adjustments to the boundary (s181(3)(a)(ii))

The alteration to the designation does not involve any changes to the boundary of the existing designation.

2.3. Written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners and occupiers agree with the alteration (s181(3)(b))

The Minister of Education is both the requiring authority seeking the minor alteration and the owner of the land subject to the alteration. The MoE supports the proposed alteration.

The requiring authority has also given written notice to Auckland Transport, who have confirmed that they support the revisions to the conditions of Designations 5059.

2.4. Agreement of both the territorial authority and the requiring authority (181(3)(c))

The alteration to the designation has been requested by the requiring authority, and therefore it agrees to the alteration. Auckland Council agrees with the proposed alteration for the following reasons:

- The alteration involves no more than minor changes to the environmental effects.
- The alteration involves only minor/does not involve any changes to the boundary.
- The owners and/or occupiers of all land directly affected by the proposed alteration have been given notice and agree with the proposed alteration.
- Adherence with recommended conditions will ensure any potential adverse effects are avoided, remedied or mitigated.

3. CONCLUSIONS AND RECOMMENDATIONS

3.1. Conclusions

The proposed alteration meets the statutory tests of Section 181(3) of the Resource Management Act 1991, in that:

- The alteration involves no more than minor changes to the environmental effects.
- Recommended conditions will ensure any potential adverse effects are avoided, remedied or mitigated.
- There are no changes or adjustments to the boundaries of the existing designation.
- The owners and/or occupiers of all land directly affected agree with the alteration.
- The council and the requiring authority agree with the alteration.

3.2 Recommendation

1. That pursuant to Section 181(3) of the Resource Management Act 1991, MoE's notice of requirement for an alteration to Designation 5059 is **confirmed** subject to the amended conditions recommended in Section 4 of this report.
2. That Designation 5059 is amended in Chapter K Designations in the Auckland Unitary Plan Operative in part as recommended in Section 4 of this report.

4. Agreed alterations

The text alterations are shown below. Amendments are shown as either ~~striketrough~~ or underlined.

5059 Te Kura Kaupapa Maori, Kohanga Reo & Early Childcare Education

Designation Number	5059
Requiring Authority	Minister of Education
Location	163 and 181 Browns Road, Manurewa
Rollover Designation	NA
Lapse Date	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

...

4. Establishment Outline Plan of Works

The Requiring Authority shall submit with an Outline Plan of Works for the construction and development of the Schools and/or Kohanga and ECE facility:

...

(d) A Traffic Impact Assessment (TIA) Report prepared by a suitably qualified traffic engineer and/or transportation planner which addresses the following specific matters, in addition to those matters outlined in the Integrated Transport Assessment (ITA) submitted with the Notice of Requirement:

i. Primary access to and from the school site, shall be from the adjacent local road connecting to the signalised intersection with Browns Road ~~proposed internal road identified as Designation 5060 – School Road Access~~. Safe access for pedestrians, cyclists, buses and other vehicles including:

- Measures to separate vehicle entry and pedestrian/cyclist entries; and
- The provision of Kea or Zebra crossings on the adjacent local road connecting to Browns Road ~~proposed internal road identified as Designation 5060 – School Road Access to/from Area 4 as shown on the designation plan~~.

~~(e) The final design and layout of the proposed road (identified as Designation 5060 – School Road Access) shall provide for:~~

- ~~i. A minimum road reserve width of 20m;~~
- ~~ii. Bus access, egress and circulation to/through/on the School site;~~
- ~~iii. Walking and cycling;~~
- ~~iv. Vehicles, including trucks and buses, which need to turn within the road. Consideration shall be given to providing a turning head for cul-de-sac roads at the northern end of the proposed road;~~
- ~~v. Appropriately integrated utilities and stormwater mitigation; and~~
- ~~vi. On-street parking, if practicable.~~

~~(f)~~ ~~(e)~~ A Stormwater Management Plan 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 the onsite stormwater detention and retention (including re-use) and/or connection to Auckland Council's public stormwater network;
- ii. Management of the overland flow path; and
- iii. Management of any flooding hazards at the time of development.

~~(g)~~ ~~(f)~~ Detail of the proposed water and proposed wastewater network connections to the site.

~~Advice Note: A separate statutory process is required to vest the proposed road (identified as Designation 5060 – School Road Access). As such, should the intention be that the proposed road is vested with Auckland Council, the Minister will need to consult with Auckland Transport and comply with all relevant standards required as part of that process.~~

Report Prepared by:

Date: 1 July 2021

Sanjay Bangs

Senior Policy Planner



5. SECTION 181(3) DETERMINATION

Having read the council planner's report and recommendations on the notice or requirement, I am satisfied I have adequate information to consider the matters required by the Resource Management Act 1991 (the RMA) and to make a decision under delegated authority.

Accordingly, the notice of requirement for an alteration to Designation 5059 Te Kura Kaupapa Maori, Kohanga Reo & Early Childcare Education is confirmed under section 181(3) of the RMA as agreed and set out in section 4 of this report.

Name: Craig Cairncross

Title: Team Leader – Planning Central and South

Signed:

A handwritten signature in blue ink, consisting of a large loop followed by a vertical stroke and a horizontal tail.

Date:

2 July 2021

SCHEDULE OF ATTACHMENTS

Attachment 1: Minister of Education s182 Notice of Removal FORM 23

Attachment 2: Minister of Education s181(3) FORM 18

Attachment B: Text changes shown in
strikethrough and underscore

Designation Schedule - Minister of Education (3/3)

5060	School Road Access <u>Withdrawn</u>	163 Browns Road, Manurewa
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...

5059 Te Kura Kaupapa Maori, Kohanga Reo & Early Childcare Education

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4. Establishment Outline Plan of Works

- 1) The Requiring Authority shall submit with an Outline Plan of Works for the construction and development of the Schools and/or Kohanga and ECE facility:
 - (a) A School Design Concept Plan including:
 - i. General location of access points, staff carparking and drop off/pick up areas;
 - ii. General location of future buildings and open space (such as playgrounds and sport fields); and
 - (b) An urban design statement by a suitably qualified urban designer that addresses how the school design concept plan responds to the public realm and incorporates CPTED principles (such as passive surveillance over the streetscape).
 - (c) A Landscaping Plan developed by a suitably qualified landscape architect I planner I designer and developed in consultation with the landowner of 159 Browns Rd specifically in relation to any proposed boundary planting and landscaping on the shared boundaries.
 - (d) A Traffic Impact Assessment (TIA) Report prepared by a suitably qualified traffic engineer and/or transportation planner which addresses the following specific matters, in addition to those matters outlined in the Integrated Transport Assessment (ITA) submitted with the Notice of Requirement:
 - i. Primary access to and from the school site, shall be from the adjacent local road connecting to the signalised intersection with Browns Road ~~proposed internal road identified as Designation 5060 – School Road Access~~. Safe access for pedestrians, cyclists, buses and other vehicles including:
 - Measures to separate vehicle entry and pedestrian/cyclist entries; and
 - The provision of Kea or Zebra crossings on the adjacent local road connecting to Browns Road ~~proposed internal road identified as Designation 5060 – School Road Access to/from Area 4 as shown on the designation plan~~.
 - ii. staff car parking, cycle parking, and pick-up and drop-off areas, and sufficient loading spaces to facilitate deliveries and rubbish removal;
 - iii. the pick-up and drop off area(s) shall be provided wholly on site and designed to accommodate predicted demand, and to ensure that buses can informally use this space for pick up and drop off activities. The following matters should be specifically addressed:

- Potential effects on the safe and efficient operation of the transport network; and
 - Safe and efficient access to the school for pedestrian and cyclists (including students and staff). 3
- iv. traffic generation and any means of mitigating potential adverse effects, including at the Browns Road / Rowandale Avenue intersection; and
- v. measures that encourage the use of public transport.
- ~~(e) The final design and layout of the proposed road (identified as Designation 5060 – School Road Access) shall provide for:~~
- ~~i. A minimum road reserve width of 20m;~~
 - ~~ii. Bus access, egress and circulation to/through/on the School site;~~
 - ~~iii. Walking and cycling;~~
 - ~~iv. Vehicles, including trucks and buses, which need to turn within the road. Consideration shall be given to providing a turning head for cul-de-sac roads at the northern end of the proposed road;~~
 - ~~v. Appropriately integrated utilities and stormwater mitigation; and~~
 - ~~vi. On street parking, if practicable.~~

~~(f)~~ (e) A Stormwater Management Plan 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 the onsite stormwater detention and retention (including re-use) and/or connection to Auckland Council's public stormwater network;
- ii. Management of the overland flow path; and
- iii. Management of any flooding hazards at the time of development.

~~(g)~~ (f) Detail of the proposed water and proposed wastewater network connections to the site.

~~Advice Note: A separate statutory process is required to vest the proposed road (identified as Designation 5060 – School Road Access). As such, should the intention be that the proposed road is vested with Auckland Council, the Minister will need to consult with Auckland Transport and comply with all relevant standards required as part of that process.~~

...

5060 School Road Access

Designation Number	5060
Requiring Authority	Minister of Education
Location	163 Browns Road, Manurewa
Rollover Designation	NA
Lapse Date	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.

Purpose

School Road Access

Conditions

1. ~~Construction 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".~~

2. ~~Designation Uplift~~

~~Prior to vesting the road in Auckland Council as a public road, the Requiring Authority shall uplift the designation pursuant to Section 182 of the Resource Management Act 1991.~~

3. ~~Road design and layout~~

~~The final design and layout of the proposed road shall provide for:~~

- ~~(a) A minimum road reserve width of 20m~~
- ~~(b) Bus access, egress and circulation to/through/on the School site~~
- ~~(c) Walking and cycling~~
- ~~(d) Vehicles, including trucks and buses, which need to turn within the road.
Consideration shall be given to providing a turning head for cul-de-sac roads at the northern end of the proposed road~~
- ~~(e) Appropriately integrated utilities and stormwater mitigation~~
- ~~(f) On-street parking, if practicable.~~

Advice Note: ~~A separate statutory process is required to vest the proposed road (identified as Designation 5060 – School Road Access). As such, should the intention be that the proposed road is vested with Auckland Council, the Minister will need to consult with Auckland Transport and comply with all relevant standards required as part of that process.~~

4. ~~Construction~~

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

~~5. Geotechnical~~

~~Land disturbance must not result in any instability of land or structures at or beyond the boundary of the property where the land disturbance occurs.~~

~~Advice Notes:~~

- ~~(1) Any building work undertaken within 10m of the 900mm Sewerage Main will require the approval of Watercare Services Limited.~~
- ~~(2) All utility services shall be placed within the berm or within private property including services lids and manhole covers. Where applicable these shall be placed within the grass verge.~~
- ~~(3) That all vehicle crossings shall not conflict with any services, light poles, cesspits, rain gardens and street trees or planting.~~

Attachments

No attachments

Attachment C: Updated text

5059 Te Kura Kaupapa Maori, Kohanga Reo & Early Childcare Education

Designation Number	5059
Requiring Authority	Minister of Education
Location	163 and 181 Browns Road, Manurewa
Rollover Designation	NA
Lapse Date	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

Purpose

Educational Purposes – Te Kura Kaupapa Maori (years 0-13), Kohanga Reo and Early Childhood Education (ECE).

Conditions

The standard conditions for all Minister of Education designations apply to this designation. Where any standard condition conflicts with a site-specific condition, 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 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. This condition shall not apply to the boundary of any land zoned for residential purposes that is designated for educational purposes.

2. Noise

The noise (rating) level arising from the operation of the schools and pre-schools 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
<i>Mon – Sat, 7.00am – 10.00pm (0700 – 2200)</i>	<i>55 dB LAeq</i>
<i>Sunday 9am to 6pm</i>	
<i>At other times</i>	<i>45dB LAeq</i> <i>75dB 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. Area A Limitation on Use

The use of Area A shall be limited to an early childhood education (ECE) centre.

4. Establishment Outline Plan of Works

The Requiring Authority shall submit with an Outline Plan of Works for the construction and development of the Schools and/or Kohanga and ECE facility:

- (a) A School Design Concept Plan including:
 - i. General location of access points, staff carparking and drop off/pick up areas;
 - ii. General location of future buildings and open space (such as playgrounds and sport fields); and
- (b) An urban design statement by a suitably qualified urban designer that addresses how the school design concept plan responds to the public realm and incorporates CPTED principles (such as passive surveillance over the streetscape).
- (c) A Landscaping Plan developed by a suitably qualified landscape architect/planner/designer developed in consultation with the landowner of 159 Browns Rd specifically in relation to any proposed boundary planting and landscaping on the shared boundaries.
- (d) A Traffic Impact Assessment (TIA) Report prepared by a suitably qualified traffic engineer and/or transportation planner which addresses the following specific matters, in addition to those matters outlined in the Integrated Transport Assessment (ITA) submitted with the Notice of Requirement:
 - i. Primary access to and from the school site, shall be from the adjacent local road connecting to the signalised intersection with Browns Road. Safe access for pedestrians, cyclists, buses and other vehicles including:
 - Measures to separate vehicle entry and pedestrian/cyclist entries; and
 - The provision of Kea or Zebra crossings on the adjacent local road connecting to Browns Road.
 - ii. staff car parking, cycle parking, and pick-up and drop-off areas, and sufficient loading spaces to facilitate deliveries and rubbish removal;
 - iii. the pick-up and drop off area(s) shall be provided wholly on site and designed to accommodate predicted demand, and to ensure that buses can informally use this space for pick up and drop off activities. The following matters should be specifically addressed:
 - Potential effects on the safe and efficient operation of the transport network; and
 - Safe and efficient access to the school for pedestrian and cyclists (including students and staff).
 - iv. traffic generation and any means of mitigating potential adverse effects, including at the Browns Road | Rowandale Avenue intersection; and
 - v. measures that encourage the use of public transport.
- (e) A Stormwater Management Plan 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 the onsite stormwater detention and retention (including re-use) and/or connection to Auckland Council's public stormwater network;
 - ii. Management of the overland flow path; and
 - iii. Management of any flooding hazards at the time of development.
- (f) Detail of the proposed water and proposed wastewater network connections to the site.

5. School Travel Plan

- (a) Prior to the opening of either of the schools the requiring authority shall, either directly or through the School Board of Trustees, develop a Travel Plan in consultation with Auckland Transport.
- (b) The School Travel Plan will 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.
 - iv. The amount of any cycle and scooter parking required.
- (c) The School Travel Plan shall be developed in consultation with Auckland Transport and shall include details of the required monitoring. The School Travel Plan shall be reviewed at the time of submitting each subsequent Outline Plan of Works relating to increased student capacity and where actions/works are required, these shall be formally advised to the Ministry.
- (d) A joint Travel Plan for both schools on the site may be developed.

6. On-site pick up and drop off

- (a) An on-site pick up and drop off area for the schools 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, to be demonstrated by a transport assessment to be submitted as part of any outline plan to increase class room numbers. Bays may be provided on a staged basis consistent with each stage of school development. For the avoidance of doubt, any short term pickup and drop off spaces are part of and not in addition to the minimum number of spaces required by the conditions for minimum car park numbers.

(b) An assessment of the need for a bus pick-up and drop-off facility for the schools shall be submitted as part of any outline plan to increase class room numbers. Bus facilities may be provided on a staged basis consistent with each stage of school development.

7. Footpath

Prior to commencement of the school's first term, a dedicated footpath is to be provided adjacent to the access road to connect the school buildings with the Browns Road footpath.

8. Vehicle access to Browns Road

All vehicle access to Browns Road shall be via the signalised intersection, other than for the pre-school located in Area A.

9. Setbacks, fencing, and trees - 159 Browns Road

The following measures shall be implemented to mitigate the impacts of the educational activities on the adjoining property at 159 Browns Road:

(a) No buildings shall be constructed within 20m of the boundary of 159 Browns Road.

(b) Prior to construction of any buildings on the site, the Requiring Authority shall construct a fence between 1.5m and 1.8m in height along the common boundary with 159 Browns Road.

(c) No large specimen trees shall be placed within 10m of that boundary. The Requiring Authority shall make reasonable endeavours to retain the existing magnolia and palm trees on the site adjacent to the property at 159 Browns Road.

10. Flooding

Any works involving alteration of flood plains or overland flow paths shall require a flood assessment of the impacts on adjoining properties.

11. Construction

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

12. Geotechnical

Land disturbance must not result in any instability of land or structures at or beyond the boundary of the property where the land disturbance occurs.

Advice notes

(1) Any building work proposed within 10m of the 900mm or 225mm diameter Wastewater Mains on the site will require the approval of Watercare Services Limited.

(2) If after a review of the updated Detailed Site Investigation the activity is found to require resource consent either under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011, or any regional plan; a resource consent will need to be obtained. If evidence of contamination, which has not been previously identified, is discovered during excavation, the requiring authority shall immediately cease the works and notify Auckland Council and provide a site contamination report and a remediation action plan if necessary to the satisfaction of Council.

- (3) The requiring authority must ensure that the contamination level of any imported soil complies with Auckland Council's clean fill criteria.
- (4) The requiring authority shall provide soil test results and evidence of the disposal to the Auckland Council.
- (5) The requiring authority shall at all times control any dust in accordance with the Good Practice Guide for Assessing and Managing the Environmental Effects of Dust Emissions, Ministry for the Environment (2001).
- (6) If sub surface archaeological evidence is unearthed during earthworks (e.g. intact shell midden, hangi, storage pits relating to Maori occupation, or cobbled floors, brick or stone foundation, and rubbish pits relating to 19th century European occupation), work should cease in the immediate vicinity of the remains and both Auckland Council and the NZ Historic Places Trust are to be notified.
- (7) In the event of koiwi tangata (human remains) being uncovered, work should cease in the immediate vicinity of the remains and the NZHPT, the NZ Police and 1w1 representatives are to be contracted so that appropriate arrangements can be made.

Attachments

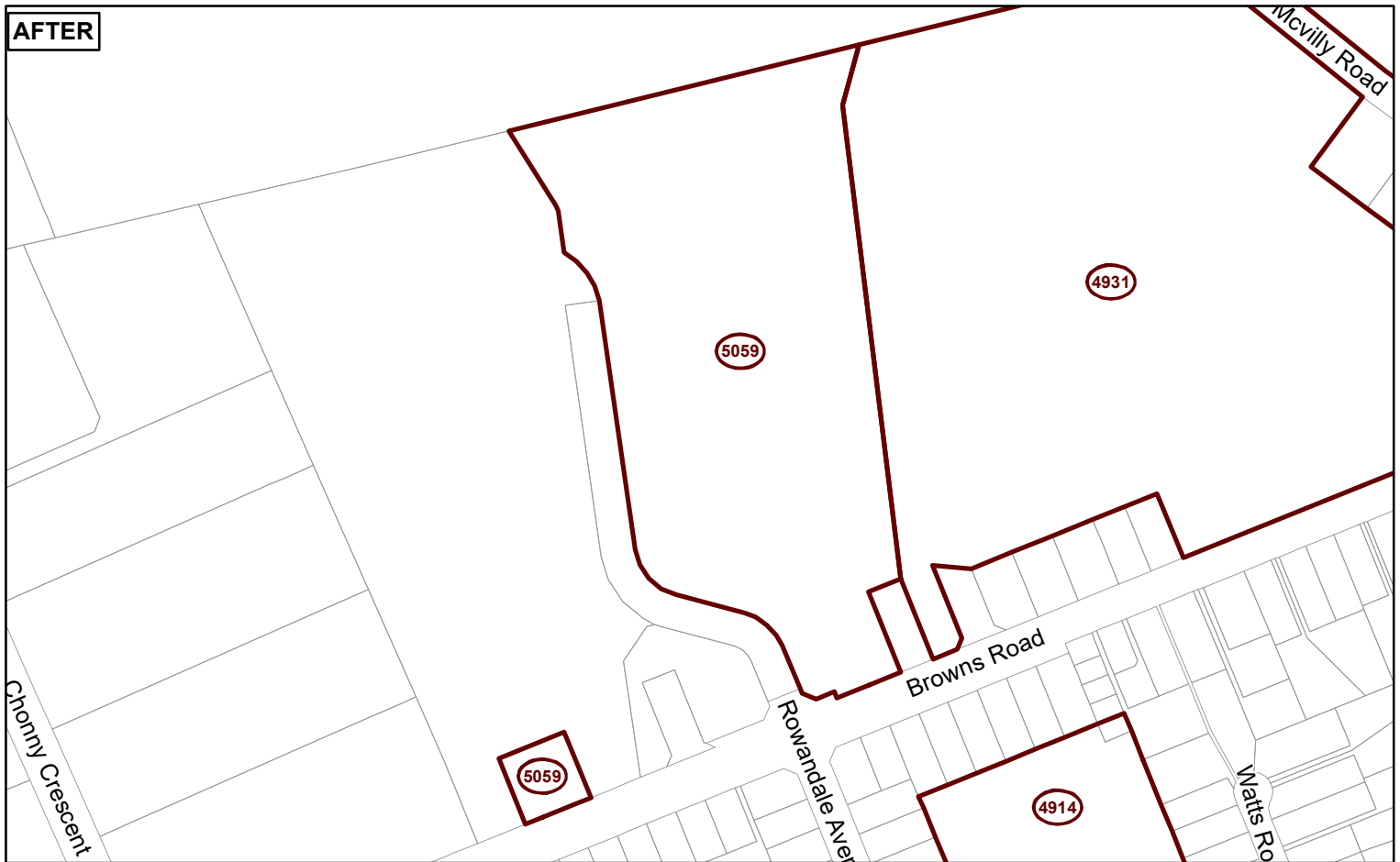
No attachments.

Attachment D: Updated GIS Viewer

BEFORE



AFTER



Whilst due care has been taken, Auckland Council gives no warranty as to the accuracy and completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information.

Date: 4/08/2021

Remove Designation 5060 and amend 5059

