



Kapiti Coast District Council  
Private Bag 60601  
Paraparaumu 5254

National Office

Education  
Infrastructure Service  
45-47 Pipitea Street  
PO Box 1666  
Wellington

Phone: 04 463 8000  
Fax: 04 463 8001  
www.minedu.govt.nz

10<sup>th</sup> September 2014

Attn: Andrew Guerin

**Notice of Requirement by the Minister of Education for a Designation for a School and Early Childhood Education Centre at Waikanae North**

Thank you for the report and recommendation from the Hearing commissioners on the Notice of Requirement for the proposed Waikanae North school, which was provided to the Minister's representatives on 20 June 2014. I also refer to the extension of time to provide the Minister's final decision in respect of this notice of requirement, which was provided by Kapiti Coast District Council by letter dated 13<sup>th</sup> August 2014.

Acting under my delegation from the Minister of Education, I accept the recommendation in part under section 172(1) of the Resource Management Act 1991 (RMA) with changes to the recommended conditions as follows:

- (a) The Minister rejects Condition 4 and modifies Condition 5 (new condition 4) as follows:

*"5. The school roll shall not increase beyond 40% ~~50%~~ of its total capacity (of 600 pupils including the early childhood centre) until a ~~third~~ second road access (additional to Parata Street) is provided to the boundary of the School site which provides an alternative to Parata Street and the second road access (referred to above in (4)).*

Reason: It is the opinion of the Minister (acting on advice from its traffic expert) that neither a second nor a third accessway is required to adequately service the school site, and furthermore the management and delivery of the local roading network is outside of the control of the Ministry of Education. The provision of the roading network correctly lies with the Council as regulatory authority responsible for the administration of its District plan and its associated responsibility for the approval of subdivision and development consents. The School is a form of infrastructure intended to service the surrounding development, which should include provision of necessary roading over time. If the School were not to be developed, the Ministry's advice is that longer trips will be required to transport children to existing schools, most likely by vehicle rather than sustainable modes that are encouraged by locating the school near the development. However, notwithstanding the Ministry's own expert advice, it recognises that there may be peak demands of short duration and accordingly accepts the desirability of a second access after the school reaches half of its design capacity, but only on the understanding that the Council will actively manage future roading requirements via its regulatory responsibilities in dealing with and approving subdivision and development consents.

- (b) The Minister seeks an additional clause to be inserted into current condition 7 (now condition 6) as follows:

*"(b). These noise limits shall not apply to noise from standard school outdoor activities occurring between 8.00am and 6.00pm."*

Reason: It is the opinion of the Minister that the Council's Hearing Committee misunderstood the evidence of both the Ministry's expert witness on noise and also its own officer's comments, whereby, whilst it is generally possible to control noise created by or from within buildings it is neither possible nor practical to control noise from children's play. Further, outdoor play associated with Schools is generally considered acceptable in a residential environment. The suggested addition is a standard form of wording that is being used on school designations throughout the country. Accordingly, this exclusion clause should be added to the conditions.

- (c) The Minister rejects current Condition 11:


Reason: It is the opinion of the Minister that the intention of current condition 11 is already covered off in current condition 10 (retained as condition 9) and furthermore the wording of current condition 11 would require subjective assessments from a Council compliance officer that would be impossible to define or enforce. Furthermore, the relevant authority in respect of discharges to air, which the condition appears to be concerned with, is the Greater Wellington Regional Council which has responsibility for such matters pursuant to section 30 of the Resource Management Act 1991. Insofar as the condition may have been intended as a restriction on land use, condition 9 (previously 10) provides the Council with sufficient control over odour effects.

Attached, as Appendix A, is a complete amended version of the conditions.

Could you please now attend to section 175(2) of the RMA by including the designation in the Kapiti Coast District Plan, after completing any outstanding requirements under section 173 of the RMA.

Thank you for your assistance with this matter.

Yours sincerely



Kim Shannon

Head of Education Infrastructure Service

Ministry of Education

Pursuant to a delegated authority dated 14 February 2012

## Appendix A – Designation Conditions

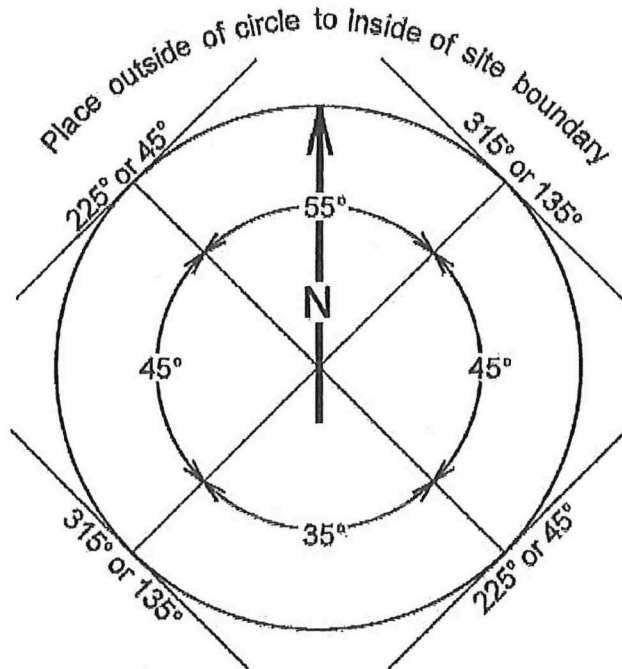
### CONDITIONS FOR THE WAIKANAE NORTH SCHOOL DESIGNATION

1. That the designation shall have a 10 year lapse period.
2. The requiring authority shall develop a travel plan for the school in consultation with Council and shall include measures to reduce vehicle dependency. The travel plan shall be in place at least three months prior to the facilities opening on the site.
3. The travel plan required in 2 above shall be subsequently maintained and updated by the school, with copies made available to Council on request.
4. The school roll shall not increase beyond 50% of its total capacity (of 600 pupils including the early childhood centre) until a second road access (additional to Parata Street) is provided to the boundary of the School site.
5. Any floodlighting shall be directed so that spill of light will be directed within the boundaries of the site. Light level from the activity on the site shall not exceed 10 lux, measured 1.5 metres inside the boundary of any adjoining rural or residential property.
6. Noise standards:
  - (a) All buildings shall be designed and constructed, and the use of buildings and site shall be conducted, so that the noise level does not exceed the following limits.

<i>Monday to Sunday 0700-2000</i>	<i>55dB</i>	<i><math>L_{Aeq(15min)}</math></i>
<i>Monday to Sunday 2000-0700</i>	<i>45dB</i>	<i><math>L_{Aeq(15min)}</math></i>
		<i>75dB</i>
		<i><math>L_{AFmax}</math></i>
  - (b) These noise limits shall not apply to noise from standard school outdoor activities occurring between 8.00am and 6.00pm.
  - (c) Measurements shall be taken either:
    - at or within the boundary of any adjacent site zoned residential; or
    - at or within the notional boundary of a residential building (i.e. 20m from the closest point of the residential building to the noise source) on any site zoned for rural, future urban or rural lifestyle purposes.

- (d) Noise levels shall be measured and assessed in accordance with the requirements of NZS 6801:2008 "*Acoustics - Measurement of Environmental Sound*" and NZS 6802:2008 "*Acoustics Environmental Noise*".
  - (e) Noise from construction activity shall not exceed the limits recommended in, and shall be measured and assessed in accordance with, New Zealand Standard NZS 6803:1999 "*Acoustics, Construction Noise*".
7. A Construction noise management plan prepared by an acoustic consultant or acoustic engineer, shall be provided to the compliance officer, Kapiti Coast District Council, prior to construction work beginning in the site, showing how the construction work will be managed to meet the requirements of NZS 6803:1999 Acoustics - Construction Noise.
8. Any subsequent outline plan of works submitted to the Kapiti Coast District Council in association with the designation shall incorporate:
- (a) engineering drawings for stormwater design to ensure stormwater runoff from the site is appropriately collected, treated and disposed of;
  - (b) a report dealing how the effects of any light sources at the school site on the surrounding residential sites and properties shall be appropriately mitigated, including to meet condition 5 above. The report shall be prepared by a suitably qualified and experienced lighting engineer; and
  - (c) details of proposed landscape treatment to be established and maintained along the length of all site boundaries, including consistency and integration with existing and/or proposed landscape treatment located near the site such as street trees and landscaping of nearby public open spaces. The landscape treatment shall be designed by an appropriately qualified and experienced landscape professional; and
  - (d) a car-parking plan showing the number and location of spaces available on the site for staff and visitor parking.
9. Outdoor storage areas (including the storing or collection of rubbish and recycling) shall be visibly screened from all surrounding land users, and located such that the potential adverse effects (including but not limited to traffic movements, noise, odour and visual impacts) of any outdoor storage area on particularly sensitive surrounding land users (including elderly persons and healthcare facilities) are avoided where possible, and otherwise appropriately remedied or mitigated.
10. No part of any building shall project above the recession planes identified in diagrams 7.3 and 7.4 below:

Figure 7.3 Recession Plane Indicator



Note: North Is True North  
Bearings on the circle increase in a clockwise direction

Figure 7.4 Recession Plane Cross Section

