

MINUTES OF A HEARING OF THE PLANNING AND REGULATORY COMMITTEE TO BE HELD AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE, ON TUESDAY, 13 MAY 2008, COMMENCING AT 11.00 AM

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PRESENT: Councillors VS Neeson, JP (Chairman)
WW Flaunty, QSM, JP (Deputy Chairman)
DQ Battersby, JP
MFP Chan, JP
LA Cooper, JP
AK Corban, OBE, JP
MM Jolley
JP Lawley, JP
PG Mitchell

OBSERVER: EAG Grimmer (Chairman, Henderson Community Board)

IN ATTENDANCE: Group Manager: Planning and Community Services
Team Leader: Sustainable Management
Senior Strategic Advisor: Urban Design and Development
Senior Transport Engineer: Planning
Planner: Policy Implementation
Committee Secretary: N Delamere

1 APOLOGIES

762/2008

MOVED by Cr Jolley, seconded Cr Cooper:

That an apology from Cr Lawley for absence be received and sustained.

CARRIED

2 THE REQUIREMENT FOR A DESIGNATION UNDER SECTION 168 OF THE RESOURCE MANAGEMENT ACT 1991 FOR TWO PRIMARY SCHOOLS TOGETHER WITH AN EARLY CHILDHOOD EDUCATION CENTRE AT 232-236 METCALFE ROAD AND 92 SIMPSON ROAD, RANUI

11.04 am The Chairman, Councillor Vanessa Neeson opened the meeting. The Group Manager: Planning and Community Services outlined the proceedings of the Hearing.

11.06 am Douglas Allen, Ministry of Education (for the applicant) introduced the presenters of evidence, Mr Clive Huggans, Ministry of Education, Carl Hancock, Ministry of Education, Anna Charlotta Liddell, Ministry of Education, and Mathew Paetz, Ministry of Education.

11.21 am Clive Huggans, Ministry of Education (on behalf of the applicant) presented evidence and responded to questions from Crs Flaunty, Corban, Mitchell, Battersby and Cooper.

- 12.01 pm Carl Huggins, Ministry of Education (on behalf of the applicant) presented evidence and responded to questions from Crs Cooper and Corban.
- 12.18 pm Anna Charlotta Liddell, Ministry of Education (on behalf of the applicant) presented evidence and responded to questions from Cr Mitchell.
- 12.36 pm Mathew Paetz, Babbage Consultants Limited (on behalf of the applicant) presented evidence.
- 12.49 pm Douglas Allen, Ministry of Education closed the Ministry's presentation and responded to questions from Crs Battersby and Mitchell.
- 1.05 pm Jennifer Lamm, Auckland Regional Public Health Board presented her submission.

763/2008

MOVED by Cr Flaunty, seconded Cr Mitchell:

That the meeting be adjourned until 1.30 pm.

CARRIED

- 1.09 pm Meeting adjourned.
- 1.34 pm Meeting reconvened.
- 1.35 pm Jeff Nielson presented his submission to the Notice of Requirement opposing the proposed two schools in Ranui. The issues he raised were around consultation, transport and roading and social nuisance.
- 2.01 pm Megan Patrick, Auckland Regional Authority presented her submission.
- 2.48 pm Douglas Allen, Ministry of Education responded to the issues raised from the evidence presented by Megan Patrick.

764/2008

MOVED by Cr Flaunty, seconded Cr Chan:

That pursuant to section 171 of the Resource Management Act 1991, subject to additional or contrary information being presented at the hearing, the Requirement for a designation for two new primary schools together with an early childhood education centre at 232-236 Metcalfe Road and 92 Simpson Road, being Pt Lot 8 DP 7398 and Lot 9 DP 7398 **be confirmed with changes** for the following reasons:

- (i) The proposal meets the relevant Objectives and Policies of the District Plan, and has been considered in terms of the relevant Rules and Assessment Criteria;
- (ii) That the need for the Requirement has been demonstrated;
- (iii) That the other options available to the requiring authority have been considered;

- (iv) That the other methods available to the requiring authority have been considered; and
- (v) Subject to the acceptance by the requiring authority of the recommended conditions attached to this report, the proposal would create no more than minor adverse effects on the environment.

16.0 RECOMMENDED CONDITIONS

1. 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.
2. The total student roll of the two schools and early childhood education centre shall not exceed 770 students.
3. All buildings and structures shall comply with the following development controls:
 - Height in relation to boundary: no part of any building shall infringe a height in relation to boundary control from any adjacent land zoned Living Environment or Transport Environment of 2.5 metres plus:
 - On the southern boundary of the site: 35 degrees*
 - On the northern and street boundaries of the site: 55 degrees*
 - On the western and eastern boundaries of the site: 45 degrees*
 - The height of all buildings (excluding any goal posts associated with sporting activities) shall not exceed 8m except for assembly halls, recreational facilities, and cultural or performance facilities, which shall not exceed 10m
 - Minimum building setbacks (road frontage): 5m
 - Minimum building setbacks (side boundaries): 5m
 - Maximum building coverage: 35%
 - Maximum impermeable area: 60%
4. The Ministry of Education and the School's Board of Trustees shall:
 - (i) Monitor school related traffic in the vicinity of the schools once a year for a period of 5 years following the opening of each school;
 - (ii) Resource, develop, review and action a Travel Plan for the schools to set the standards and goals of the schools with respect to sustainable travel modes and to mitigate real and potential adverse traffic effects; and
 - (iii) Limit the provision of on-site public car parking to a minimum.

This condition will be achieved by working in partnership with Waitakere City Council and Auckland Regional Transport Authority to ensure the integration of the school with the surrounding transport network, including issues of pedestrian and cyclist permeability to the site.

5. All activities taking place at the schools shall comply with the following noise levels measured at the appropriate part of a site (other than the site on which the activity is situated) within the Living Environment, Living 4 Environment and Foothills Environment:

7.00am – 7.00pm Monday to Saturday		7.00pm – 10.00pm Monday to Saturday 7.00am – 10.00pm Sundays and Public Holidays		10.00pm – 7.00am	
L ₁₀	L _{Max}	L ₁₀	L _{Max}	L ₁₀	L _{Max}
50dBA	N/A	45 dBA	N/A	40 dBA	70dBA

This provision shall not apply in respect of the noise generated from students' voices outside between 0800hrs and 1800hrs (excluding Sundays and public holidays).

Sound levels shall be measured in accordance with the Requirements for NZS 6801: 1991 Measurement of Sound and assessed in accordance with the Requirements of NZS 6802: 1991 Assessment of Environmental Sound.

6. The Ministry of Education shall submit a landscaping/planting scheme with the first Outline Plan of Works. This scheme shall include landscaping/planting along the boundary of the site fronting Simpson Road and the boundary of the site fronting Metcalfe Road.
7. Prior to any site works commencing, the Ministry of Education shall submit to the Council further detailed soil sampling with reference to the site design / building layout.
8. Any soil to be exported from the site shall be sampled and tested prior to being exported. If testing identifies that the soil does not meet Ministry for the Environment criteria for cleanfill in the report titled "*A Guide for the Management of Cleanfills*", dated January 2002 and any subsequent updates, then the soil must be disposed of at a landfill registered to dispose of contaminated soil of the levels found. Copies of the laboratory analysis results shall be provided to the Council prior to the removal of any soil off site. If the results indicate the cleanfill criteria are not met, receipts/manifests shall be provided to Council detailing the volume of soil exported and its disposal address/location.
9. If the soil sampling required under Condition 7 above exceeds the relevant guidelines for contaminated soil, the Ministry of Education shall submit to the Council a Remediation Action Plan (RAP) prior to any site works commencing. The RAP shall be in accordance with the Ministry for the Environment publications on Contaminated Land Management Guidelines, and include references to the Department of Labour Health and Safety guidelines for contractors undertaking work.
10. The Ministry of Education shall submit a Site Validation Report (SVR) prior to any school or other associated facilities opening on site. The SVR shall include validation sampling results. If testing identifies that the soil does not meet Ministry for the Environment criteria for cleanfill in the report titled "*A Guide for the Management of Cleanfills*", dated January 2002 and any subsequent updates, then the soil must be disposed of at a landfill registered to dispose of contaminated soil of the levels found. Copies of the laboratory analysis results shall be provided to the Council prior to the removal of any soil off site. If the results indicate the cleanfill criteria are not met, receipts/manifests shall be provided to the Council detailing the volume of soil exported and its disposal address/location.

10. If the soil sampling under Condition 7 above exceeds the relevant guidelines for contaminated soil the Ministry of Education shall, within 3 months of the completion of the works outlined in the RAP required under condition, and prior to any school or other associated facilities opening on site submit a Site Validation Report (SVR). The SVR shall be prepared in accordance with MfE Contaminated Land Management Guideline No. 1 will be prepared. This document shall, as a minimum, provide:
 - A summary of the works undertaken;
 - A summary (an exploration hole logs) for the additional trial pits;
 - Results of all validation testing;
 - A description of action taken due to any exceedence of clean-up criteria within the validation sampling;
 - Copies of all landfill receipts; and
 - Confirmation that the works have been undertaken in accordance with the RAP required under Condition 9.
11. All development shall be undertaken in accordance with the Geotechnical Report prepared by Babbage Consultants Ltd titled "*Ranui School for Ministry of Education Geo-Environmental Assessment Report*", ref: 43329, dated November 2007, and the review of this report prepared by GHD Limited titled "*Geotechnical Peer Review, Notice of Requirement for the Ministry of Education, New Schools at Ranui, Waitakere City*", dated 4 March 2008.
12. The Ministry of Education shall provide written confirmation from a Chartered Professional Engineer (with experience in geotechnics, and familiarity with the report and report review detailed in Condition 11 above) that the recommendations contained within the report and report review detailed in Condition 11 have been fully satisfied.
13. Development of the site shall adhere to a Low Impact Design stormwater management system that minimises impervious surfaces and earthworks, utilise soils and vegetation to trap pollutants and reduce stormwater runoff. Details of Low Impact Design measures shall be submitted to the Council's Ecowater department with the first Outline Plan of Works.
14. Prior to lodgement of an Outline Plan of Works or resource consent application the Ministry of Education shall contact Waitakere City Councils Drainage Planning Engineers and Water Assets Engineers to ascertain the suitability of the public systems proposed to service this site and catchment. It may be necessary to implement temporary measures depending on the timing of the development and Councils infrastructure works in the area. Details of temporary measures shall be submitted with the first Outline Plan of Works or resource consent application.
15. The Ministry of Education shall design, construct and vest to Council an alternative public road across the south-eastern corner of the site, to mitigate the loss of the main south-east road as shown on the Babich Urban Concept Plan. The road shall be constructed in accordance with the Waitakere City Council Code of Practice for City Infrastructure and Land Development, and be vested to Council with the exact location to be determined in consultation with the Council prior to lodgement of the first Outline Plan of Works.

15. With regard to the proposed road running through the south eastern corner of the site, the Ministry shall, when the road design has been confirmed by Council, uplift the designation from the part of the site that is affected by the road and make the land available for acquisition by the Council. The Ministry shall not oppose the construction of the road.
16. The Ministry of Education shall submit detailed engineering plans showing footpaths with a minimum width of 2.0m on Simpson Road and Metcalfe Road within the 'school zone' (being the future 40kmph zone surrounding the schools) adjoining the boundary of the school site and on the western side of Simpson Road from the View Ridge Drive footpath to a location terminating at any future school pedestrian crossing on Simpson Road to the Council's Transport Assets team prior to the opening of the schools. The plans shall be developed in consultation with the Council's Transport Assets team taking account of the location of pedestrian entrances, vehicle entrances, pickup/drop-off areas and the extent of the future 40kmph zone.
17. The Ministry of Education shall construct on site parking for staff at a minimum of 2 parks per 3 staff employed on the site.
18. Prior to the opening of the schools, the Ministry of Education shall construct a pick up and drop off facility and bus parking either on the site or on the road frontage of the site, having regard in its design for the following where practicable:
 - The facility should be located to maximise the opportunity for shared use by both the proposed schools on the site.
 - The facility should be located separately from the staff parking area to be provided on site, and have regard for the need to separate it from areas where pedestrians will cross roads heading to and from the site on foot.
 - The facility shall be located clear of the traffic lanes if located on the road frontages.
19. Prior to the opening of the schools, the Ministry of Education shall construct appropriate crossing facilities for pedestrians to cross the adjacent roads, (Metcalfe and Simpson Roads). The type of facilities shall be agreed in discussions with the Council but could include refuge islands, kea crossings, pedestrian crossings, and pedestrian signals.
20. Prior to the opening of the schools, the Ministry of Education shall upgrade the road frontage on Metcalfe Road and Simpson Road to an urban standard in accordance with Waitakere City Council's Code of Practice for City Infrastructure and Land Development, including the construction of either kerb and channels or edge beams and swales, incorporating any facilities required in Conditions 18 and 19 above.

Advice Notes

1. The travel plan referred to in Condition 4 would be expected to address the following issues:
 - Start and finish times and whether there is a need to stagger these to alleviate demands on parking, particularly at pick-up times;
 - The outcome of any discussions with the Auckland Regional Transportation Authority over the provision of bus services;

- Provision for bus loading either on-site or on-street clear of the traffic lanes consistent with grown in use of this transport mode;
 - Identification of safe access across the roads to the school;
 - Identification of safe pedestrian and cyclist routes required to and from the school relative to the school catchment;
 - Provision of on-site facilities for bicycles in accordance with the Auckland Regional Council's Guidance Note for Cycle Parking Facilities 2007; and
 - Other methods aimed at reducing reliance on the use of the private motorcar, such as the provision of walking school buses.
2. The location of the indicative road in the south-eastern corner of the school site referred to in Condition 15 is shown on the map below. This location is considered to be appropriate by the Council.



3. The Ministry of Education should give consideration to the provision of the indicative road entrance from Metcalfe Road as shown on the Babich Urban Concept Plan as an alternative entrance to the school.
4. The design of the schools including the scale and location of buildings, car parking areas, landscaping and infrastructure servicing should reflect best practice urban design and sustainability principles, cognisant of the site context and contribution to the wider neighbourhood. Additional consideration should also be given to the siting of buildings exceeding 8m in height on the lower slopes of the property so as to avoid domination of the street, adjoining sites or obscuring of views.
5. In regard to Condition 14, the Ministry of Education is advised that the stormwater discharge requirements for the catchment were originally set out in a consent granted to Waitakere City Council to divert and discharge stormwater in 1992, subsequent amendments were made in 1998 and the latest change to cover the Babich Concept Plan area. The Outline Plan of Works for development at this site will be assessed against the requirements of these reports, specifically the latest granted consent from the ARC, permit no 26829.

It is the Ministry of Education's responsibility to comply with any conditions imposed by the Regional Council under this consent.

6. Any soil sampling results or landfill receipts should also be submitted to Auckland Regional Council (ARC) for review. The Ministry of Education is advised that further consents may be required from ARC in relation to soil contamination issues.

CARRIED

3.00 pm

The Chairman thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AT A HEARING OF THE PLANNING
AND REGULATORY COMMITTEE HELD ON

DATE:.....

CHAIRMAN:.....