

AGENDA FOR 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

TABLE OF CONTENTS

<u>ITEM</u>		<u>PAGE NO.</u>
1	APOLOGIES	1
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	1

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1 APOLOGIES



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

N.B. This report sets out the Waitakere City Council's officer's advice on the resource management issues raised by the Ministry of Education's Notice of 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, Ranui. The report contains recommendations to the Waitakere City Council. It is not the formal notice of recommendation of the Council. The formal notice of recommendation will be compiled by the Council, after consideration of the Requirement, a site visit and the hearing of submissions from the Ministry of Education, should they wish to present their views on the report.

1.0 PURPOSE OF THE REPORT

A1-A16

The purpose of this report is to provide the background information, discussion of the environmental assessment and staff recommendations to the Council for the Ministry of Education's (hereafter "the Ministry") Requirement for a designation for two primary schools together with an early childhood education centre at 232-236 Metcalfe Road and 92 Simpson Road, Ranui. A copy of the Notice of Requirement (excluding appendices) is attached at pages A1 to A16. Full copies of the Notice of Requirement are available on request. The Ministry of Education has indicated that one of the primary schools will be a year 1 to 8 school providing facilities for up to 520 students. The other school will be a total immersion Maori school (Te Kotuku Kura) for years 1 to 8, which will provide facilities for up to 250 students. Within these rolls an early childhood education centre is provided for. The Ministry of Education has also advised that the total immersion Maori school will be the first of the schools established on the site and will be operational by 2009. The other primary school is targeted for opening in 2010-2011.

2.0 THE DESIGNATION SITE: DESCRIPTION AND NATURE OF THE REQUIREMENT

Section 168(b) of the Resource Management Act 1999 (hereafter the "RM Act") requires a description of the site and the nature of the proposed project.

2.1 The Description of the Proposed Primary School

The Ministry of Education proposes to establish two schools on the site at 232-236 Metcalfe Road and 92 Simpson Road, Ranui. One of the schools will be a primary school for years 1 to 8, providing facilities for 500 students and the other will be a total immersion Maori school (Te Kotuku Kura) for years 1 to 8, providing for 250 students. An early childhood education centre will also be provided on the site (maximum roll will be 50 children).

The Notice of Requirement does not contain any details regarding the ultimate form of buildings, hard surfaces, landscaped areas, access and car parking on the site. The Notice of Requirement advises that this will be addressed at the Outline Plan of Works stage. However, it is noted that the likely location for buildings will be on the flatter portions of the site, near Simpson Road and Metcalfe Road.

2.2 Proposed Designation

As noted above, the Notice of Requirement advises that the ultimate form of buildings and other matters will be addressed at the Outline Plan of Works stage. However, general parameters for the site's built development are guided by conditions proposed as part of the Notice of Requirement.

The five conditions and one advice note proposed in the Notice of Requirement are as follows:

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 student roll of the two schools 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 residential 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 for any classroom and administrative buildings, and 10m for any indoor sporting, recreational, cultural or performance facilities.
 - Minimum building setbacks (road frontage): 5m
 - Minimum building setbacks (side boundaries): 5m
 - Maximum building coverage: 35%
 - Minimum permeable area: 30%

4. The Ministry of Education and the School's Board of Trustees shall (i) monitor school related traffic in the vicinity of the school, and (ii) resource, develop, review and action a Travel Plan for the school to mitigate real and potential adverse traffic effects as and when the school becomes operational.
5. That all activities taking place at the school shall comply with the following noise levels measured at the boundary of properties zoned for residential purposes:

Monday to Saturday	(0700hrs-2000hrs)	50dBA L10
Monday to Saturday	(2000hrs-2300hrs)	45dBA L10
Sunday and Public Holidays	(0700hrs-2400hrs)	45dBA L10
Sunday and Public Holidays	(2400hrs-0700hrs)	40dBA L10

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.

Advice Note to Condition 4

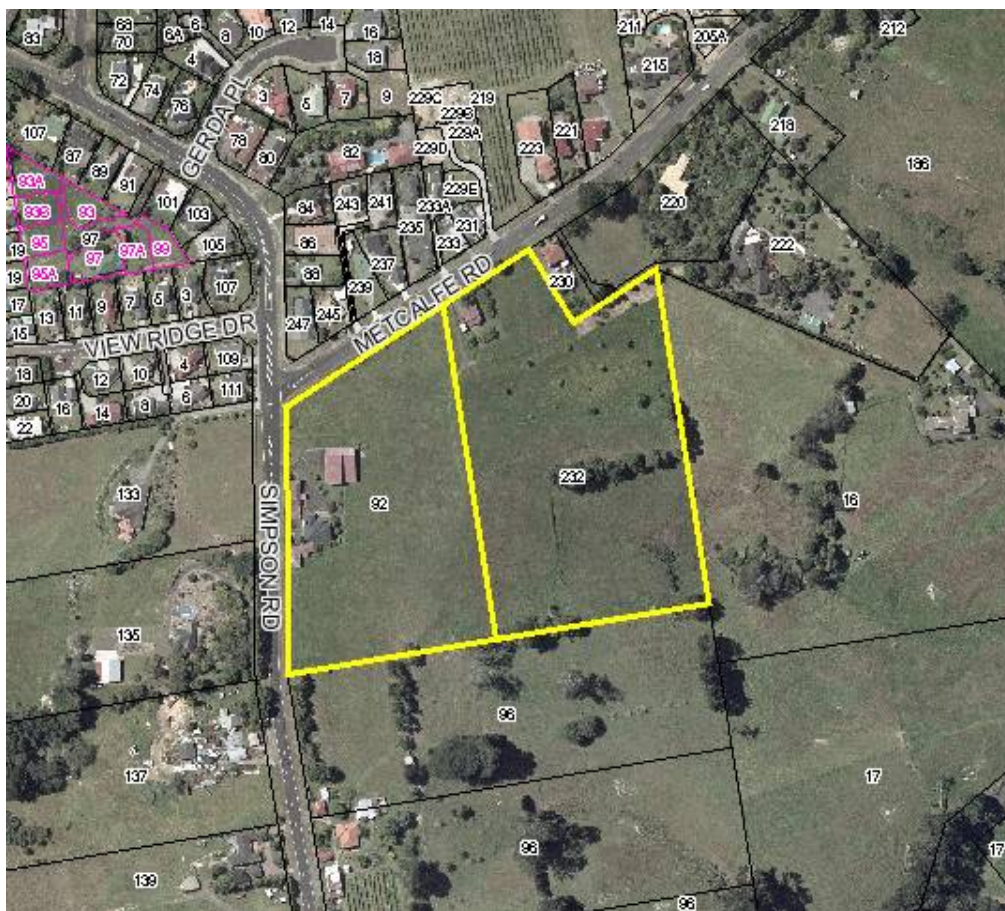
The travel plan would be expected to address the following issues:

- 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; and
- Provision of on-site facilities for bicycles.

2.3 The Description of the Site and the Neighbourhood

The site at 232-236 Metcalfe Road and 92 Simpson Road is bounded by Metcalfe Road to the north and Simpson Road to the west. It comprises two separate titles, being Pt Lot 8 DP7398 and Lot 9 DP 7398 respectively (see map below showing the site boundaries highlighted in yellow). The site is roughly rectangular in shape and has a total area of approximately 4.5 hectares. The owner of the site is the Ministry of Education.

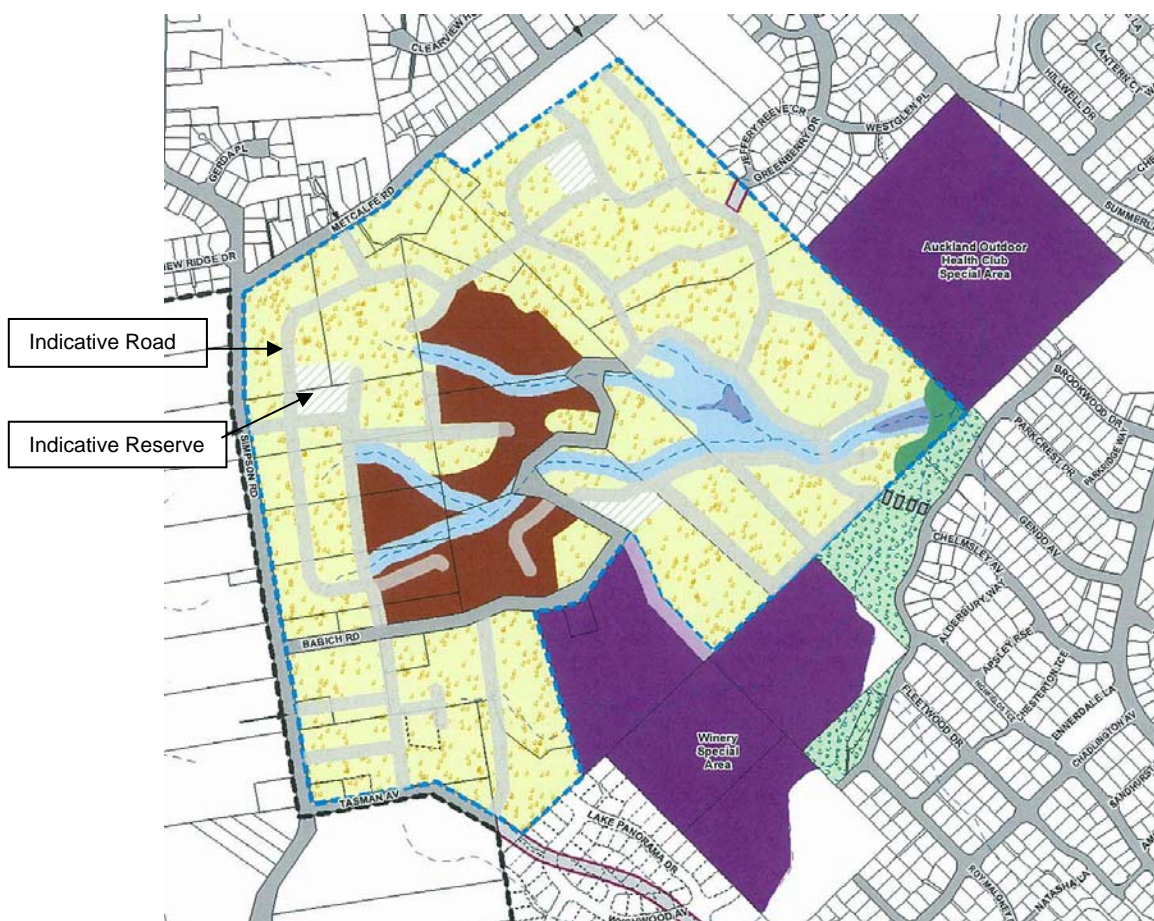
Site Map



The Waitakere City Council, in its Proposed District Plan, sought to ensure that urban development was enabled up to the boundary of the Auckland Regional Council Metropolitan Urban Limit (MUL), as identified in the Regional Policy Statement. Consequently the land for the primary schools falls within the Metropolitan Urban Limit, with the boundary being located along Simpson Road.

The site is located within the north-western portion of the Babich Concept Plan Area (see Map over the page), which is fully within the Auckland Regional Council's Metropolitan Urban Limit. Sites to the south and east of the school site are also within this Concept Plan Area. The Babich Concept Plan provides for a mix of low to medium density residential development and shows indicative neighbourhood reserves and indicative roads. The sites that are subject to the Notice of Requirement are shown on the Concept Plan Area Map as having an indicative road through them, including a new intersection with Metcalfe Road. An indicative reserve is also shown in the southern portion of the site.

Babich Concept Plan Area Map



The proposed Swanson Structure Plan area is located adjacent to the western boundary of the school site (across Simpson Road) and includes all land in the Swanson catchment that is identified in the District Plan as Foothills Environment.

The school site is identified as Living Environment and General Natural Area, in the Waitakere City Council District Plan.

The Living Environment covers the urban and suburban areas of Waitakere City. The General Natural Area covers developed parts of Waitakere City that generally have low or little native vegetation cover. Land adjacent to the north, east and south of the site is also identified as Living Environment, in anticipation of extensive residential development occurring on that land. The adjacent land to the west does not fall within the Metropolitan Urban Limit, and is identified as Foothills Environment. As noted above, this land is within the proposed Swanson Structure Plan Area.

In terms of contour, the western part of the site (Lot 9 DP7398) is generally flat and level with the ground surface sloping gently from west to east at an average gradient of approximately 1 (vertical) in 10 (height). The gradient increases towards the boundary within Pt Lot 8 DP7398 to approximately 1 (vertical) in 5 (height) over the north-eastern part of the site.

The site currently contains two houses, one near the centre of the western boundary and one near the centre of the northern boundary. There are four out-buildings associated with the property on the western boundary of Lot 9 DP7398 (92 Simpson Road) including an old winery, and implementation and storage shed. The remainder of the site comprises open paddocks covered in rough pasture, however, some trees are located on the site. A Non-Riparian Stream (being a small tributary to the Paremuka Stream) is located in the south-east portion of the site.

The site has been used for viticulture purposes in the past, however, more recently it has been used for the grazing of farm animals.

Both Simpson Road and Metcalfe Road are two-laned roads. Metcalfe Road has a footpath on its northern side, however, no footpath exists on the southern side of this road (the side of the road the school site is on), nor are there footpaths on either side of Simpson Road, adjacent to the school site.

There are currently bus stops on both sides of Metcalfe Road, directly opposite the school site. A bus route runs via Henderson to Britomart and varies in frequency throughout the week. The Ranui Train Station is located on Pooks Road, approximately 1.5 km walking/driving distance from the school site.

Ranui Primary School and Summerland Primary School are within an approximate 1 km radius of the school site, with Summerland Primary School being located to the east of the school site and Ranui Primary School being to the north-east.

To the north of the school site are existing dwellings, which are located in the Living Environment. The surrounding properties to the east and the south are also identified as Living Environment (some properties to the east are zoned Living 4) and currently comprise rural blocks. These sites are within the Babich Concept Plan area and will be utilised for residential purposes in the future as noted above. The sites to the west, across Simpson Road, are zoned Foothills Environment and contain rural blocks with existing dwellings.

3.0 RESOURCE MANAGEMENT ACT 1991

Section 168 of the RM Act provides that a requiring authority may, at any time, give notice to a territorial authority of its Requirement for a designation for a project or work. The Ministry of Education is a requiring authority.

The Requirement Notice lodged under Section 168 must include:-

- (a) *The reasons why the designation is needed; and*
- (b) *A description of the site in respect of which the Requirement applies and the nature of the proposed public work, project or work, and any proposed restrictions; and*
- (c) *The effects that the public work or project or work will have on the environment, and the ways in which any adverse effects may be mitigated, and the extent to which alternative sites, routes, and methods have been considered; and*
- (d) *Any information required to be included in the Notice by a plan or regulation; and*

- (e) *A statement of the consultation, if any, that the requiring authority has had with persons likely to be affected by the designation, public work, or project or work; and*
- (f) *A statement specifying all other resource consents that the requiring authority may need to obtain in respect of the activity to which the Requirement relates, and whether or not the requiring authority has applied for such consents.*

In respect of this Requirement, the Ministry has included all of the above details in the documentation lodged with the Requirement.

Section 169 provides that the procedures to be adopted in processing a Requirement are generally those that are adopted for processing a resource consent application. This includes lodging the Requirement, requiring further information, public notification, lodging of submissions and hearing of submissions.

In respect of this Requirement, all of those procedures have been followed, up to the stage of this hearing.

The procedure differs from the resource consent process in respect of the territorial authority consideration of the Requirement, and the outcome of the hearing. Section 171(1) of the RM Act provides that, when considering a Requirement, the territorial authority **shall have regard to** the matters set out under Section 168 (a)-(f) (identified above), and shall also have **particular regard to** –

- (a) *Whether the designation is reasonably necessary for achieving the objectives of the public work or project or work for which the designation is sought; and*
- (b) *Whether adequate consideration has been given to alternative sites, routes, or methods of achieving the public work or project or work; and*
- (c) *Whether the nature of the public work or project or work means that it would be unreasonable to expect the requiring authority to use an alternative site, route, or method; and*
- (d) *All relevant provisions of any National Policy Statement, New Zealand Coastal Policy Statement, Regional Policy Statement, Proposed Regional Policy Statement, Regional Plan, Proposed Regional Plan, District Plan or Proposed District Plan.*

Section 171(1) is subject to Part II of the RM Act. Part II contains the purpose and principles of the RM Act within four sections (Sections 5-8). It has been confirmed by the Environment Court that, in relation to a designation matter:

“...all considerations, whether favouring or negating the designation, are secondary to the Requirement that the provisions of Part II of the RMA must be fulfilled by the proposal”.

(See Estate of P.A. Moran and Others v Transit NZ (W55/99).

Part II of the RM Act is therefore very important to consideration of this Requirement.

Section 5 of the RM Act sets out the purpose of the Act, “to promote the sustainable management of natural and physical resources”. “Sustainable management” is defined as meaning:-

“Managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while –

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

Section 6 sets out Matters of National Importance which shall be recognised and provided for. These include the natural character of the coastal environment, wetlands, lakes and rivers and their margins; outstanding natural features and landscapes; protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna; maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers; and the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

Section 7 sets out a range of “other matters” which shall be given “particular regard”. These include kaitiakitanga; the ethic of stewardship; the efficient use and development of natural and physical resources; the maintenance and enhancement of amenity values; the intrinsic values of ecosystems; recognition and protection of heritage values of sites, buildings, places or areas, maintenance and enhancement of the quality of the environment; and any finite characteristics of natural and physical resources.

Section 8 covers the Treaty of Waitangi and imposes an obligation to “take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi)”.

After considering these matters, the territorial authority (this Committee) recommends to the Ministry that the Ministry either:

- (a) confirm the Requirement, and any conditions as to duration, with or without modification and subject to such conditions as the Committee may consider appropriate; or
- (b) withdraw the Requirement.

Reasons must be given for the recommendations.

Note that this Committee only has the ability to make recommendations, not a decision (as would be the case in a resource consent application).

Under section 172, the requiring authority (the Ministry) has a 30 working day period from the receipt of the Council’s recommendations to advise the Council whether the recommendations are accepted or rejected, in whole or in part. The Ministry may modify the Requirement only if the modification is recommended by the Council or is not inconsistent with the Requirement as originally notified.

Where the requiring authority rejects a recommendation in whole or in part, or modifies the Requirement, that authority must give reasons for its decision.

It then becomes the obligation of the Council to (under Section 173) ensure that a copy of the Ministry's decision is served on every person who made a submission and given to the landowners and occupiers directly affected by the decision. This notification must be completed within 15 working days of the decision.

The Council itself, and any person who made a submission on the Requirement, may lodge an appeal on the requiring authority's decision to the Environment Court (Section 174). This must be done within 15 working days from the receiving of notice of the decision. In determining an appeal, the Environment Court must have regard to the matters set out in Section 171 and may confirm or cancel a Requirement or modify the Requirement in such a manner, or impose such conditions, as the Court thinks fit.

Finally, once the Environment Court decision is received, the Council must, as soon as reasonably practicable, include the designation in its District Plan (assuming the designation is confirmed).

4.0 THE OBJECTIVES OF THE REQUIREMENT

A13

The following is a copy of the Ministry's objectives for this project, taken from page 12 of the Notice of Requirement (attached at page A13).

"...The project is reasonably necessary in achieving the Minister's objective, which is to develop two new schools, comprising one Year 1 to 8 primary school, and one total immersion Maori school (Te Kotuku Kura) Year 1 to 8, to open by late 2009 and 2011 respectively".

5.0 THE NEED FOR THE REQUIREMENT

Sections 168(3)(a) and 171(1)(a) of the RM Act require the Ministry to indicate the reasons why the Requirement is needed, and whether the Requirement is reasonably necessary for achieving the objectives of the project.

The Ministry of Education has identified a specific area where a future primary school is required due to the surrounding primary schools (being Summerland School, Swanson School and Ranui School) nearing capacity, and projected future development in the area.

In addition to the identified need for a new primary school, the Ministry of Education has identified the site as an appropriate permanent location for Te Kotuku Kura. This facility is currently in a temporary location, being leased space at Rutherford High School on Te Atatu Peninsula. This space is insufficient for the future needs of Te Kotuku Kura, and this has partly generated the Requirement.

The Council accepts the Ministry's reasons for the need for the Requirement and accepts that the Requirement is reasonably necessary to achieve the objectives of the Ministry in terms of providing education facilities.

6.0 THE OTHER OPTIONS AVAILABLE TO THE REQUIRING AUTHORITY

The Ministry is required under sections 168(3)(c), 171(1)(b) and 171(1)(c) of the RM Act to consider alternative sites that could achieve the aims of the designation. It is important to note that the RM Act does not state that alternatives must be considered or that the best alternative must be picked.

A17

Given that the requiring authority owns the site, an assessment of alternatives would have been completed as part of the purchase. The Ministry of Education identified four potential sites as options for the location of the Requirement. The assessment of the four sites is summarised on page 11 of the Requirement (see Appendix A12) and a map showing these sites is attached at page A17. According to the information supplied as part of the Requirement, the site at 232-236 Metcalfe Road and 92 Simpson Road was considered to be the most suitable site.

The Waitakere City Council accepts that the assessment of alternative sites undertaken by the Ministry is adequate. The Council therefore accepts the preferred location which is the site subject to the Requirement.

7.0 THE OTHER METHODS AVAILABLE TO THE REQUIRING AUTHORITY

The Ministry is also required under sections 168(3)(c) and 171(1)(b) of the RM Act to consider alternative methods that could achieve the aims of the Requirement. The Ministry has advised that *“the designation is considered to be the most appropriate mechanism to provide for the establishment and on-going operation of the school for its proposed purpose. The Minister requires on-going certainty that the site can be developed and used for this purpose. Designation provides the necessary long-term certainty and flexibility for operation of a school on the site, while also identifying the use of the site for the general public”*.

The Waitakere City Council accepts that the designation is the most appropriate method available to achieve the aims of the Requirement. The designation of the site for education purposes is consistent with the planning mechanism used for all other existing state schools in Waitakere City.

8.0 STATUTORY PROCESS

Section 168(3)(c) requires that the territorial authority have regard to the effects that the project will have on the environment, and the ways that any adverse effects can be mitigated.

Section 171(1)(d) requires that the territorial authority shall have particular regard to all relevant provisions of any National Policy Statement, New Zealand Coastal Policy Statement, Regional Policy Statement, Proposed Regional Policy Statement, Regional Plan, Proposed Regional Plan, District Plan or Proposed District Plan.

8.1 Effects Identified By The Requiring Authority

The Ministry has identified a variety of effects arising from the Requirement. These are the effects on:

- Amenity;
- Traffic;
- Infrastructure;
- Soil Contamination;
- Natural Hazards and Development Suitability;
- Natural Ecosystems; and
- Construction Effects.

The Requirement outlines mitigation measures to reduce the effects arising through the school development. These measures include, for example, comprehensive landscaping of the site, a recommended noise condition, and locating buildings away from the existing gully in the south-east and the infilled gully in the north-east of the site.

Many localised environmental effects can be addressed through recommended conditions placed on the Outline Plan of Works. The Council accepts that there will be no adverse effects on archaeological or ecological values, and so these are not addressed in the report.

There are some effects, however, that will be more than localised. These matters are addressed through this report, and conditions seeking to address the effects have been recommended.

The wider effects of the primary schools will be assessed using the objectives, policies and assessment criteria developed in the Living Environment Section of the District Plan. In making this assessment, the Council is required to have regard to Part II of the RM Act and other relevant statutory documents.

The school site is located within the Living Environment on the District Plan Maps. Generally, the primary schools would be assessed as a non-residential activity in the Living Environment and are therefore a discretionary activity. As such, the Council would assess the proposal using several Policies (detailed in the text below), and Living Environment Rules 10, 11 and 13. This report goes through the Policies and Rules in turn.

8.2 Living Environment Rule 10: Non-Residential Activities.

The primary schools would be assessed as a discretionary activity under this Rule. In assessing such activities, the District Plan provides Policy 11.18 as the key Policy. The four assessment criteria in Rule 10 are listed below and are used to implement the Policy.

Policy 11.18 states:

“Non-residential activities (other than retail activities) may be located within the residential areas of the City, provided the individual and cumulative impacts of such a provision do not adversely affect amenity values and neighbourhood character or fragment residential activities to the point that essential residential character is lost, and the safety of residents is harmed”

It is considered that the Notice of Requirement is consistent with this Policy for the reasons outlined below:

8.2.1 Living Environment: Assessment Criteria 10(a)

The extent to which the character, scale and intensity of Non-Residential Activities are compatible with amenity values and neighbourhood character

Policy 11.10 states that non-residential activities should be designed and managed in a way that:

- *“maintains the visual amenity values of the Environment they are in;*
- *maintains the amenity of the site and surrounding area when viewed from the street;*
- *adequately screens any associated car parking, vehicle access and storage areas from view, from residential sites”.*

Neighbourhood character is explained in the District Plan as the general amenity values of the surrounding landscape or local area. Each neighbourhood has its own versions of those general amenity values that allow inhabitants to see them as unique and special.

The Notice of Requirement advises that the school buildings will be located near the boundaries fronting Metcalfe and Simpson Roads as a large portion of the site slopes away from these roads, towards the eastern boundary of the site. This will ensure that the buildings are well separated from the adjacent dwellings to the north (across Metcalfe Road) and west (across Simpson Road), as well as future developments to the south and east.

Residential development has yet to be constructed on land to the south and east of the school site. This land is within the Babich Concept Plan area, which provides for low to medium housing within the area. As such, the primary schools will be a feature of visual landscape that already exists for future developers and homebuyers, rather than an unwelcome intrusion into their outlook.

Further to this, the Notice of Requirement advises that comprehensive landscaping of the site will be undertaken as the site is developed to soften the impact of built form.

In the light of this, the primary schools are not expected to generate adverse effects on the amenity values and neighbourhood character of the local environment.

8.2.2 Living Environment Rule 10: Assessment Criteria 10(b)

The extent to which the effects of Non-Residential Activities on infrastructure can be accommodated without the need for public upgrading

As previously noted, the school site is located within the Babich Concept Plan area. A discharge consent for the catchment granted by the Auckland Regional Council has been issued to Waitakere City Council. Construction of the infrastructure agreed to under the Auckland Regional Council consent has not yet been completed by Waitakere City Council. Any proposals for development on the site will be assessed against the Auckland Regional Council consent.

The primary schools will generate adverse effects in terms of storm water and waste water, and will need to be provided with a water supply. These issues are discussed below.

The primary schools will develop substantial areas of impermeable surface and building coverage. These areas will generate storm water during rainfall events, which will need to be disposed of using the existing storm water infrastructure. An Infrastructure Assessment by Babbage Consultants has been provided with the Notice of Requirement and assesses waste water, storm water and water supply for the site.

The primary schools will generate waste water as a result of their daily use. This will need to be disposed of using the existing waste water infrastructure. The Infrastructure Assessment by Babbage advises that the school site could be serviced for waste water via a new main line to be installed, which is consistent with the Babich Concept Plan objectives. However, it may be necessary to detain and pump waste water in the short term as an interim measure.

The Infrastructure Assessment by Babbage states *“storm water can be directed from the school site to the south eastern corner, at which point storage will be required before discharging to the stream to the east”*. In addition *“The Babich Concept Plan caters for the future storm water discharge from the site. The future planning for the school will need to take into account the downstream progress that has been made on implementing the overall storm water plan where interim measures may again be necessary to mitigate any adverse effects. A temporary increase in detention volume may be required”*.

Water reticulation exists on both sides of Simpson and Metcalfe Roads. The Infrastructure Assessment by Babbage states *“We consider the proposed school site can be serviced from water supply from the existing reticulation”*.

The Infrastructure Assessment by Babbage has been reviewed by Ecowater and conditions have been recommended, which are reviewed in Section 11 of this report.

8.2.3 Living Environment: Assessment Criteria 10(c)

The extent to which Non-Residential Activities create adverse effects on the residential coherence and the safety of residents of the neighbourhood.

Residential Coherence Issues

Residential coherence relates closely to the neighbourhood character of the area. The District Plan seeks to ensure that residential areas and their coherence are not fragmented by non residential activities, thereby reducing the amenity values experienced by the neighbourhood.

A large portion of the residential area is yet to be built, therefore the effect of the primary schools on the residential coherency will be minor. If, for example, the primary schools were required in an already established residential area, the effect on the residential coherence of that area would be of a greater scale. As noted above, comprehensive landscaping will be carried out on the site to soften the impact of built form.

Safety Issues

There are two main safety issues associated with the site.

The first is the safety issues associated with the roading network, arising from the traffic generation along Metcalfe Road and Simpson Road, and in the school's parking and drop off areas. This is addressed under the Assessment Criteria in Section 8.3 of this report (below).

The second relates to personal safety within the primary school grounds. This is in keeping with Policy 10.7 of the District Plan, which states:

“New public or semi public places should be designed in a way that ensures the safety of all users and, in particular, should provide for: overlooking (surveillance) of public and semi public spaces from surrounding buildings during the day and where possible at night...”

The design of the primary school buildings and safety issues will be addressed at the Outline Plan of Works stage.

8.2.4 Living Environment: Assessment Criteria 10(d)

The extent to which more than minor adverse effects can be adequately avoided, remedied, mitigated or offset through provision of works and services on or off the site and/or through payment or provision of a financial contribution

The works and services required on the site relate only to the landscaping and development of the site, and are not likely to create significant adverse effects. The detail of the landscaping and planting initiatives was not available at the time of the notification of the Requirement. This matter will be addressed as part of an Outline Plan of Works, as it is a matter of detail that is more appropriately addressed through that process.

8.3 Living Environment Rule 11: Traffic Generation (Non-Residential Activities)

The primary schools would be assessed as a discretionary activity under this Rule. In assessing such activities, the District Plan provides two assessment criteria (11(a) and 11(b)), which are listed below.

8.3.1 Living Environment: Assessment Criteria 11(a)

The effects of traffic generation on:

- the capacity of roads giving access to the site, having regard to the road's function in the Roding Hierarchy
- the amenity of residential front sites from traffic generated by the non-residential use of rear sites
- the safety and efficiency of road intersections
- the safety of road users, including cyclists and pedestrians
- the reduction of overall levels of traffic and encouragement of other, less polluting forms of transport such as walking, cycling and public transport

With regard to traffic, the Auckland Regional Council Regional Policy Statement (RPS) notes that transport infrastructure is a significant physical resource in the region that requires careful management. The transportation objectives of the RPS seek to avoid, remedy or mitigate the adverse effects of transport on air and water quality, to develop a transport network which provides an acceptable level of accessibility between important activity areas, and to develop a transport network which is as safe as is practicable.

The Auckland Regional Land Transport Strategy (RLTS) was finalised in 1999. The RLTS has been prepared under the Land Transport Act rather than the RM Act, but is nevertheless relevant in considering the Requirement in the context of the identified traffic effects created and experienced by the primary schools. The goal of the RLTS is:

“a safe, efficient and environmentally sustainable transport system for the Auckland region which meets the community’s accessibility needs at a reasonable cost”.

The school site is located on the corner of Metcalfe and Simpson Roads. Simpson Road is classified as a collector road, which means that it collects traffic from local roads and distributes it to arterial roads.

An Integrated Transport Assessment (ITA) has been prepared by Flow Transportation Specialists. This report identifies traffic issues associated with the site and provides recommendations that need to be considered as the design of the primary schools progress.

Information in regard to details such as vehicle entrances, bus stops, pedestrian crossings, cycle ways, and parking and drop off areas have not been provided as part of the Notice of Requirement, therefore, they will be included as part of any future Outline Plan of Works. As such, traffic issues can be addressed in more detail at the Outline Plan of Works stage.

8.3.2 Living Environment: Assessment Criteria 11(b)

The extent to which more than minor adverse effects can be adequately avoided, remedied, mitigated or offset through provision of works and services on or off the site and /or through payment or provision of a financial contribution

Under the Local Government Act 2002 and the Ratings and Inspections Act 1994 Crown entities are exempt from paying financial contributions. As such, no financial contributions are required from the Ministry of Education as part of this Notice of Requirement.

8.4 Living Environment Rule 13: Noise (Non-Residential Activities)

The District Plan considers noise to be one of the most significant concerns that affect health. Noise is addressed in both the City Wide Rules, where general noise standards apply and in each Human Environment. The primary schools would be assessed as a discretionary activity under the Living Environment Noise Rule.

In terms of the City Wide Rules, the only Rule that applies to the primary schools is Rule 1.1, relating to construction, maintenance and demolition noise. This noise is a permitted activity, as long as the noise is subsidiary to the existing or intended future use of the site. In the case of the primary schools, construction and maintenance noise will be a permitted activity.

In assessing activities that generate noise, the District Plan provides policies and four assessment criteria as part of Rule 13. Policy 10.2 states that “*Activities should not emit noise such that it causes a nuisance to occupants of surrounding properties*”. The Policy is intended to address both single source or event noise and ambient noise levels.

8.4.1 Living Environment: Assessment Criteria 13(a)

The extent to which background noise level (L95) in the vicinity of the subject site affects the relevance of noise standards for permitted activities

The current background noise levels in the area of the primary schools are relatively quiet, in that the areas to the south and east of the primary schools are undeveloped. The lack of submissions on this issue from existing residences in adjacent streets is taken to indicate an acceptance of the likely noise levels that will be generated by the primary schools.

This background noise levels will increase as the areas to the south and east of the school site have residences built upon them and the population of the area increases. The development of the primary schools at this point in time means that many of the new residences that will be constructed will be built with the primary school noise as part of the existing background (ambient) noise.

Any adverse noise effects on the yet to be built residences, and any possible calls by them in the future for the primary schools to reduce their noise would be a case of ‘reverse sensitivity’. Any new residences may have to provide noise insulation should the noise from the primary schools be a significant adverse effect for the inhabitants, rather than the primary schools reduce their noise levels. In this case, an element of ‘buyer beware’ exists in regard to noise, in that one could expect buyers in the area to know that schools exist in their local environment. In making their purchase they would therefore accept a degree of noise associated with the operation of the primary schools.

8.4.2 Living Environment: Assessment Criteria 13(b)

The extent to which noise generated will exceed the existing background level

It is expected that the noise generated by the primary schools will exceed the existing background level at particular times of the day, namely lunch time, morning and afternoon intervals and for a short period after the school finishes for the day. This type of noise is often not seen as an adverse effect, in that it is not loud or high pitched, it does not have a vibration, it is not constant and occurs during the day rather than at night.

Activities outside of primary school hours are a different matter, and it is appropriate that noise restrictions apply to the school site between 7:00 pm and 7:00 am Monday to Saturday, and all day Sunday. This matter will be addressed by a condition in Section 16 of this report. The condition recommends the same noise standards for the school site as any other noise standards imposed on a non-residential activity in the Living Environment.

8.4.3 Living Environment: Assessment Criteria 13(c)
The extent to which the noise generated will meet the provisions of New Zealand Standard NZS 6802: 1991 “Assessment of Environmental Sound” clauses 4.2.1 and 4.2.2

This standard addresses the requirements for protecting communities from noise. The requirements of the New Zealand Standard have been interpreted through the decisions on the District Plan relating to noise. Consequently the primary schools will need to meet the requirements of the District Plan. A condition is imposed to this effect, but it is noted that until the primary schools are operating, noise levels will be difficult to ascertain. Should complaints about the noise being generated by school activities arise in the future, the Council will seek to address these complaints in conjunction with the primary schools.

8.4.4 Living Environment: Assessment Criteria 13(d)
The extent to which more than minor adverse effects can be adequately avoided, remedied, mitigated or offset through provision of works and services on or off the site and/or through payment or provision of a financial contribution

The matter of works and services will be addressed in any Outline Plan of Works, as they are matters of detail that is more appropriately addressed through that process.

As noted above, Crown entities, such as the Ministry of Education are exempt from paying financial contributions.

8.5 National Policy Statements, Coastal Policy Statements and Regional Policy Statements and Plans

The only operative National Policy Statement is the New Zealand Coastal Policy Statement (1994). The primary schools are not located within the coastal environment and therefore this Policy Statement is not relevant in this case.

8.6 Auckland Regional Policy Statement

The primary schools are considered to be consistent with the objectives and policies of the Auckland Regional Policy Statement which seek to promote transport efficiency and contain urban development within the Metropolitan Urban Limits. In addition, the Region's natural and physical resources will not be compromised, and adverse effects will be avoided, remedied or mitigated.

9.0 ISSUES IDENTIFIED THROUGH THE SUBMISSION PROCESS

The Council received the Notice of Requirement for the designation on 25 February 2008.

The Requirement was publicly notified in the New Zealand Herald on Monday 10 March 2008 and two advertisement signs were placed on the fence surrounding the site. A copy of the Requirement was also delivered to the letterboxes of adjacent and nearby properties.

The public notification of the Requirement for two primary schools and an early childhood education centre attracted five submissions. Two of these submissions were received after the submission close date. The reporting planner sees no compelling reason to not include these submissions in the consideration of this Requirement, although the submitters would not have appeal rights.

A18-A32

In terms of the submissions in support and opposition of the Requirement, there were two submissions in support and three in opposition. Details of the submissions are summarised below and copies of the submissions are attached at pages A18 to A32.

No.	Name	Issues Raised
NOR2008/1	Phil Wilkinson	<p>This submitter opposes the Notice of Requirement and seeks that the current educational resources in the area be reviewed to ensure the best possible outcome for all schools with particular respect to section 7(b) [of the Resource Management Act] “efficient use of physical resources”. It should also be recognised that better return on investment could be gained through refurbishment of other local schools.</p> <p>The submitter also identifies several nearby schools that are declining or at best stable in terms of numbers.</p> <p>The submitter states that the Council should recognise the restrictions that semi-rural schools such as Henderson Valley and Swanson have with regard to possible future growth due to Council zone restrictions.</p> <p>The submitter states that the location of the school will encourage private motor vehicle use. No public transport operates through the “growth” area. Also, Simpson and Metcalfe Roads pose significant traffic hazards due to their being no footpaths and high speeds in both directions. Significant accidents occur already on Simpson Road within 200m of the proposed site.</p> <p>The submitter advises that a recent Whanau survey at Henderson Valley School (20% Maori students) found no requirement from the school community for type.</p>
NOR2008/2	Auckland Regional Council	<p>The submitter recognises that educational facilities are required in this general location in order to service the expected levels of residential growth, therefore, the designation is supported.</p>

		<p>The submitter supports the location of the school as it is within the Metropolitan Urban Limits. The location offers significant opportunities to manage and influence the desired transition from a rural to an urban landscape.</p> <p>The submitter considers that the detailed Integrated Transportation Assessment (ITA) should identify opportunities that exist to reduce adverse impacts of the proposed school campus on the transportation network. This should occur as the school campus is designed and also as the campus continues to operate over time.</p> <p>The submitter notes that the ITA makes a number of recommendations for the design of the school campus including <i>“limiting on site parking to a minimum”</i>.</p> <p>The submitter advises that information for the early childhood centre should be provided such as child numbers.</p> <p>The submitter considers that further investigations will be required on the issue of site contamination prior to the development of the school campus and it is likely consents will be required from Auckland Regional Council.</p> <p>The Council has received a copy of a letter dated 14 April 2008 from the Auckland Regional Council to the Ministry of Education. This advises that the Auckland Regional Council’s Contaminated Land Management team have reviewed the Geo-Environmental Assessment Report for the primary schools. This letter states <i>“In general the site appears to be suitable for its intended use, however, the site does have contamination present which will need to be managed during redevelopment and possibly into the future”</i>. The letter goes on to provide comments regarding the Auckland Regional Council’s requirements. A copy of this letter is attached at pages A33 to A34.</p>
<p>A33-A34</p>	<p>NOR2008/3 Auckland Regional Public Health Service (ARPHS)</p>	<p>The ARPHS seeks that the Council should approve designation of the school site, however, they have identified a number of public health considerations, being site remediation, further development of the existing gully and infill gully, and future</p>

		<p>development of the surrounding area.</p> <p>Site remediation – The submitter states that a site remediation plan needs to be prepared and presented to the Environmental Health Officer at Waitakere City Council for approval, detailing the proposed remediation process.</p> <p>Further development of the existing gully and infill gully – The submitter states that if any development is to occur on either parts of the property; detailed assessment should be undertaken to investigate the presence of soil contamination and ensure geotechnical stability.</p> <p>Future development of the surrounding area – The submitter states that the Council should consider the direction this community is taking and ensure that future developments of surrounding land areas will not impact on this application and proposed educational facility.</p> <p>The submitter advises that in the event the Council grants consent to the application, public health concerns are included or addressed appropriately.</p>
NOR2008/4*	J Nielsen	<p>The submitter opposes the development. The effects of the development will be more than minor.</p> <p>The submitter states that development should be stopped until further consultation has taken place.</p>
NOR2008/5*	Bruce McLachlan (for the Swanson School Board of Trustees)	<p>The submitter states that a new primary school will not be needed in 2010-2011. Swanson School is not nearing capacity as stated in the Notice of Requirement.</p> <p>The Notice of Requirement is opposed as the submitter believes that children from the area will be able to attend Swanson School, which has capacity for 250 students as of this time and in the next several years.</p> <p>The submitter requests that the opening of the proposed primary school be delayed until schools in the area are at capacity.</p>

*Submission no.'s NOR2008/4 and NOR2008/5 were received one day after the submission period closed.

10.0 ISSUES RAISED BY SUBMITTERS

10.1 In summary, submitters had the following main concerns:

- A better return on investment could be gained through refurbishment of other local schools and several nearby schools are not at capacity.
- The schools will encourage private motor vehicle use and there is no public transport in the “growth” area.
- Opportunities to reduce adverse impacts of the primary schools on the transportation network should be identified.
- The recommendations contained in the ITA should be reflected within the designation conditions.
- Information for the early childhood centre should be provided such as child numbers.
- Site contamination and geotechnical stability.
- The location of the site adjacent to the Metropolitan Urban Limit.
- The direction this community is taking and future developments of surrounding land.
- The effects will be more than minor and further consultation should take place.

10.1.1 Refurbishment of other local schools and capacity

The Notice of Requirement advises that the Ministry of Education has identified a specific area where a future primary school is required due to the surrounding schools (namely Summerland School, Swanson School and Ranui School) nearing capacity and due to the projected future development in the area. The Ministry has also identified the site as an appropriate permanent location for Te Kotuku Kura as the existing facility is a leased space at Rutherford High School on Te Atatu Peninsula.

Two submitters have raised issues in regards to the capacity of schools within proximity to the site and advise that there is capacity at some of these schools both now and in the future, and some existing schools have seen their rolls decline or remain stable.

The Council’s Social Infrastructure specialist has undertaken an analysis of the demographics in the Ranui area and advises that it currently has one of the lowest median ages across Waitakere as a whole and significantly higher levels of 0 - 14 year olds in particular. Also, the median age has decreased against the general trend.

Within the Babich Concept Plan Area, a fair amount of growth is expected, which is likely to produce more children within the area, therefore, the area is moving towards the likely need for a school. In addition, it is recognised that the Te Kotuku Kura is currently only leasing space and requires a permanent location, and there is an ongoing need for early childhood education facilities.

10.1.2 Impacts on the transportation network and public transport

One submitter has raised concerns in regard to the schools increasing the use of motor vehicles, and accidents in the area. This submitter has also raised concerns regarding the lack of public transport in the “growth” area. At present, the area within the Babich Concept Plan has not been developed, therefore, it does not contain roads or bus stops.

An Integrated Transport Assessment (ITA) has been included with the Notice of Requirement. This assessment advises *“At this stage the actual design detail for the proposed school with respect to parking, access or built form has not been undertaken. This is typical given the level of detail required for a notice of requirement whereby the land is sought to be designated for educational purposes. As the project progresses there will be a greater level of detailed design undertaken”*.

In terms of existing public transport in the area, the ITA advises that *“the area surrounding the site is currently serviced by a bus route via Henderson to Britomart. These services run with varying frequency through the entire week”*. It goes on to state *“There are three services provided along Metcalfe Road including 087/097 – Service via Henderson, 98F – Flyer service that has no stops between the Auckland City area and Ranui, and 136 – service via Henderson and New Lynn”*.

Condition 4 recommended as part of the Notice of Requirement is in regard to a Travel Plan for the new schools. The Travel Plan will include the provision of buses, bus loading areas and other measures to reduce vehicles visiting and leaving the schools.

The Auckland Regional Council has recommended changes to Condition 4 and these have been reviewed in Section 12 of this report.

10.1.3 Early childhood education centre

The Ministry of Education has confirmed that the early childhood education centre will cater for a maximum of 50 children.

10.1.4 Site contamination and geotechnical stability

The school site has been used for viticulture and horticulture in the past. A Geo-Environmental Assessment prepared by Babbage Consultants accompanied the Notice of Requirement. The purpose of this report is to determine the geotechnical and environmental constraints that may affect the proposed redevelopment of the site and makes recommendations for development of the site. This report has been peer reviewed by GHD Limited on behalf of the Council, who considered that *“..the information provided in the BCL report dated November 2007 is adequate at the present stage”*.

The Auckland Regional Public Health Service has raised concerns regarding site remediation and further development of the existing gully and infill gully as noted in the table above. In regard to site remediation, conditions have been recommended to ensure that a site remediation takes place at the appropriate time. In terms of the gully, a recommended condition by GHD ensures that if building works is proposed within the gully area then detailed site-specific geotechnical investigation and reporting should be undertaken.

10.1.5 Metropolitan Urban Limit (MUL)

The submission by Auckland Regional Council (ARC) advises that the decision by ARC in 2005 to extend the MUL to include Babich stated:

“that the “Babich (Urban) Concept Plan” shall contain an appropriate extent of landscaping, planning/ vegetation and visual buffer along Simpson Road MUL boundary and that direct frontage by any properties to Simpson Road shall be avoided”.

The purpose of this landscaping is to provide a clear definition to the MUL along Simpson Road, which will reinforce the differentiation between the urban area of the Babich Urban Concept Plan and the Waitakere Ranges and Foothills.

The ARC recommends a condition to be included in the designation and this has been reviewed in Section 12 of this report.

10.1.6 Direction of the community and future developments

The submission by Auckland Regional Public Health Service notes that adjacent properties are predominantly rural with minor pockets of residential activity. It states *“Council should consider the direction this community is taking, and ensure that future developments of surrounding land areas will not impact on this application and proposed education facility”.*

No applications have been lodged for adjacent and nearby sites within the Babich Concept Plan Area. However, the areas immediately adjacent to the south and east of the school site are zoned Living and Living 4 and it is anticipated that in the future, these areas will be subdivided and low to medium density housing will locate on the sites.

The primary schools will cater for both students in the Babich Concept Plan Area as well as other students within the surrounding area. In addition, the site will provide a permanent location for Te Kotuku Kura, which is currently in a temporary location on Te Atatu Peninsula.

10.1.7 Effects will be more than minor and further consultation is required

One submitter considers that the effects of the development will be more than minor. In regard to designations, the Resource Management Act (RMA) requires the Notice of Requirement to address the effects that the public work will have on the environment and the ways in which any adverse effects will be mitigated. The RMA does not require an assessment of whether or not adverse effects will be more than minor, as is required for an application for resource consent.

As noted above, an assessment of effects has been undertaken as part of the Notice of Requirement. Overall it is considered that any adverse effects will be no more than minor and can be mitigated through recommended conditions or can be addressed at the Outline Plan of Works stage.

In regard to further consultation being required, 39 properties within the surrounding area received a copy of the Notice of Requirement in the post. Further to this, the Notice of Requirement was published in the New Zealand Herald and two signs were placed on the site boundary. Information regarding the Notice of Requirement was also posted on the Council's website. As per the Council's standard procedures, the letters to nearby properties, New Zealand Herald advertisement, signs on the property boundaries and the Council's website all contained information regarding the date the submission period closed and where copies of the Notice of Requirement and submission forms could be obtained.

Given that the majority of houses in the area are located to the north of the school site, across Metcalfe Road, and the properties to the west, south and east are predominantly rural blocks, it is considered that the number of properties notified by post was adequate. The properties notified were considered to be more directly affected by the primary schools and the public notice in the New Zealand Herald, information on the Council's website and signs on the site provided further opportunities for others who considered themselves to be adversely affected to make a submission to the Council.

11.0 OTHER MATTERS

The Notice of Requirement has been reviewed by various specialists both within and external to the Council. Comments have been received from the following specialists:

- The Council's Strategy Unit
- The Council's Parks department
- The Council's Transport Assets Unit
- Ecowater
- GHD Limited (Geotechnical specialist)

A35-A51

The comments from these specialists have been considered below and full copies of the comments are attached at pages A35 to A51. Conditions recommended by these specialists are noted, however, they have been reviewed and amended where necessary in Section 12 of this report.

Strategy

The Strategy Unit has provided comments covering the following:

- Growth;
- Soil Contamination;
- Low Impact Design;
- Open Space;
- Pedestrian and Vehicular Connectivity;
- Sustainable Urban Design; and
- Social Infrastructure.

The main comments provided by the Strategy Unit have been summarised below:

Growth

The loss of the Living Environment to a school site will result in a shortfall of approximately 100 households in the area which will impact on the growth targets outlined in the Growth Management Strategy and the Northern and Western Sectors Agreement. Some of this shortfall may be provided for in the revised Ranui Concept Plan and there may also be additional capacity in the large lot area in the Concept Plan.

Soil Contamination

The Babich Concept Plan area was subject to a soil contamination assessment, therefore, a condition has been recommended in regard to remediation works.

The Council's Strategy team have recommended a condition in regard to remediation works.

Low Impact Design

The Babich Concept Plan was developed utilising Low Impact Design principles. To this end the Environment Court Consent Order that makes the Babich Concept Plan operative references a Low Impact Design stormwater management system that minimises impervious surfaces and earthworks, utilises soils and vegetation to trap pollutants and reduce stormwater runoff.

It is understood that stormwater modelling envisaged an impermeable surface limit for the residential areas of 60%, whilst the Notice of Requirement proposes a condition of designation that would allow impermeable surfaces of 70%.

The Council's Strategy team have recommended a condition in regard to Low Impact Design.

Open Space

The Babich Concept Plan showed an indicative park on the school site. The lost potential for this open space area may be offset if the scope of the Notice of Requirement is broadened to provide for “community activities” as opposed to educational facilities alone. This may then allow for a wider community use of the school site.

Pedestrian and Vehicular Connectivity

A road connection was envisaged in the Babich Concept Plan through the school site, to increase connectivity and avoid safety issues at intersections.

It is not clear whether the school development will incorporate any of the indicative roading networks and in particular, the key intersection from Metcalfe Road, which runs along the eastern boundary of the site, adjacent to 230 Metcalfe Road. If these connections are not intended to be provided for in the school proposal, no regard has been given to the effects of this on the vehicular and pedestrian connectivity through the site and with the Babich Concept Plan area.

In order to achieve these objectives it would be desirable to establish a road network on or near the school boundary subject to review by the Council's Transport Assets team and avoidance of steep slopes in the headwaters of the adjoining stream (see map below). The new road connection has also been considered by the Council's Transport Assets team and an appropriate condition has been recommended.

Map Showing Indicative Road



There are no footpaths provided on either of the Metcalfe or Simpson Road frontages, which currently have a rural character. It is considered appropriate to provide a footpath with a minimum 2 metre width within the 'school zone' (i.e. the zone for proposed 40 kmph around all Waitakere schools). That zone is usually about 300-500 metres from the school's boundary.

The Council's Strategy team are also strongly advocating for a minimum 2m footpaths along the length of Metcalfe Road towards the train tracks.

The Council's Strategy team have recommended conditions in regard to the alternative public road and footpaths.

Sustainable Urban Design

Policy 0.4, 0.7, and 0.8 of Proposed Plan Change 16 provide guidance about the urban design outcomes to be achieved for social and physical infrastructure.

These policies emphasise a need for provision of community facilities, connected street networks, access to streams, good urban design, low impact design and open space. In addition, Auckland Regional Policy Statement (ARPS) Policies 2.6.6 (8) and 2.6.6 (9) emphasise the need for central government agencies to design sustainable public buildings and community facilities and Policy 2.6.8 supports the urban design outcomes identified in Plan Change 16.

The design and layout of future school buildings is an important consideration clearly mandated in both Plan Change 16 and ARPS Proposed Plan Change 6. These principles have been exemplified in the nearby Summerland Primary School and should accordingly be applied to the primary schools. The primary schools should also be designed to accommodate future expansion and multiple uses for wider community needs in order to maximise the efficient use of resources.

The following principles should be considered as part of the design approach:

- A sustainable approach to design, construction and environmental servicing.
- From an operational perspective measures that seek to reduce, re-use and recycle resources should be promoted.
- A balanced approach to the use of the site and its relationship to the public realm (including the roading network), considering the needs of pedestrians, cyclists and cars and enhancing the schools presence in the community.
- Activities and development should relate positively to the street, creating an attractive public/private interface. This includes careful location of parking areas to avoid domination of the streetscape.
- Flexible design to allow for short term changes of layout and use, and for long-term expansion or contraction.
- Good environmental conditions throughout including optimum levels of natural light and ventilation for different activities.
- Well-designed external spaces offering a variety of different settings for leisure, learning and sport.
- The use of attractive materials, appropriate to the natural and physical landscape, detailed carefully to be durable and easily maintained.

The school site benefits from extensive views to the Auckland Central Business District (CBD). Whilst the site would have otherwise been developed for residential housing it is considered that an opportunity now exists to sensitively locate the proposed school buildings to maintain where possible, view shafts through the site, and to position buildings of a greater height (i.e. the proposed 10m height limit for indoor sporting, recreational, cultural or performance activities) on the lower slopes of the site so as to avoid obscuring of views, or the domination of the street or surrounding properties.

The Council's Strategy team have recommended a condition in regard to the design of the school.

Social Infrastructure

Schools are often the most significant public building within a neighbourhood and the majority are under-utilised outside of school hours. To be able to maximise the schools potential users, it is important to find ways of involving representatives of the local community from an early stage. Possible other service providers include libraries, social and health services, childcare, youth services, sports providers and other public services.

Schools have a strong community focus which can be achieved through:

- Multiple use of school facilities which can range from longer term commercial usage, to community usage of sporting/recreational facilities and spaces to a more casual use of school hall or rooms. Exactly what will be required is likely to be different with each school and reflect the needs of the school and community at the time. As need also changes over time some flexibility is required.
- Co-location of facilities such as those at Summerland School. Again exactly what is co-located will depend on the community and its compatibility with school site and layout. However, the inclusion of an early childhood centre should occur and it is understood that it is now Ministry of Education policy.

A social infrastructure assessment for the Ranui area has been undertaken by the Council, and although not fully completed, an assessment has also been completed for the majority of the Swanson/Birdwood area. This provides a basis for determining community needs although this would also need to be combined with other community consultation such as that currently in progress for Ranui.

The Council will need to investigate whether co-location of Council provided social infrastructure is desirable. Should the Council determine that this is desirable and feasible, Council will want to work closely with the school on their site layout and design to maximise the benefits of co-location. It is important that the Council signals its desire to be involved in the planning of the school development.

One vehicle for achieving this could be a Memorandum of Understanding (MOU). For example, a MOU is being developed between the Council, Ministry of Education and the Hobsonville Land Company in relation to the schools at Hobsonville Airbase. Whilst the focus of the MOU is for these specific schools, it will cover matters relating to urban design, community use and co-location issues. It is intended at some point a regional MOU with the Ministry of Education and the Council will be developed.

The Council's Strategy team have recommended a condition in regard to developing a MOU.

Parks

In general the Council's Parks department supports the Notice of Requirement. However, comments in relation to the area of land identified as indicative reserve under the Babich Concept Plan are set out below:

- The Council has identified a total of three indicative areas of reserve within the Babich Concept Plan. However, the area of indicative reserve within part of the school site provides the most benefits for reserve purposes and was the preferred area for future use as a neighbourhood reserve.
- The main reasons for this are the contour of the indicative reserve is not as steep as the other two areas and would therefore be easier to develop as reserve, and it is also located nearer to main roads for greater access purposes.
- The Council has also identified a gap in the provision of reserves within the Ranui area shown in the Babich Concept Plan. The Babich Concept Plan has been developed to include the provision of a neighbourhood reserve – as such it is important that the Council is able to secure an area of land within the Concept Plan area most suitable for these purposes.
- If the Council is unable to acquire all of the indicative reserves then the main alternative option will be to acquire an area of land in the near vicinity of the same size and nature to provide for open space requirements within this area.

Transportation

The Transport Assets team has identified a number of issues in regard to delivering safety outcomes and practical travel demand management measures while still providing a realistic level of provision for vehicle travel.

In regard to the Integrated Transport Assessment (ITA) by Flow Transportation Specialists Limited, the Council's Transport Assets team makes the following comments:

- **In relation to Section 3.10 Existing Road Safety**

While the conclusion is that the accident history does not suggest any safety issues with the existing road network, there needs to be acknowledgement that the existing road network is underutilised in terms of vulnerable road users (pedestrians and cyclists). Therefore the absence of crashes could be seen as evidence of low exposure rates rather than necessarily as evidence of a safe road environment.

- **In relation to Section 6.1 Pedestrian Facilities**

The ITA comments on the lack of footpaths on the frontages given the present rural environment. If the land were developed for residential use the Council would normally require the developer to provide (at their cost) footpaths and kerbs/swales/drainage along these roadsides to reflect their urbanisation.

- **In relation to Section 7 Improvements to Influence Travel**

This Section proposes the use of shared paths, however, it is noted that 2 metres width is not adequate width for young and inexperienced cyclists to share with significant pedestrian numbers. A 3 metre standard is more appropriate but it is noted that existing subdivision standards only provide for standard 1.5 metre footpaths.

This Section suggests the possible implementation of a pedestrian crossing on Metcalfe Road. The Council is unlikely to agree to the implementation of a pedestrian crossing, however, alternatives such as Kea Crossings or refuge islands would be acceptable.

This Section also comments on providing a pick up and drop off area, separate from the main pedestrian entrance. The Council's Transport Assets team agrees with this but also consider a staff car park is necessary and that its entrance should be separate from both of the previously mentioned.

The Council's Transport Assets team have recommended a number of conditions in regard to traffic issues.

Ecowater

The site is located in the Babich Concept Plan Area and discharge consent for this catchment has been issued to Waitakere City Council (WCC) by the Auckland Regional Council (ARC). Construction of the infrastructure proposed in the report provided by Opus and agreed to under the granting of the ARC consent has not been completed by WCC, and as such makes full assessment of this site and proposal for compliance with the consent conditions unachievable at this stage.

The zoning of the site is Living Human Environment and General Natural Area which leads to a permitted impermeable surface of 60% of the site area (granted that the stormwater network has been installed as set out in the ARC discharge consent – Permit no. 26829).

Wastewater reticulation for this site is also in an early stage and as such a condition has been recommended to ensure that the Ministry of Education contacts the Council's Drainage Planning Engineers prior to any Outline Plan of Works being submitted to the Council to assess how far this has progressed.

The Council's Ecowater department advises that upgrading works along Metcalfe Road will more than meet the Requirements of a school on this site.

The Council's Ecowater department have recommended conditions in regards to stormwater issues.

Geotechnical

GHD Limited have reviewed the Geo-Environmental Assessment by Babbage Consultants Limited (BCL) included as part of the Notice of Requirement. In summary, GHD advise:

The November 2007 BCL report describes the findings of a ground investigation. GHD advise that the amount of investigation and testing is adequate at this stage.

BCL has not undertaken any quantitative computer slope stability analyses. GHD consider that at this stage this is acceptable.

In relation to stability, BCL has undertaken a review of aerial photographs and a walkover and state *"There do not appear to be any signs of significant instability on the site. However, on the steeper slopes of the gully within the south eastern part of the site localised areas of surface creep were observed"*. GHD concur with this assessment.

In relation to pavements BCL state, "For preliminary design of roads and car-parking it is considered that a CBR value of 3 % can be used for preliminary design for in situ and certified fill. It is however recommended that once the earthworks are complete, confirmatory scale penetrometer tests are carried out to at least 0.5m depth below finished subgrade to confirm the preliminary design CBR value". GHD concur with this approach.

BCL provide geotechnical parameters for preliminary design of retaining walls, which GHD consider, are appropriate.

BCL conclude that "Based on the fieldwork undertaken it is considered that the site is generally suitable for the proposed development, although it is recommended that the proposed school structures are located on the western part of the site outside of the existing gully in the south east and the infilled gully in the north-east". GHD concur with this statement and have suggested an appropriate condition.

In conclusion, GHD consider that the information provided in the BCL report dated November 2007 is adequate at the present stage.

GHD have recommended a number of conditions in regard to geotechnical issues.

12.0 REVIEW OF PROPOSED CONDITIONS

The following section examines the recommended conditions and advice notes put forward by the requiring authority, submitters and the Council's internal and external specialists. The recommended conditions have been amended where necessary and comments are provided as to why this is appropriate. New wording is shown as being underlined and deletions are showing as ~~strikethrough~~.

The amended conditions listed below have been included in Section 16 of this report and are the recommended conditions that should form part of the designation.

Conditions recommended by the Requiring Authority

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.

Comment: *This condition is considered to be appropriate.*

2. The total student roll of the two schools and early childhood education centre shall not exceed 770 students.

Comment: *This condition has been amended to include the early childhood education centre as this facility will be provided for within the total roll of 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 residential 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 for any classroom and administrative buildings, and 10m for any except for assembly halls, indoor sporting, 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 ~~Minimum~~ impermeable area: 30% 60%

Comment: *The maximum impermeable area has been amended to 60% (rather than 70% as proposed) to be consistent with Rule 4.1 in the General Natural Area section of the District Plan, which specifies a permitted impermeable surface of 60% of the site area. It is noted that approval may also be required from the Auckland Regional Council to ensure that the discharge consent (Permit No. 26829) covers the extent of works. The height control has been amended to ensure that all school buildings are covered by this control.*

4. The Ministry~~er~~ of Education and the School's Board of Trustees shall:
- (i) monitor school related traffic in the vicinity of the schools once a year; and
 - (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 as and when the school becomes operational; 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.; and

Comment: *The Auckland Regional Council (ARC) recommended changes to this condition in their submission (see below). These changes have been reviewed and it considered appropriate to alter Condition 4 to ensure that the Ministry of Education and the School's Board of Trustees work in Partnership with the Council and ARC, and to minimise public parking on the site (staff parking is limited through Condition 21).*

5. ~~That~~ 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: boundary of properties zoned for residential purposes:

Monday to Saturday	(0700hrs-2000hrs <u>1900hrs</u>)	50dBA L10
Monday to Saturday	(2000hrs <u>1900hrs-2300hrs</u> <u>2200hrs</u>)	45dBAL10
Sunday and Public Holidays	(0700hrs-2400hrs <u>2200hrs</u>)	45dBA L10
Sunday and Public Holidays	(<u>2200hrs</u> 2400hrs -0700hrs)	40dBA L10

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.

Comment: *This condition should be amended so that it is the same noise standards for the school site as any other noise standards imposed on a non-residential activity in the Living Environment.*

Conditions recommended by the Auckland Regional Council

The ~~Ministry~~ of Education and the School's Board of Trustees both as part of the outline plan and as the development of the school campus progresses and, shall develop and undertake a detailed integrated transport assessment as set out in Appendix J to Change 6 to the Auckland Regional Policy Statement, and shall include,

- (i) ~~shall monitoring~~ school related traffic in the vicinity of the school;
- (ii) ~~resourceing, development, review and action of 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 as and when the school becomes operational;~~
- (iii) 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; and
- (iv) Limiting the provision of on-site car parking to a minimum.

Comment: *Part of the changes suggested in this condition have been incorporated into Condition 4. It is considered that a detailed integrated transport assessment is not required as one was provided with the Notice of Requirement.*

- ~~6. The campus shall be designed so as to provide a clear definition to the Metropolitan Urban Limits along the Simpson Road boundary and to reduce visibility of the development from rural land to the west. The purpose of this condition is to reinforce the differentiation between the urban area of the Babich Urban Concept Plan Area and the Waitakere Ranges and Foothills. This should be achieved through such methods as limiting vehicle access to the site from Metcalfe Road only and/or building set backs from Simpson Road and the provision of landscaping.~~

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.

Comment: *This condition has been removed as it is considered that it is not the role of the schools to provide a clear definition to the Metropolitan Urban Limit along Simpson Road. However, setbacks for buildings are required under recommended Condition 3 (5m) and recommended Condition 6 requires the Ministry of Education to submit a landscaping/planting plan, which includes landscaping/planting along Simpson Road. The location of vehicle access points to the site will be considered as part of the Outline Plan of Works.*

Conditions recommended by the Council's Strategy Department

- ~~7. Remediation works shall be undertaken as recommended in the soil contamination assessment which formed part of the Babich Urban Concept Plan technical reports.~~
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 the 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.

Advice Note:

Any soil sampling results or landfill receipts should also be submitted to Auckland Regional Council (ARC) for review. Further consents may be required from ARC in relation to soil contamination issues.

Comment: *This condition has been deleted and new conditions are proposed to reflect the submission by the Auckland Regional Public Health Service and to ensure that issues in regards to contamination are addressed.*

11. 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, and shall be consistent with ARC Stormwater Discharge Consent Permit 26829, unless a variation is obtained from the Auckland Regional Council.

Comment: *This condition is considered to be appropriate subject to an amendment requiring details of Low Impact Design measures to be submitted to Ecowater. Also, the reference to the Auckland Regional Council permit has been removed as this reference is more appropriate as an advice note (see amended Condition 16).*

12. The ~~applicant~~ 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. ~~Consideration shall also be given 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.~~

Advice notes:

The location of the indicative road in the south-eastern corner of the school site is shown on the map below (see Section 16 of this report for the map). This location is considered to be appropriate by the Council.

The Ministry of Education should also 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.

Comment: *This condition is considered to be appropriate subject to amendments. The recommended advice notes advise the Requiring Authority that the Council has considered the alternative location for the road and that consideration should be given to the indicative road entrance from Metcalfe Road shown on the Babich Concept Plan.*

13. ~~Prior to the opening of the school, the applicant shall construct a 2.0m wide footpath to COP standards within the 'school zone' of Simpson and Metcalfe Roads (being the 40 km per hour zone around the school).~~

13. 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) 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.

Comment: *This condition has been amended to ensure that the Ministry of Education works with the Council's Transport Assets team so that footpaths are constructed in appropriate locations and to an appropriate standard.*

- ~~14. The design of the schools including the scale and location of buildings, car parking areas, landscaping and infrastructure servicing shall 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 maintenance of significant view shaft(s) through the site where possible and 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.~~

Advice Note:

The design of the schools including the scale and location of buildings, car parking areas, landscaping and infrastructure servicing should all 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 maintenance of significant view shaft(s) through the site where possible and 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.

Comment: *This condition is considered to be more appropriate as an advice note as these details will be considered as part of the Outline Plan of Works.*

- ~~15. That the Ministry of Education enter into a Memorandum of Understanding with Waitakere City Council to cover matters such as urban design, community use and co-location of social infrastructure and considers the appointment of a Council representative to the School Establishment Board.~~

Comment: *It is considered that this condition is not appropriate as part of the designation.*

Conditions recommended by the Council's Ecowater Department

- ~~16. 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.~~

- (i) ~~It is the applicant's responsibility to comply with any conditions imposed by the Regional Council under this consent.~~

Advice Note:

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.

Comment: *This condition is considered to be more appropriate as an advice note as the Council cannot impose a condition requiring a development to comply with conditions of another consent. Therefore, this advice note will form an advice note to Condition 8 shown above.*

17. ~~The zoning of the site is "Living" Human Environment and "General" Natural Areas which leads to a permitted impermeable surface of 60% of the site area (granted that the stormwater network has been installed as set out in the ARC discharge consent), any proposal for impermeable surfaces over this 60% limit would be a limited discretionary activity as set out in the district plan and would be subject to land use consent, and approval by the ARC that the current discharge consent covers the extent of works.~~

Comment: *This condition has been deleted as the amendment to recommended Condition 3 of the Notice of Requirement covers the 60% requirement.*

18. ~~Prior to lodgement of an the Outline Plan of Works or resource consent application the Ministry of Education shall it is required to 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 these measures should be submitted to the Council with the first Approval of any temporary measures should all be gained from the Council prior to lodgement of an Outline Plan of Works or resource consent application.~~

Comment: *This condition is considered to be appropriate subject to minor amendments.*

Conditions recommended by GHD Limited

The conditions recommended by GHD Limited have not been included in this review as it is considered to be more appropriate to cover them under recommended Conditions 19 and 20 below.

19. 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.

20. 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 19 above) that the recommendations contained within the report and report review detailed in Condition 19 above have been fully satisfied.

Comment: *These conditions are considered to be appropriate as they reference the Geotechnical report by Babbage Consultants Ltd and the peer review undertaken on behalf of the Council by GHD Ltd rather than listing all the conditions proposed by GHD Ltd. The conditions also ensure that written confirmation is provided from a Chartered Professional Engineer that all the conditions have been fully satisfied.*

Conditions recommended by the Council’s Transport Assets Team

21. The Ministry of Education shall construct on site parking for staff at a minimum of 2 parks per 3 staff employed on the site.

Comment: *This condition is considered to be appropriate subject to a minor amendment.*

22. 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:

- The facility should be located to maximise the opportunity for shared use by both the proposed schools and the early childhood education centre 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.

Comment: *This condition is considered to be appropriate subject to minor amendments.*

23. Prior to the opening of the schools, the Ministry of Education shall construct appropriate crossing facilities for pedestrians to cross the adjacent roads, (Metcalf and Simpson Roads). ~~The~~ type of facilities shall ~~are to~~ be agreed in discussions with the Council but could include refuge islands, kea crossings, pedestrian crossings, and pedestrian signals.

Comment: *This condition is considered to be appropriate subject to minor amendments.*

24. ~~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 footpaths and either kerb and channels or edge beams and swales, incorporating any facilities required in Conditions 30 2 and 31 above.~~

Comment: *This condition has been amended to incorporate Simpson Road as well as other minor changes to the text.*

25. ~~Upgrade the road frontage on Simpson Road to an urban standard, including the construction of footpaths and either kerb and channels or edge beams and swales, incorporating any facilities required in 2 and 3 above.~~

Comment: *This condition is now covered by amended Condition 24 above.*

26. ~~Alter the notice of requirement to exclude the area of land in the south-eastern corner of the site indicated in the attached plan, to allow for a local road connection to be accommodated clear of the riparian margin area on the eastern edge of the site and allowing direct pedestrian access from the school ground onto the proposed local road network to the southeast of the school.~~

Comment: *This condition is covered by Condition 12, recommended by the Council's Strategy Unit.*

Advice Note recommended by the Requiring Authority:

The travel plan 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; and
- Provision of on-site facilities for bicycles.

Comment: *The Auckland Regional Council (ARC) has recommended in their submission that this advice note be amended, therefore, changes have not been made to this advice note but are made to the ARC advice note below.*

Advice Note recommended by Auckland Regional Council:

“The travel plan 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; ~~and~~
- 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”.

***Comment:** The recommended changes to this Advice Note are considered to be appropriate. A further change has been added to ensure that cycle parking facilities are consistent with the Auckland Regional Council’s guidelines.*

13.0 DESIGNATION LAPSING

Under Section 184 of the RM Act, a designation lapses on the expiry of five (5) years after the date on which it is included in a district plan, unless, among other things, the designation specified a different period when incorporated in the plan.

The Ministry has sought a period of ten (10) years for the proposed designation. This is five years more than the period provided for in the RM Act. The ten year period has not been questioned in submissions seeking a lesser period.

This is a major project which may, quite understandably, operate beyond the standard five year period. For these reasons, it is considered that the ten year period sought by the Ministry is reasonable.

14.0 CONCLUSION

The Council officer who has prepared this report concludes that the **Requirement for a designation should be confirmed with changes**. This conclusion is accompanied by suggested conditions to be included in the formal recommendations for conditions on the Requirement for the designation.

15.0 RECOMMENDATION

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;
 - (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.

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.
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) 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:
 - 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, (Metcalf 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.

Report prepared by: Michelle Cooper, Senior Planner: Policy Implementation.

