

**UNITARY PLAN UPDATE REQUEST MEMORANDUM**

**TO** Celia Davison, Manager Planning, Central South Unit



**FROM** Panjama Ampanthong, Senior Policy Planner, Central South Unit



**DATE** 13 January 2021

**SUBJECT** **Designation in accordance with s 181(3) of the Resource Management Act to the Auckland Unitary Plan (AUP) Operative in part (15 November 2016)**

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

<b>Reason for update – alteration to designation 4795</b>	
<b>Chapter</b>	AUP GIS Viewer Chapter K Designations
<b>Section</b>	Schedules and Designations – Minister of Education
<b>Designation only</b>	
<b>Designation 4795</b>	Wesley Intermediate
<b>Locations:</b>	766-778 Sandringham Road Extn, Mt Roskill
<b>Lapse Date</b>	Given effect to (i.e. no lapse date)
<b>Purpose</b>	Educational purposes - primary school (years 0 - 8) and may include early childhood education (preschool).
<b>Changes to text (shown in underline and strikethrough)</b>	Changes to text are shown in Attachment B to this memorandum.
<b>Changes to diagrams</b>	N/A
<b>Changes to spatial data</b>	Include mapping of designation on new parcels at 59 & 61 Denny Avenue, Mount Roskill (Lots 5 and 4 DP 49519) and 17 William Blofield Avenue, Mount Roskill (Lot 147 DP 39104)
<b>Attachments</b>	Attachment A: S181 Report  Attachment B: Updated text  Attachment C: Updated GIS Viewer

<b>Prepared by:</b> Panjama Ampanthong Senior Policy Planner, Central South Unit	<b>Text Entered by:</b> Harry Barnes Planning Technician
<b>Signature:</b> 	<b>Signature:</b> 

<b>Maps prepared by:</b> Aching Konyak Geospatial Specialist	<b>Reviewed by:</b> Panjama Ampanthing Senior Policy Planner, Centyral South Unit
<b>Signature:</b> 	<b>Signature:</b> <i>Panjama Ampanthing</i>
<b>Signed off by:</b> Celia Davison Manager Planning, Central South Unit	
<b>Signature:</b> 	

# Attachment A: S181 Report

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



**To:** Marc Dendale, Team Leader Planning Central and South, Plans & Places

**From:** Panjama Ampanthong, Senior Policy Planner

**Date:** 7 January 2020

**Notice of Requirement** Notice of Requirement for an alteration to a designation 4795 – Wesley Intermediate School for education purposes – primary school (years 0 – 8) and may include early childhood education (preschool)

**Requiring authority:** Minister of Education

**Site address:** 766-778 Sandringham Road Extension, Mount Roskill

**Legal description:** Lot 142 DP 39105

## 1. SUMMARY

1. The Minister of Education (MoE), as the requiring authority, has lodged a notice of requirement (NoR) for an alteration to the designation 4795 (Wesley Intermediate School) at 766-778 Sandringham Road Extension, Mount Roskill (Lot 142 DP 39105) of the Auckland Unitary Plan (operative in part) (AUP), under section 181(3) of the Resource Management Act 1991 (RMA).
2. The NoR will alter the existing designation boundary to include properties at 59 & 61 Denny Avenue (Lots 5 and 4 DP 49519) and 17 William Blofield Avenue (Lot 147 DP 39104) for educational purposes and to amend the purpose of the designation to include the Central Auckland Specialist School (CASS).
3. In accordance with section 171(2) of the Resource Management Act 1991, Auckland Council makes the following recommendation to the Minister of Education:

### Notification (s169)

4. Within 10 working days of receiving the notice of requirement, and where a requiring authority has not requested that a NoR be fully notified, or has requested limited notification or non-notification, a notification decision must be made by the Council under, s149ZCB(1) to (4), 149ZCC(1) to (4), 149ZCE, and 149ZCF (which need to be read alongside s169).
5. If the Council requests further information from the requiring authority under section 92(1), but the requiring authority does not provide the information before the deadline concerned, or refuses to provide the information, public notification is required (s169(1A)).

## **Recommendation by Territorial Authority (s171) (s181 if an alteration)**

6. The territorial authority must provide a recommendation on the NoR, avoiding all unreasonable delay (s21). The territorial authority can decide to recommend to the requiring authority that the requirement be confirmed, modified, subject to conditions or withdrawn (s171(2)). This report is set out in 2 parts:
- Part A being the notification recommendation under s169, and
  - Part B being an assessment and recommendation report under s171.

These reports identify the following recommendations:

### **Part A: Recommendation**

7. That in accordance with section 169 of the Resource Management Act 1991, the Notice of Requirement for an alteration to the designation 4795 (Wesley Intermediate School) at 766-778 Sandringham Road Extension, Mount Roskill (Lot 142 DP 39105) for education purposes should proceed on a **NON-NOTIFIED** basis for the following reasons:
- (a) Under section 149ZCB(2)(a): The adverse effects from the alteration to the designation to include properties at 59 & 61 Denny Avenue and 17 William Blofield Avenue for educational purposes and to amend the purpose of the designation to include the Central Auckland Specialist School are concluded to be no more than minor.
  - (b) Under section 149ZCB(2)(b): The Minister of Education has not requested public notification.
  - (c) Under section 149ZCB(2)(c): There is no rule in the AUP or a National Environmental Standard that requires public notification.
  - (d) Under section 149ZCB(4): There are no special circumstances that warrant notification.
  - (e) Under section 149ZCC(1)(a) and s149ZCF: There are no affected persons, as the adverse effects from the proposed alteration to the designation have been assessed as being no more than minor. The Minister of Education has undertaken a consultation with Kāinga Ora Homes and Communities and the relevant 13 iwi authorities who have raised no concerns about the proposal.

### **Part B: Recommendation**

8. That in accordance with section 171(2) of the Resource Management Act 1991, Auckland Council makes the following recommendation to the Minister of Education:
- (a) Confirm the Notice of Requirement for an alteration to the designation 4795 (Wesley Intermediate School) at 766-778 Sandringham Road Extension, Mount Roskill (Lot 142 DP 39105) for education purposes in the Auckland Unitary Plan (operative in part).
  - (b) Include the conditions for the designation 4795 (Wesley Intermediate School - education purposes) in Chapter K Designations of the Auckland Unitary Plan (operative in part).

The recommended conditions are listed below:

## **Central Auckland Specialist School (CASS)**

### **1. Outline Plan of Works requirements**

*The Requiring Authority shall, in accordance with the requirements of s176A of the Resource Management Act 1991, submit an Outline Plan of Works for the construction and development of the Central Auckland Specialist School which shall include the following information:*

- a. *Access to the existing northern Wesley Intermediate carpark from Sandringham Road Extension shall be redesigned and remarked so as to ensure the vehicles using it do not reverse manoeuvre onto Sandringham Road Extension.*
- b. *CASS School Design Concept Plan and an assessment where required, including:*
  - i. *General location of access points for vehicles, cyclists, scooters and pedestrians, on-site parking areas (including cars, cycle parks), and on-site pick up and drop off areas, and loading spaces to facilitate deliveries and rubbish removal.*
  - ii. *Measures and treatments at all access points to manage conflict between pedestrians, cyclists, and vehicles.*
  - iii. *General location of building platforms and open space (such as playgrounds and sports fields).*
  - iv. *Details of the design of pedestrian paths, access arrangements and parking and loading facilities, including referencing where these designs differ from Auckland Transport's Transport Design Manual (TDM) (or updated equivalent).*
  - v. *A summary of any staging of development of the school and the information covered by i) to iv) above for each stage of development. This shall be updated at the time of each outline plan of works applying to the School.*

### **2. Future changes to Central Auckland Specialist School (CASS)**

- a. *Any changes to road access design or arrangement onto Sandringham Road Extension as a result of the CASS, shall require a Transport Assessment (TA) undertaken by a suitably qualified traffic engineer/transportation planner addressing the matters required under the Auckland Unitary Plan (Operative in Part) for access to an arterial road as well as any proposed measures to avoid, minimise or mitigate any adverse effects on the operation or safety of the road.*
- b. *Any outline plan that seeks to increase the number of teaching spaces for the CASS or otherwise results in increases in transport demands from those outlined in the Integrated Transport Assessment (ITA) prepared by Commute Transport Consultants dated 7 May 2020, the Requiring Authority shall require a Transport Assessment (TA) undertaken by a suitably qualified traffic engineer/transportation planner. This shall address effects from these changes on the transport network as well as any proposed measures to avoid, minimise or mitigate any adverse effects on the operation or safety of traffic (all modes) to the school.*

- c. *A draft copy of any TA shall be provided to Auckland Transport for the purposes of consultation and engagement. The submitted version shall include a summary of the Consultation and Engagement with Auckland Transport recording agreements or respective positions reached on transport matters.*

### **3. Geology**

*The Central Auckland Specialist School development shall meet the recommendations of the Geotechnical Engineering Investigation prepared by KGA Geotechnical dated 22 June 2020 (Appendix 4 of the Notice of Requirement documentation).*

## **2. THE PROPOSAL, BACKGROUND, SITE AND LOCALITY DESCRIPTION**

### **Proposal**

9. The Minister of Education, as the requiring authority, has lodged a notice of requirement (NoR) for an alteration to the designation 4795 (Wesley Intermediate School) at 766-778 Sandringham Road Extension, Mount Roskill (Lot 142 DP 39105) of the Auckland Unitary Plan (operative in part), under section 181(3) of the Resource Management Act 1991 (RMA).
10. The NoR will alter the existing designation boundary to include properties at 59 & 61 Denny Avenue (Lots 5 and 4 DP 49519) and 17 William Blofield Avenue (Lot 147 DP 39104) for educational purposes and to amend the purpose of the designation to allow the Central Auckland Specialist School (CASS).

### **Central Auckland Specialist School (CASS)**

11. The NoR states the Central Auckland Specialist School (CASS) will accommodate the relocation of the Carlson School in Three Kings and the Sunnyside Special School in Mt Roskill to the Wesley Intermediate School site. It will cater for Years 1 to 13 students and will occupy the northern portion of the site (adjacent to War Memorial Park).
12. CASS will accommodate 68 students and 85 staff (26 teachers, 35 teacher aides, 10 therapist staff, 8 management staff and 6 other staff).
13. The CASS teaching hours will be between 9.00am and 2.30pm. CASS students will commute to school by private vehicle/van from 8.15am, with the expectation that all students are onsite by 9.00am. The school expects that all students will be picked up by van between 2.30pm and 3.00pm. CASS teachers are expected to be onsite between the hours of 8.00am and 5.00pm.
14. CASS buildings will be single storey in height and located north of the existing school buildings. The MoE will submit an Outline Plan of Works (OPW) for the CASS development with the detail including building locations and associated accesses and parking as per the requirements of s176A of the RMA. The MoE indicates the CASS will be open for (in time for?) Term 3 in 2022.

### **Access for CASS**

15. The main vehicle access to the CASS will be from Sandringham Road Extension. The extension of the designation boundary to include properties at 59 and 61 Denny Avenue will allow for a one-way traffic movement during the morning and afternoon school pick-up and drop-off times. The NoR indicates that cars will access the site from Sandringham Road Extension and exit the site at Denny Avenue during these times.

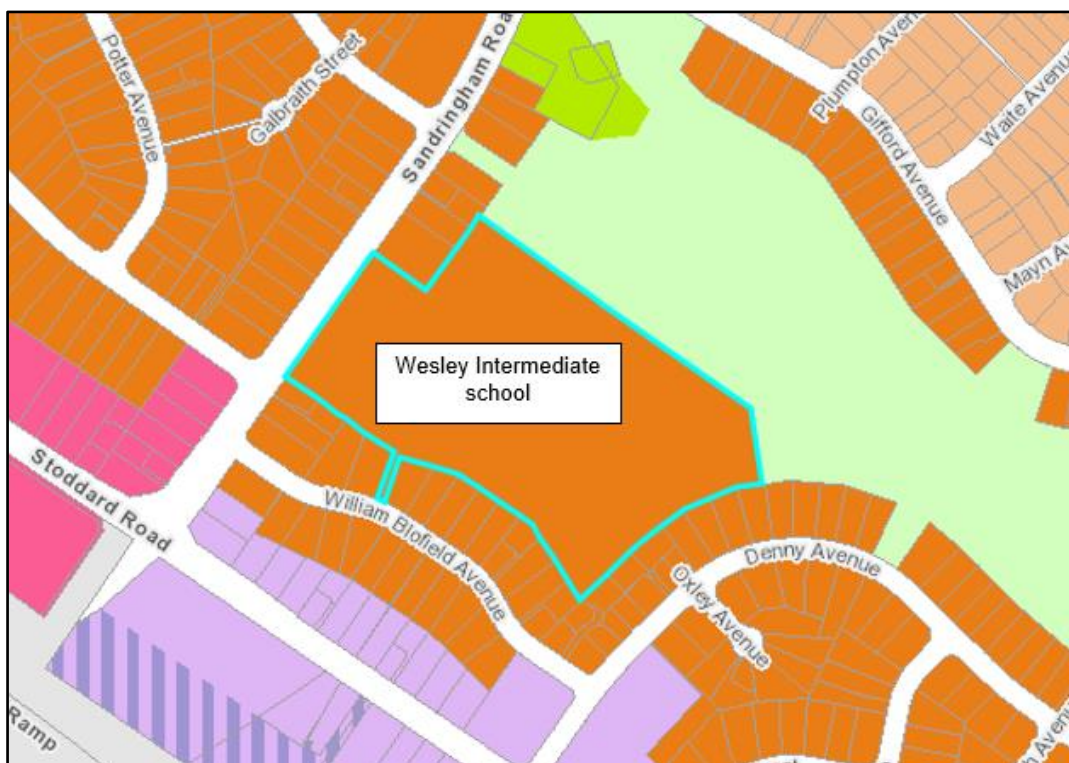
Outside of these times, access to and from CASS will be via Sandringham Road Extension only.

16. The inclusion of a property at 17 William Blofield Avenue into the designation will allow the existing Wesley Intermediate vehicle access to be upgraded to a wider and safer vehicle and pedestrian access, as well as to create opportunities for onsite car parking and ancillary buildings for the School.

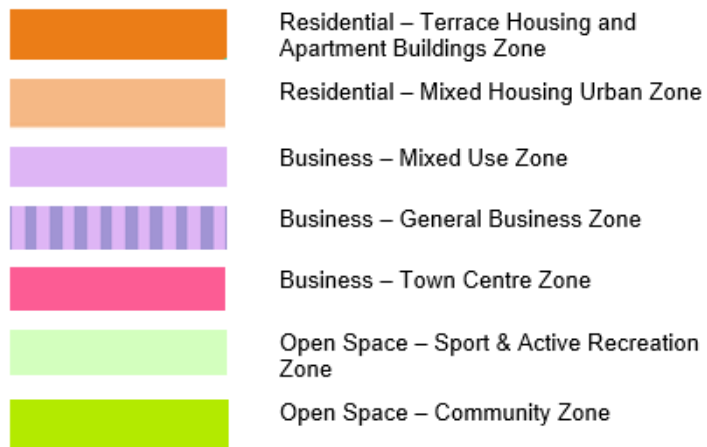
### Site Description and Locality Plan

17. The subject site is zoned Residential – Terrace Housing and Apartment Buildings (THAB) in the Auckland Unitary Plan (operative in part) (AUP).
18. The subject site is situated at 766-788 Sandringham Road Extension, Mount Roskill. It is bounded by residential properties to the west, south and east. The War Memorial Park adjoins the subject site on its northern boundary. The Oakley Creek runs through War Memorial Park. The majority of residential properties immediate adjacent to the site is zoned THAB and is in ownership of Kāinga Ora Homes and Communities (Kāinga Ora).
19. The site has a main frontage and access to Sandringham Road Extension (adjoining the western boundary) and a secondary (vehicle and pedestrian) access to William Blofield Avenue (to the south).
20. The school currently comprises buildings of one and two storey located towards the western side of the site and the car parking areas and playing fields to the east. Further east on the site is a community nursery managed by Te Whangai Trust.
21. Vehicle access to the site is from two vehicle crossings located on Sandringham Road Extension and William Blofield Avenue.

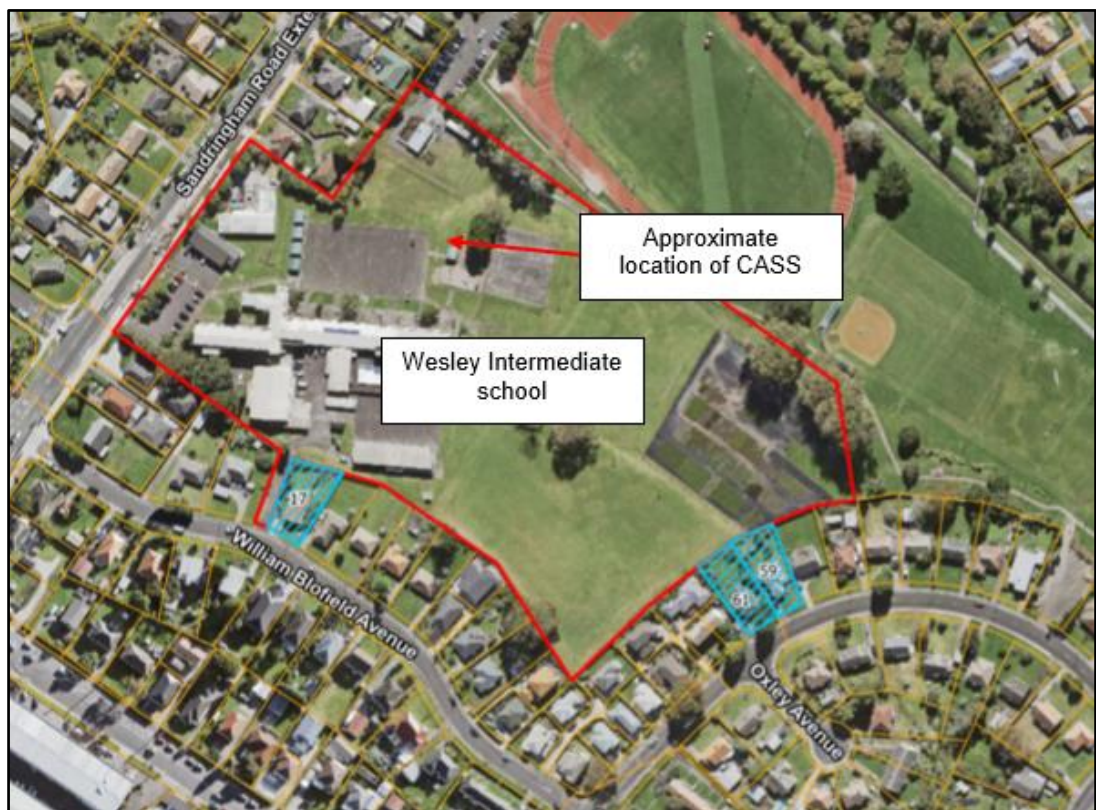
**Figure 1: Subject site and its surrounding zoning**







**Figure 2: The existing designation boundary (red) and the three land parcels to be included in the designation (blue & hatched)**



**Figure 3: Proposed new teaching pods for the Central Auckland Specialist School (CASS)**



**Figure 4: The main entry to the school from Sandringham Road Extension**





**Figure 5: Residential properties adjoin the proposed site for the CASS to the east**



**Figure 6: The school ground where the proposed CASS teaching pods will be located (viewed from the east)**



**Figure 7: The location for the specialist school view from south east. The existing two storey intermediate school building located in the background**



**Figure 8: Properties at 59 and 61 Denny Avenue to be included in the designation providing new access and allowing a one-way traffic flow during the morning and afternoon school pick-up and drop-off times**





### 3. NOTIFICATION

22. Auckland Council must assess a NoR in two broad steps under the RMA. Firstly, where a requiring authority has not requested that a NoR be fully notified, or has requested limited notification or non-notification, a notification decision must be made under s149ZCB(1) to (4), 149ZCC(1) to (4), 149ZCE, and 149ZCF of the RMA (these sections must be read alongside section 169 of the RMA, which modifies these sections for the purposes of designations).
23. Secondly, a recommendation to the requiring authority needs to be made under s171(2) of the RMA, on whether the NoR should be confirmed, modified, or withdrawn or conditions are to be imposed.

#### **Public notification assessment (s149ZCB, and 149ZCD)**

24. Minister of Education has not requested public notification (section 149ZCB(2)(b)). There is no rule in the AUP or a National Environmental Standard that requires public notification (section 149ZCB(2)(c)). There are no special circumstances that warrant notification (section 149ZCB(4)).

### 4. ADVERSE EFFECTS ASSESSMENT (SECTION 149ZCE)

25. The following assessment addresses the adverse effects of the activities on the environment. Effects that must be disregarded - effects on persons who are owners and occupiers of the land in, on or over which the notice of requirement relates, or of land adjacent to that land.
26. Under s149ZCE, Council is to disregard any effects on persons who own or occupy any adjacent land. The adjacent properties include:
- 756, 758, 758A, 760, 762-764, 780, 780A, 782 and 784 Sandringham Road Extension
  - 740 Sandringham Road Extension (War Memorial Park)
  - 780, 780A, 782 and 784 Sandringham Road Extension
  - 1 and 1A-D, 3, 5, 7A, 7B, 9, 11, 13, 15, 17, 19 and 21 William Blofield Avenue
  - 55, 53, 55, 57, 63, 65, 67A, 67B, 69, 71, 73 and 75 Denny Avenue

#### ***Effects that must be disregarded - any effect on a person who has given written approval to the notice of requirement and not withdrawn that approval prior to the notification decision being made. (s149ZCE(e))***

27. Kāinga Ora Homes and Communities who owns majority of the residential properties on Sandringham Road Extension, William Blofield Avenue and Denny Avenue adjacent to the subject site has provided written approval to the proposed alteration to the designation. Any adverse effects on Kāinga Ora have been disregarded.

#### ***Effects that must be disregarded - effects of trade competition***

28. Under section s149ZCE(d) the Council must disregard trade competition and the effects of trade competition. No regard has been given to any 'trade competition' effects.

#### ***Effects that may be disregarded – permitted baseline assessment***

29. Sections 149ZCE(b) and 149ZCF(2)(a) provide that a territorial authority may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect (this is referred to as the permitted baseline).

30. The Environment Court in *Beadle v Minister of Corrections* A074/02 accepted that the obligation to apply permitted baseline comparisons extended to Notices of Requirement. In *Nelson Intermediate School v Transit NZ* (2004) 10 ELRNZ 369, the Court accepted that the permitted baseline must define the “environment” under section 5(2) (b) and (c) and from that section 171(1). When considering the adverse environmental effects of a proposal, the effects may be considered against those from permitted baseline activities. As the effects resultant from permitted baseline activities may be disregarded, only those environmental effects which are of greater significance need be considered.
31. In *Lloyd v Gisborne District Council* [2005] W106/05, the Court summed up the three categories of activity that needed to be considered as part of the permitted baseline as being:
- What lawfully exists on the site at present;
  - Activities (being non-fanciful activities) which could be conducted on the site as of right; i.e., without having to obtain a resource consent (see for example *Barrett v Wellington City Council* [2000] CP31/00); and
  - Activities which could be carried out under granted, but as yet unexercised, resource consents.
32. Application of the permitted baseline approach is at the discretion of council and depends on the circumstances of the NoR.

*Permitted baseline – Auckland Unitary Plan*

33. The following activities are permitted within the THAB zone.
- Dwellings (terrace houses and apartments)
  - Care centres accommodating up to 10 people per site excluding staff
  - Supported residential care accommodating up to 10 people per site inclusive of staff and residents

H6.6.5 Building height allows terrace housing and apartments, care centres and supported residential care of up to 16m in height (five or six storeys).

34. The permitted baseline for the subject site at 766-778 Sandringham Road Extension, Mount Roskill comprises the effects arising from terrace houses and apartments, care centres and supported residential care up to 10 people per site and any visual effects from buildings of up to 16m in height (five or six storeys) in its location.

**Assessment of adverse effects**

35. The MoE has provided an assessment of effects with the NoR which concludes that the adverse effects on the environment will be no more than minor. The effects assessed in the NoR are:
- Visual, character and amenity
  - Noise
  - Transport
  - Natural hazards
  - Geotechnical and infrastructure
  - Social and community (positive effects)

**Visual, character and amenity**

36. The applicant’s assessment of effects indicates the CASS buildings will be located on the northern portion of the school site, adjacent to the War Memorial Park to the north and residential properties on Mt Roskill Road Extension to the east. The buildings will be single storey and will not result in effects relating to visual dominance,

overshadowing or privacy. The existing standard conditions of the designation including height in relation to boundary that applies on adjoining residential and open space boundaries will ensure sufficient separation between the CASS buildings and adjoining sites. The use of screening such as fencing along the school boundary will also provide privacy on the neighbouring sites. Details relating to boundary screening would be provided at the outline plan of work stage.

37. The NoR states the two additional sites at 59 and 61 Denny Avenue, to be included in the designation, will allow for vehicles to exit the CASS during pick-up and drop-off times and also provide access to staff and visitor car parking alongside the Denny Avenue exit. The inclusion of 17 William Blofield Avenue will also provide the opportunity for safer vehicle access and additional on-site car parking to the existing school and the proposed CASS. The use of these sites for vehicle access and car parking will not have adverse visual amenity effects from the adjacent residential properties.

#### **Comment**

38. I concur with the applicant's assessment that there will be no adverse effects on visual amenity and character on the environment from the proposed changes to the designation boundary. No persons are considered adversely affected.

#### **Noise effects**

39. The applicant's assessment indicates that the school activities will continue to generate some degree of noise, particularly during school play, lunch time and outdoor activities. The levels of noise generated from the CASS are expected to be similar to the existing school.
40. Noise from vehicle movements along William Blofield Avenue is anticipated to be similar to the current environment. Noise generated from the carparking area and vehicle exiting the CASS onto Denny Avenue is expected to be minor given the low speed vehicle environment and less volume of vehicle movements. The applicant's assessment concludes that the noise effects of the designation alteration will be less than minor on the adjoining residential properties, and no persons will be adversely affected.

#### **Comment**

41. I agree with the conclusion above. I consider that any adverse noise effects as a result of the proposed alteration to the designation will be no more than minor.

#### **Transport**

42. A traffic report by Commute Transportation Consultants dated 7 May 2020 and an additional traffic assessment dated 31 August 2020 were prepared in consultation with Auckland Transport.
43. The traffic report shows the main vehicle access to the CASS will be from Sandringham Road Extension with the exit on Denny Avenue. The Denny Avenue exit will only be available during the CASS's drop off and pick up times. Outside these times, vehicles will only be able to exit onto Sandringham Road Extension. This access arrangements will minimise adverse effects of traffic movements on Denny Avenue and the adjoining residential streets. Staff and visitor parking will also be available near the exit on Denny Avenue. Further details of the parking area and access arrangements will be provided at the OPW stage.
44. The report also identifies that the additional property at 17 William Blofield Avenue will provide the MoE an opportunity to upgrade the existing William Blofield Avenue access and ensure a wider and safer access.

45. Auckland Transport has reviewed the traffic assessment by Commute Transportation Consultants for the proposed CASS and raised concerns regarding access and parking arrangements. Auckland Transport has proposed transport conditions ensuring that there will be no more than minor effects on the surrounding roading network through the OPW process.
46. In particular, the following conditions will enable Auckland Transport to assess the adverse effects on the operation or road safety if there are any changes to road access design or arrangement onto Sandringham Road Extension as a result of the Central Auckland Specialist School.
- *Any changes to road access design or arrangement onto Sandringham Road Extension as a result of the CASS, shall require a Transport Assessment (TA) undertaken by a suitably qualified traffic engineer/transportation planner addressing the matters required under the Auckland Unitary Plan (Operative in Part) for access to an arterial road as well as any proposed measures to avoid, minimise or mitigate any adverse effects on the operation or safety of the road.*
  - *Any outline plan that seeks to increase the number of teaching spaces for the CASS or otherwise results in increases in transport demands from those outlined in the Integrated Transport Assessment (ITA) prepared by Commute Transport Consultants dated 7 May 2020, the Requiring Authority shall require a Transport Assessment (TA) undertaken by a suitably qualified traffic engineer/transportation planner. This shall address effects from these changes on the transport network as well as any proposed measures to avoid, minimise or mitigate any adverse effects on the operation or safety of traffic (all modes) to the school.*
47. Auckland Transport concludes that the proposed conditions will ensure that there will be no more than minor adverse effects on the surrounding road network. The MoE has accepted the proposed transport conditions. These conditions are shown in Part B: Recommendation.

#### **Comment**

48. Given the above, it is concluded that any traffic effects as a result of the proposed alteration to the designation to allow CASS on the site will be less than minor.

#### **Natural hazards effects**

49. The NoR indicates that there are two overland flow paths along the western part of the site where the existing school buildings are located and along the boundary of the site with the War Memorial Park and through to Denny Avenue. There is also a flood prone area and flood plain located to the north eastern corner of the site. The location subject to the proposed CASS is outside these natural hazard areas. The NoR suggests that the site investigations will be undertaken at the OPW stage to ensure appropriate measures are identified to mitigate potential effects from flooding and overland flow.

#### **Comment**

50. I agree that the site investigations at the OPW stage is necessary as effects from flooding and overland flow could be mitigated through the building foundation design and site stormwater management. The stormwater management plan, to be provided with the OPW for CASS, will ensure measures are employed to mitigate any effects from flooding and overland flow.

#### **Geotechnical effects**

51. The applicant's Geotechnical Engineering Report by KGA dated June 2020 provides preliminary geotechnical investigations of the whole school site and includes



geotechnical considerations for the site development. The investigations have suggested the following:

- The northern area of the site (in particular, the proposed location for the CASS) will need engineered materials for building foundations. Further detailed investigations are required to determine a foundation design.
- Excavation across the site should be limited due to the unknown depth and extent of rock.
- There is no visible evidence of slope instability.
- Future design and construction of buildings will determine whether any neighbouring structures would be affected, but it is unlikely.
- Appropriate stormwater controls and drainage will need to be assessed at a detailed design stage.
- Public and private services that traverse the site will need to be avoided.

52. The NoR considers that any effects relating to geotechnical matters will be further assessed during the OPW and building consent stage to avoid any adverse effects related to geotechnical and infrastructure matters.

#### **Comment**

53. I agree with the applicant's assessment above and consider there will be no more than minor adverse traffic effects in relation to geotechnical effects.

#### **Infrastructure effects**

54. The applicant's assessment indicates that infrastructure services (three waters, power and telecommunications) for the CASS are available from the site boundaries. Investigation into connectivity to the public networks will be undertaken as part of the OPW.
55. The NoR considers that any effects relating to infrastructure will be further assessed through the OPW and building consent stage to ensure there is capacity for water, stormwater, wastewater and other infrastructure required for future development of the CASS. Any adverse effects as a result of the infrastructure matters will be no more than minor.

#### **Comment**

56. I agree with the conclusion above and consider there will be no more than minor effects in relation to infrastructure.

#### **Social, community and positive effects**

57. The NoR indicates the proposed alteration to the designation will have the following social and community effects:

*'The relocation of the two Special Schools to an integrated purpose-built facility on the subject site will support the educational requirements of the students, their families and wider community and act as a focal point of the local area by providing further educational utility of the site.'*

*Allows the subject site to continue to act as an important physical resource for various educational needs of the community and provide for their wellbeing.'*

58. In addition, the NoR considers the establishment of the CASS on the school site will provide integrated educational opportunities and increase diversity and educational support to the community.

### **Comment**

59. I agree that the provision of the CASS will provide social and community benefits.

### **Cultural effects**

60. The MoE have consulted with 13 iwi groups who have interests in the area. After consultation on 11 June 2020, no responses have been received on the NoR.
61. The MoE indicates that the site is not subject to any cultural overlays in the AUP (operative in part). The proposed alteration to the designation is of a minor scale and the nature of the CASS activities will be carried out within the designation purposes. It is therefore concluded that there will be less than minor cultural effects as a result of the NoR. No persons will be adversely affected in relation to cultural effects.

### **Comment**

62. I agree with the above conclusion.

### **Adverse effects conclusion**

63. It is concluded that the proposed alteration to the designation to include three parcels of land at 59 and 61 Denny Avenue and 17 William Blofield Avenue and the provision for a CASS on the subject site will have no more than minor effects on the environment and no persons will be adversely affected. The proposal will result in positive social and community effects as it will provide resources for various educational needs of the community.

### **Special circumstances**

64. Special circumstances are those that are:
- exceptional or unusual, but something less than extraordinary;
  - outside of the common run of applications (NoR in this case) of this nature;
  - or circumstances which makes notification desirable, even where the conclusion is that the adverse effects will be no more than minor.

I consider that there are no special circumstances under s149ZCB(4) apply to this NoR.

## **5. PUBLIC NOTIFICATION ASSESSMENT CONCLUSION**

65. The NoR can be processed without public notification for the following reasons:

- (a) the adverse effects are no more than minor;
- (b) there are no special circumstances.

### **Limited notification assessment (section 149ZCC)**

66. If the NoR is not publicly notified, the Council must decide if there are any affected persons, or customary rights or title groups.
67. A person is affected if the adverse effects of the activity on them are minor or more than minor (but are not less than minor). Also, adverse effects:
- permitted by a rule or national environmental standard may be disregarded.
  - on those persons who have provided their written approval must be disregarded.

68. Council must also have regard to any statutory acknowledgement under schedule 11 of the RMA. Within the Auckland region, the following are relevant:
- Te Uri o Hau Claims Settlement Act 2002
  - Ngāti Manuhiri Claims Settlement Act 2012
  - Ngāti Whātua Ōrākei Claims Settlement Act 2012
  - Ngāti Whātua o Kaipara Claims Settlement Act 2013
  - Te Kawerau ā Maki Claims Settlement Act 2015.

**Adversely affected persons assessment (section 149ZCF)**

69. The NoR concludes that the adverse effects of the proposal on the environment will be no more than minor. It considers that there are no affected parties and there is no need to notify the proposed alteration to the designation.
70. I agree with this conclusion. I consider no person is affected as the adverse effects associated with the NoR will be no more than minor. The proposed transport and geology conditions recommended for the NoR will ensure that any adverse effects relating to traffic generation and road safety and geology will be no more than minor.
71. No customary rights or marine title groups are considered adversely affected.

**Limited notification assessment conclusion**

72. From the assessment above, it is recommended that the NoR be considered on a non-notified basis.

**Local board views**

73. Local board views were not sought on the designation process given the NoR is a minor alteration to the designation.

**Notification recommendation**

74. This NoR should proceed on a non-notified basis because:
- (a) Under s149ZCB(2)(a), the adverse effects on the environment from the proposed alteration to the designation are no more than minor.
  - (b) There will be no more than minor effects in relation to visual, character and amenity, noise, transport, natural hazards, geotechnical and infrastructure as a result of the proposed alteration to the designation.
  - (c) The conditions in relation to transport and geological matters will ensure that any adverse effects relating to traffic generation and road safety and geology will be no more than minor.
  - (d) There is no rule or national environment standard that requires public notification and the requiring authority has not requested it.
  - (e) No persons are considered adversely affected by the proposed alteration to the designation.
  - (f) Under s149ZCB(4) there are no special circumstances to warrant notification.
  - (g) There are no protected customary right groups or marine title groups in the region affected by this NoR.

Accordingly, I recommend that the notice of requirement for an alteration to the designation 4795 (Wesley Intermediate School) at 766-778 Sandringham Road Extension, Mount Roskill (Lot 142 DP 39105) for education purposes should proceed on a **NON-NOTIFIED** basis.

Report prepared by

A handwritten signature in black ink on a light grey rectangular background. The signature reads "Panjama Ampanthong" in a cursive script.

Panjama Ampanthong  
Senior Policy Planner  
Planning Central and South

Date 7 January 2020

Reviewed by

A handwritten signature in black ink. The signature reads "M Dendale" in a cursive script, with a horizontal line drawn underneath the name.

Marc Dendale  
Team leader Planning Central and South,  
Plans & Places

Date 7 January 2020

## 6. NOTIFICATION DETERMINATION

Having read the Council planner's report and recommendations on the Notice of Requirement, I am satisfied that I have adequate information to consider the matters required by the Resource Management Act 1991 (the RMA) and to make a decision under delegated authority. Under sections 149ZCB, 149ZCC, and 149ZCD of the RMA, this Notice of Requirement be **non-notified** because:

- (a) the adverse effects on the environment from the proposed alteration to the designation are no more than minor.
- (b) There will be no more than minor effects in relation to visual, character and amenity, noise, transport, natural hazards, geotechnical and infrastructure as a result of the proposed alteration to the designation.
- (c) The conditions in relation to transport and geological matters will ensure that any adverse effects relating to traffic generation and road safety and geology will be no more than minor.
- (d) There is no rule or national environment standard that requires public notification and the requiring authority has not requested it.
- (e) No persons are considered adversely affected by the proposed alteration to the designation.
- (f) There are no special circumstances to warrant notification.
- (g) There are no protected customary right groups or marine title groups in the region affected by this NoR.

Accordingly, I recommend that the notice of requirement for an alteration to the designation 4795 (Wesley Intermediate School) at 766-778 Sandringham Road Extension, Mount Roskill (Lot 142 DP 39105) for education purposes should proceed on a **NON-NOTIFIED** basis.

Name: Marc Dendale

Title: Team leader Planning Central and South, Plans & Places

Signed:



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Date: 7 January 2020

**Attachment B: Updated text**

## 4795 Wesley Intermediate

Designation Number	4795
Requiring Authority	Minister of Education
Location	766-778 Sandringham Road Extn, Mt Roskill ( <u>including 17 William Blofield Avenue, 59 and 61 Denny Avenue</u> )
Rollover Designation	Yes
Legacy Reference	Designation F06-02, Auckland Council District Plan (Isthmus Section) 1999
Lapse Date	Given effect to (i.e. no lapse date)

### Purpose

Educational purposes - primary school (years 0 - 8) and may include early childhood education (preschool), and Central Auckland Specialist School (years 1-13).

### Conditions

The standard conditions for all Minister of Education designations apply to this designation. The standard conditions for all Minister of Education designations shall apply to this designation. Where any standard condition conflicts with any site-specific condition below, the site-specific condition will take precedence.

#### **Central Auckland Specialist School (CASS)**

##### **1. Outline Plan of Works requirements**

The Requiring Authority shall, in accordance with the requirements of s176A of the Resource Management Act 1991, submit an Outline Plan of Works for the construction and development of the Central Auckland Specialist School which shall include the following information:

- a. Access to the existing northern Wesley Intermediate carpark from Sandringham Road Extension shall be redesigned and remarked so as to ensure the vehicles using it do not reverse manoeuvre onto Sandringham Road Extension.
- b. CASS School Design Concept Plan and an assessment where required, including:
  - i. General location of access points for vehicles, cyclists, scooters and pedestrians, on-site parking areas (including cars, cycle parks), and on-site pick up and drop off areas, and loading spaces to facilitate deliveries and rubbish removal.
  - ii. Measures and treatments at all access points to manage conflict between pedestrians, cyclists, and vehicles.
  - iii. General location of building platforms and open space (such as playgrounds and sports fields).
  - iv. Details of the design of pedestrian paths, access arrangements and parking and loading facilities, including referencing where these designs differ from Auckland Transport's Transport Design Manual (TDM) (or updated equivalent).
  - v. A summary of any staging of development of the school and the information covered by i) to iv) above for each stage of development. This shall be updated at the time of each outline plan of works applying to the School.

##### **2. Future changes to Central Auckland Specialist School (CASS)**

- a. Any changes to road access design or arrangement onto Sandringham Road Extension as a result of CASS, shall require a Transport Assessment (TA) undertaken by a

suitably qualified traffic engineer/transportation planner addressing the matters required under the Auckland Unitary Plan (Operative in Part) for access to an arterial road as well as any proposed measures to avoid, minimise or mitigate any adverse effects on the operation or safety of the road.

- b. Any outline plan that seeks to increase the number of teaching spaces for CASS or otherwise results in increases in transport demands from those outlined in the Integrated Transport Assessment (ITA) prepared by Commute Transport Consultants dated 7 May 2020 the Requiring Authority shall require a Transport Assessment (TA) undertaken by a suitably qualified traffic engineer/transportation planner. This shall address effects from these changes on the transport network as well as any proposed measures to avoid, minimise or mitigate any adverse effects on the operation or safety of traffic (all modes) to the school.
  
- c. A draft copy of any TA shall be provided to Auckland Transport for the purposes of consultation and engagement. The submitted version shall include a summary of the Consultation and Engagement with Auckland Transport recording agreements or respective positions reached on transport matters.

### **3. Geology**

The Central Auckland Specialist School development shall meet the recommendations of the Geotechnical Engineering Investigation prepared by KGA Geotechnical dated 22 June 2020 (Appendix 4 of the Notice of Requirement documentation).

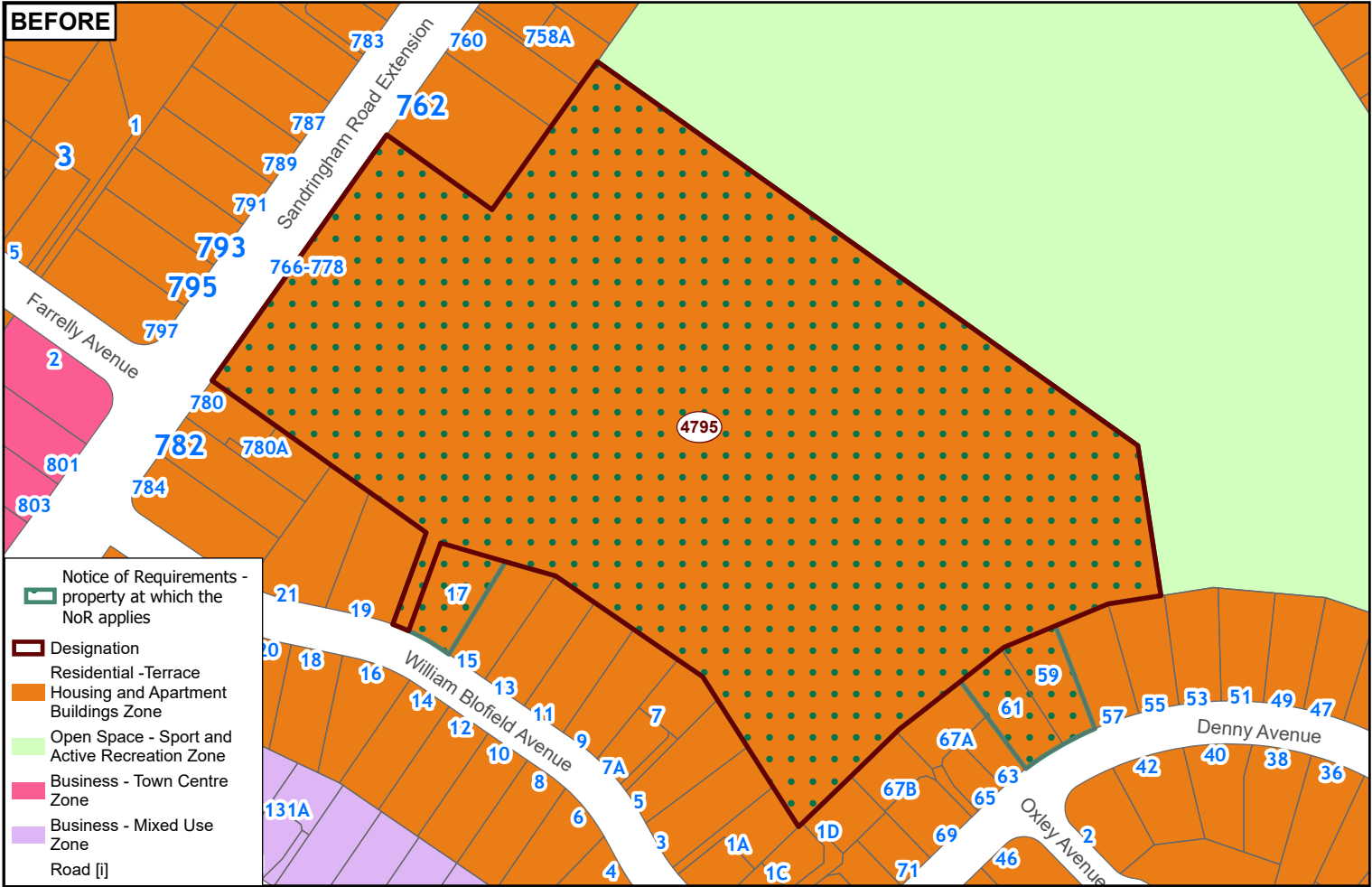
## **Attachments**

No attachments.

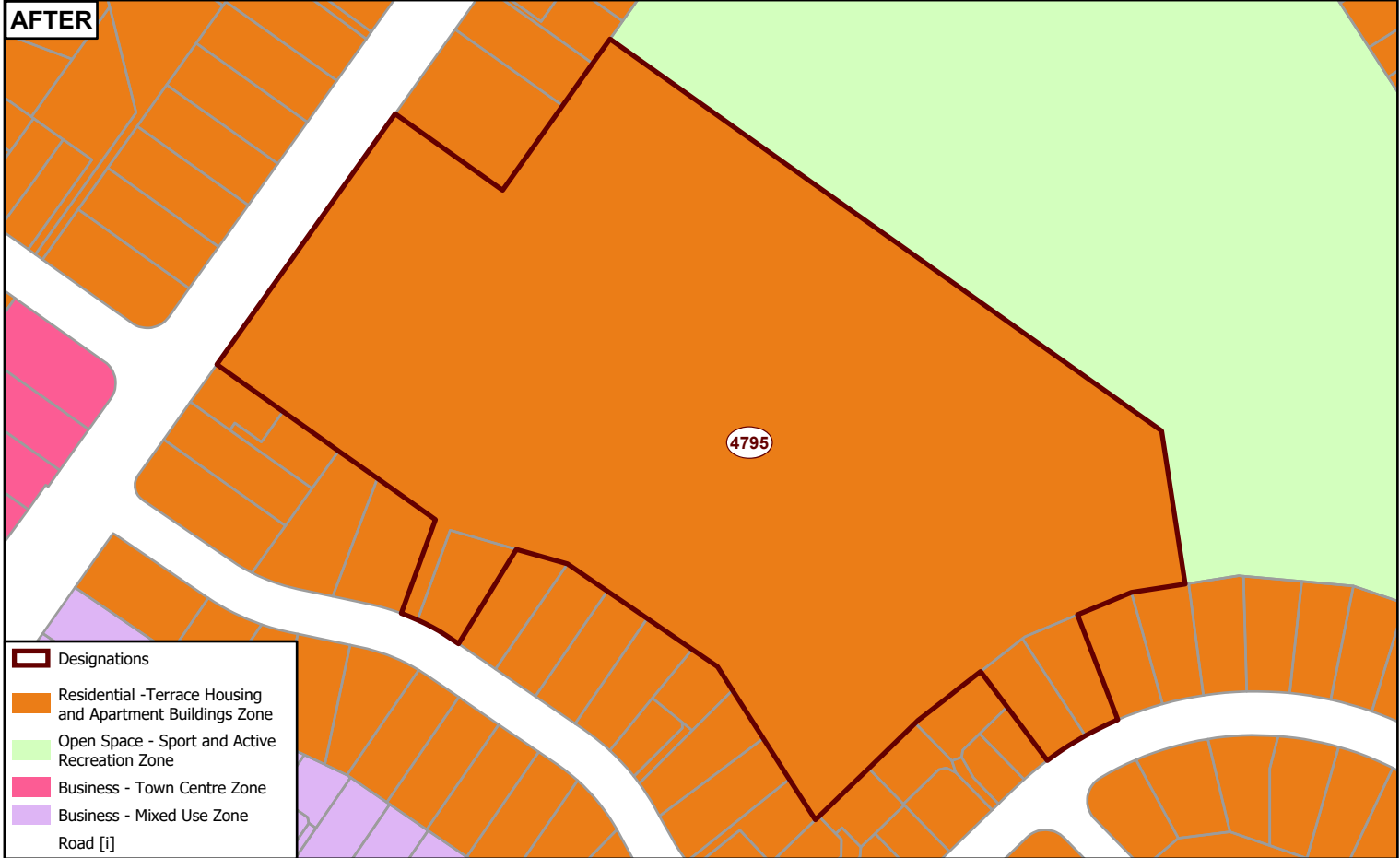


# Attachment C: Updated GIS Viewer

**BEFORE**



**AFTER**



- Notice of Requirements - property at which the NoR applies
- Designation
- Residential -Terrace Housing and Apartment Buildings Zone
- Open Space - Sport and Active Recreation Zone
- Business - Town Centre Zone
- Business - Mixed Use Zone
- Road [i]

- Designations
- Residential -Terrace Housing and Apartment Buildings Zone
- Open Space - Sport and Active Recreation Zone
- Business - Town Centre Zone
- Business - Mixed Use Zone
- Road [i]



**Alteration to Designation 4795**



Plans and Places

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

Date: 11/02/2021