

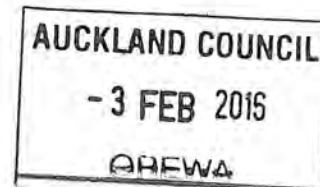
Submission No 1

MORTON TEE & CO.
BARRISTERS & SOLICITORS



29 January 2016

Auckland Council
Private Bag 92300
AUCKLAND 1142



Attention: Planning Technician

RE: DESIGNATION HUAPAI NORTH PRIMARY SCHOOL & EARLY CHILDHOOD EDUCATION CENTRE

We act for Ulrich Peter Hess and Fleur Ingrid Hess who are the registered proprietors of 51 Gilbranson Road, RD 1, Kumeu.

Our clients' property borders the southern boundary of 47-49 Gilbranson Road to which this submission relates. We have attached to this letter the following documents:

1. Submission form 21.
2. Copy letter F & U Hess to Hon. John Key dated 22nd December 2015.
3. Letter F & U Hess to Hon. Hekia Parata 23 December 2015.
4. Medical Certificate Silver Fern Medical Centre dated 22nd December 2015.
5. Report on Rene Hess dated 2nd May 2006 prepared by Rosemary Marks, Pediatrician.
6. Copy file notes Spectrum Care attached to a letter dated 15th June 2006.
7. Case conference notes dated 28th August 2002.
8. Letter Spectrum Care dated 30th December 2015.
9. Letter Northland Town Planners Ltd to F & U Hess dated 25th January 2016.
10. Letter Dr Gail Fleming dated 29 January 2016.

We confirm the attached documents are intended to form part of our clients' submission and to be relied upon by them in opposing the proposed designation and establishment of a primary school and early childhood centre at 47-49 Gilbranson Road, Huapai.

Background matters

Our clients are the parents of Rene Hess born 20th July 1992, presently aged 23.

Level One / 96 Hurstmere Road / Takapuna / Auckland 0622 / P O Box 331 133 / Takapuna / Auckland 0740 / DX BP66025

T: 09 486 1729 F: 09 489 7117 E: office@mortontee.co.nz

Partners: John Morton LLB Stephen Tee LLB

www.mortontee.co.nz

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Rene has Comorbid Intellectual Disability, epilepsy, and severe behavioural problems. The correspondence attached to this letter confirms his condition and describes his behavioural traits.

It is our clients' view that Rene would pose a danger and serious risk to school children should the primary school and early learning centre be constructed adjacent to his home.

The purpose of this letter is to put those entrusted with this decision firmly on notice of that risk and danger.

The likely behaviour that children will be exposed to includes the following:

- (a) Rene exposing himself to them and being in a naked state.
- (b) His shouting obscenities at them.
- (c) His throwing faecal matter at them.
- (d) His masturbating in front of children.
- (e) The prospect of violence.

It should be noted that Rene is particularly susceptible to change which causes a marked deterioration in his behaviour.

The present situation

Mr & Mrs Hess deliberately purchased a rural property as it was impossible to live with Rene in a suburban area or close to neighbours.

They have a purpose built home and fencing designed specifically to cater for Rene's needs, and to minimize any risk he might pose to others.

Those features of the property including the following:

- (a) A deer fence constructed around the entire property with a hotwire at top to prevent Rene escaping from the property.
- (b) A coded security gate.
- (c) A purpose built flat within the property made entirely of concrete walls and including strengthened glass to prevent damage Rene would otherwise cause.

Despite those measures it is not possible to secure Rene entirely within the property. Our clients' operate their own business from those premises and receive deliveries and visits. On occasions Rene has escaped and it has been necessary to mount a search to locate him.

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Our clients are concerned that Rene would take an interest in those visiting the school or being dropped off and collected from the school and on those occasions would exhibit the behaviour traits which we have outlined in this letter.

Our clients do not consider any steps could be taken to mitigate the risk that Rene would pose. A fence would not prevent exposure to the abusive and crude language and yelling which Rene is prone to. Rene would focus on the fence and want to throw his faecal matter over it.

In summary our clients have a son with severe intellectual disabilities, and very disturbing behavioural traits. They have taken deliberate steps to minimize the risk he poses to members of the public when purchasing an isolated property, securely fencing the same, and purpose building their home.

They are of the view that a school would be the worst possible option for the neighbouring site. They are concerned about what might happen and the risk that children might be exposed to. They fear for their son in terms of his liability or culpability in those circumstances.

In closing they wish to place those making this decision firmly on notice of their view that to construct a school next door to their home, given their son's condition, will pose a serious risk of harm and safety to those children attending the school and preschool.

Yours faithfully

MORTON TEE & CO



S J Tee
email: stee@mortontee.co.nz

cc Ministry of Education
P O Box 3082
AUCKLAND 1140

For: Sumit Patel

Submission No 1

Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification

Sections 168A, 169, 181, 189A, 190, and 195A of the Resource Management Act 1991
FORM 21



Correspondence to :
Auckland Council
Private Bag 92300
Auckland 1142
Attention to: Planning technician

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name of Submitter or Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Ulrich Peter Hess & Fleur INSARID Hess

Organisation Name (if submission is on behalf of Organisation)

Address for service of the Submitter

CL- MORTON TEE & CO SOLICITORS, PO Box
331-13 TAKAPUNA

Telephone:

Email:

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By:: Name of Requiring Authority

For: A designation or alteration to (describe)

At: The site or place to which it applies

Within (indicate relevant District Plan)

Relevant District Plan:

☐ Auckland Central

☐ Auckland Gulf Islands

☐ Auckland Isthmus

☐ Franklin

☐ Manukau

☐ North Shore

☐ Papakura

☒ Rodney

☐ Waitakere

The specific parts of the Notice of requirement that my submission relates to are: (give details):

THE PROPOSED DESIGNATION FOR EDUCATIONAL PURPOSES
PROVIDES FOR THE SITE TO BE USED FOR A PRIMARY
SCHOOL (YEARS 0-8) & EARLY CHILDHOOD CENTRE
(PRESCHOOL)

My submission is:

I support the Notice of requirement ☐

I oppose the Notice of Requirement ☒

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The reasons for my views are:

PLEASE SEE ATTACHED COVERING
LETTER FROM MORRIS TEE, & ADDITIONAL
DOCUMENTS LISTED AS ATTACHED TO THAT LETTER.

(continue on a separate sheet if necessary)

I seek the following recommendation or decision from Council (give precise details including the general nature of any conditions sought).

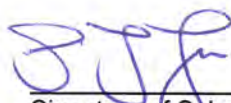
DECLINING THE DESIGNATION, SO THE SITE
CANNOT BE USED FOR EDUCATIONAL PURPOSES,
FOR A SCHOOL OR EARLY CHILDHOOD CENTRE.

I wish to be heard in support of my submission



If others make a similar submission, I will consider presenting a joint case with them at a hearing




Signature of Submitter
(or person authorised to sign on behalf of submitter)

Date

29/1/16

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use form 16B.

By taking part in this public submission process submitters will, for the purposes of the Official Information Act 1982, be understood to have waived privacy interests in their submission.

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the council. (unless the council itself gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that

(a) Adversely affects the environment, and

(b) Does not relate to trade competition or the effects of trade competition

Submission No 1

22 December 2015

Hon John Key

365 state highway 16

Kumeu

Fleur and Ulrich Hess

51 Gilbransen Road

Huapai

Dear Mr Key

I am hoping you can help us as we have a huge issue to contend with. We came to see you in 2006 about our son who has severe Autism, intellectual disability and epilepsy with extreme and challenging behaviours.. It was in regards to his extreme behaviour and refusal by taxi companies to transport him to school you were very helpful in that regard and all was resolved. We have another problem and for us it is on a Mount Everest scale. We are going to need your help urgently on this matter. We moved to kumeu 12 years ago due to our sons severe Autism. We had to get out of suburbia as we had many complaints from neighbours due to his screaming all night and ongoing challenging behaviours and excessive destruction to property.. We found 3 acres in Huapai with an old cottage on it far far away from schools and immediate neighbours. Although we still had on going issues we could manage them. After search and rescue were called and the police helicopter found him when he disappeared we erected a deer fence around the property so he couldn't get out. We still have to keep a close eye on him as he can climb it. Over the next few years he continued to demolish all the windows and walls in the house and would on a regular basis throw faecal matter over the fence and other items. Thank goodness for amazing neighbours and the fact there were only sheep next door!!! As time went on he got older bigger and stronger he is now 24 years old. So we designed and built a masonry house with a flat attached that would suit his needs and ours. A bomb proof house!! He lives at home with us and has support workers. He needs support and constant supervision 24 hours a day.

Being in huapai means we are close to everything. Easy access for support staff for Rene not to close in but not to far away until now. Suburbia has come to us. What our major problem is there is a school designated right on our boundary. When we first heard a whisper of the idea we went into a mad

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panic but as always that passes and we tried to be as productive about it as possible. We put our property on the market but as yet we have been unsuccessful in selling. It has been on for quite sometime. Our house is custom designed to his needs. As with most developers that want a development block the don't want an expensive house on site they want a house they can demolish. And that is where the problem lies in selling. Our real estate agent approached the education department to see if they would be interested in purchasing the property they are not. Our concern is Rene does run around outside ninety percent of the day unfortunately on occasions with out clothes, before I can catch him which hasn't been a problem but will be if a school is built. All these issues pose a big risk to not only our son but to the potential students in that school.

We also have spent thousands getting a road removed which the council placed right through the centre of the property which wasn't there when we bought the property. When we went for a pre application meeting to the council to see if we could develop they said that we could develop but would be taking a big part of the property for reserve with no monetary compensation. So that ruled out developing and getting out of the property that way. To sum it up while we have done everything within our means in a positive manner to solve our situation. It looks like we are going to have to remain here. We have no other options. Therefore while we remain here a school can NOT go next door. As I said before it poses and extreme risk for everyone involved. We are submitting an objection to council as the education department is seeking resource consent now. Submissions for objections close 9th of Feb so we are in need of some sort of help by then.

Thank you

Ulrich and Fleur Hess.

Two handwritten signatures in dark ink. The signature on the left is 'Fleur' and the signature on the right is 'Ulrich'.

Phone:094128681

Email: uhess@xtra.co.nz

Submission No 1

Ulrich Hess

From: Antony Hobbs <Antony.Hobbs@education.govt.nz>
Sent: Tuesday, 12 January 2016 3:36 p.m.
To: Ulrich Hess (uhess@xtra.co.nz)
Subject: Gilbransen Road, Huapai. Proposed New School

Ulrich

As discussed, Chris Horne of Incite and myself will come to your property at 51 Gilbransen Road, Huapai this Friday at 9.00am to discuss the issues raised in your letter to The Right Honourable John Key.

Chris is assisting the Ministry with the Designation Process.

If there are any issues about this time and day or you have any questions in the meantime, please contact me; otherwise I look forward to seeing you this Friday.

Antony Hobbs | Project Manager (Acquisitions & Designations) - Contractor | National Infrastructure Services
DDI +64 9 632 9365 Ext 99465 | Mobile +64 27 801 8007
12-18 Normanby Rd, Auckland

education.govt.nz | Follow us on Twitter: @EducationGovtNZ

We get the job done *Ka oti i a mātou ngā mahi*
We are respectful, we listen, we learn *He rōpū manaaki, he rōpū whakarongo, he rōpū ako mātou*
We back ourselves and others to win *Ka manawanui ki a mātou, me ētahi ake kia wikaoria*
We work together for maximum impact *Ka mahi ngātahi mō te tūkinga nui tonu*

Great results are our bottom line *Āwhina nui (i te hua) ē pūhau whāwhāwhāwhā*



DISCLAIMER:

This email (including any attachments) may contain information which is confidential or legally privileged and may not reflect the Ministry of Education's view. The Ministry is not responsible for changes made to this email after we've sent it. If you have received this email by mistake, please reply to the Ministry immediately and delete both messages.

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Minutes of meeting with Ministry of education

January 15 2016

Opening:

Meeting began at 9am on the 15/01/2016 at 51 Gilbransen Road, Huapai Auckland.

Present:

Ulrich Hess, Fleur Hess, Antony Hobbs (project manager) and Chris Horne (from Incite).

Subject of meeting:

To discuss the issues raised in our letter to the right Honourable John Key dated 22 December 2015 in regards to our objection to the designation of an early childhood education centre and primary school at 47 and 49 Gilbransen Road, Huapai adjacent to our property.

Business:

On arrival both Antony and Chris sighted the boundary of the school to the proximity of the house. We discussed the issues that were raised in our letter to the right honourable John Key. We advised Chris and Antony that we would be submitting an objection to council in regards to the designation of the early childhood education centre and primary school adjacent to our property. We were told we probably didn't need to lodge an objection as they were already working with us. We told them we would be moving forward with our objection as we need written documentation to show that once the school is built they were well informed that there would be a high risk to their students of a sexual nature from the adjacent property occurring. Due to the nature of our 24 year old sons intellectual disability and stripping of clothing and challenging behaviours as outlined in the letter we sent to John Key.(letter

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attached) We advised them that we have support workers that help care for him but he is very fast and can slip outside with no clothes on at times before we can manage to catch him or he'll remove them outside. We explained to them that we had custom built our house to suit his needs. And that it worked very well. We also told them that we had moved here 12 years ago to be far away from schools and neighbours as we had many problems with close neighbours complaining.

Antony said if the school didn't go next door then we would have neighbours close by. We think that is the better option as it will be easier to deal with minimal neighbours than hundreds of parents and children. It would minimise the risk greatly.

They offered to build a fence but that will not take away the issues that we are facing.

We looked at the plan for the school and were asked how they could change it to suit our needs as the plan wasn't set in concrete and could be changed. The existing plan is just to show a school would fit on that site Chris told us. We explained that it didn't matter how they changed the plan it wouldn't change the safety issues in regards to our son or their students. Antony said the school would put a safety protocol in place in regards to Rene. (safety plan) They also informed us that a written response would be forthcoming to our letter to John Key.

They advised us that they would be seeing us in a month once objections had been submitted because they want to work with us to move forward in a positive manner.

Upon leaving Chris asked to see the flat that's in the house that our son Rene occupies.

Adjournment:

9.45 am 15/01/2016

Submission No 1

23 December 2015

Hon Hekia Parata
Parliament Building
Private Bag 18041
Wellington

Fleur and Ulrich Hess
51 Gilbransen Road
Huapai
Auckland

Dear Mr Parata

I am writing to you in regards to the proposed school you are planning for a property at 47 and 49 Gilbransen Road. I have also sent a letter to Hon John Key's office in regards to this. I will give you a little bit of history about us so you have an idea why we are so opposed to this school going next to our property. We have a son who has severe Autism, intellectual disability and epilepsy with extreme and challenging behaviour. We moved to Kumeu 12 years ago due to our son's severe Autism. We had to get out of suburbia as we had many complaints from neighbours due to his screaming all night and ongoing challenging behaviours and excessive destruction to property.. We found 3 acres in Huapai with an old cottage on it far far away from schools and immediate neighbours. Although we still had ongoing issues we could manage them. After search and rescue were called and the police helicopter found him when he disappeared we erected a deer fence around the property so he couldn't get out. We still have to keep a close eye on him as he can climb it. Over the next few years he continued to demolish all the windows and walls in the house and would on a regular basis throw faecal matter over the fence and other items. Thank goodness for amazing neighbours and the fact there were only sheep next door!!! As time went on he got older bigger and stronger he is now 24 years old. So we designed and built a masonry house with a flat attached that would suit his needs and ours. A bomb proof house!! He lives at home with us and has support workers. He needs support and constant supervision 24 hours a day.

Being in Huapai means we are close to everything. Easy access for support staff for Rene not too close in but not too far away until now. Suburbia has come to us. What our major problem is there are plans for school to go right on our boundary. When we first heard a whisper of the idea we went into a mad

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panic but as always that passes and we tried to be as productive about it as possible. We put our property on the market but as yet we have been unsuccessful in selling. Our house is custom designed for our sons needs. So it has made our lives so much easier to deal with his aggressive behaviours. Even shifting for us is really not the best option as any major change exasperates his behaviour and would turn our lives upside down for about a year while he got used to that major alteration in his life. Not to mention relocating support staff which are very hard to get let alone keep due to his behaviour. Our concern is our son does run around outside ninety percent of the day unfortunately on occasions without clothes, before I can catch him which hasn't been a problem but will be if a school is built. All these issues pose a big risk to not only our son but to the potential students in that school.

We also have spent thousands getting a road removed which the council placed right through the centre of the property which wasn't there when we bought the property. When we went for a pre application meeting to the council to see if we could develop they said that we could develop but would be taking a big part of the property for reserve with no monetary compensation. So that ruled out developing and getting out of the property that way. To sum it up while we have done everything within our means in a positive manner to solve our situation. It looks like we are going to have to remain here. We have no other options. Therefore while we remain here a school can NOT go next door. As I said before it poses and extreme risk for everyone involved. We are submitting an objection to council for the building of this school on these grounds. For your information I have attached a medical report to back up how problematic this is going to be for us all. I have a file full if you need any further information. I will accompany this email with a hard copy in the post. I look forward to your response.

Thank you

Ulrich and Fleur Hess.

Phone:094128681

Submission No 1

Silver Fern Medical Centre

Unit C12, 5-19 Factory Road, Waimauku, Auckland 0812

Phone: 09 411 5222, Fax: 09 411 5276

Email: reception@silverfernmedical.co.nz

Web: www.silverfernmedical.co.nz

22 Dec 2015

To whom it may concern

Re: **Mr Rene Hess**

Address: **51 Gilbransen Road Huapai Auckland**

DOB: **20 Jul 1992** Ph: **412 8681**

NHI number: FYG1362

I saw Rene Hess' mother (Fleur) in clinic today. Rene is well known to our Practice.

Fleur informs me that a primary school and early education centre are planned for the property adjacent to their house. She is concerned about the impact this will have on Rene and public safety, and requests I write a letter from Rene's doctor's perspective - I am very happy to do so.

As mentioned, Rene is well known to our clinic. Unfortunately Rene has comorbid intellectual disability, epilepsy, and severe behavioural problems.

His behaviour which is well documented in his records here, and secondary care, includes aggressive outbursts, physical abuse to others, severe destruction of physical property, indecent exposure (e.g. exposing himself and throwing faeces).

His family have taken every possible step to manage Rene's behaviour including medication, round-the-clock care, and constructing a purpose-built house on the current property that is almost literally "unbreakable" and escape-proof for Rene. His family moved to his location rather than others as it was considered remote and Rene's behaviours would not put neighbours and other public at risk.

My impression, given this clear history, is it would almost certainly be highly problematic for Rene and a school/early childhood centre to co-exist safely. Rene's behaviour is at the severe end of the spectrum and it will only be a matter of time before Rene or a member of the public is injured.

I would be happy to provide any further any further information.

Yours sincerely,



Dr. Malcolm Miller

Dr Malcolm Miller MBChB, MCNZ38433 SILVER FERN Medical Centre Waimauku Village Factory Rd, Waimauku Ph: 09 411 5222 Fax: 09 411 5276

Aggression

Rene's aggressive outbursts occur for no obvious reason. For about 30 seconds prior to these outbursts he will fiercely scratch his legs sometimes breaking the skin and will then show repeated aggression to a person or to an object such as a vehicle or a window. Although he has broken a number of windows he doesn't seem to injure himself. Sometimes he will attack Fleur and she has experienced significant bruising particularly on her upper arms.

Absconding

Rene will wander away from home if he gets the opportunity. On one occasion recently he was missing for 6 hours and had walked from Kumeu to Waitakere and back on the railway track.

Development Progress & School Programme

Rene continues at Arohanui Special School. Fleur reports that his language was much improved and although he is not conversational he will repeat sentences and will ask for things that he wants although he doesn't always manage to get the correct word. I was impressed that when he left he said "bye Rosie" which I think is a first for Rene.

Bowel Management

Rene's bowel problems and intermittent constipation remains a major issue. He needs to be taken to the toilet regularly and someone needs to stay with him and encourage him to use the toilet and the family and his caregiver seem to be coping with this reasonably well.

Growth

Today Rene weighed 43.6kg (p25), height 152.6cm (p10). Both of these have fallen through centiles. Rene is not yet in puberty and this height and weight fall off is consistent with late onset of puberty. However if in 6-12 months he is still showing no pubertal change I think we shall need to consider an Endocrinology referral for investigation.

Family and Home Issues

Because of Rene's absconding behaviour the family have placed a 2 metre high deer fence around their property which is electrified and has a security gate which can only be exited by those who can operate the code. This allows Rene to have freedom to play on their property without exposing him to the risk of running off and potential dangers. He has also been provided with a harness to wear in the car and in the taxi to and from school where his behaviour has also caused problems.

Opinion and Recommendations

I am concerned that the description of the aggressive outbursts suggests that they may be related to a partial seizure with sensory aura or by disinhibited behaviour. For this reason I have suggested that we check the Tegretol level and this will be done in the next day or so and I will phone Fleur with the result.

If the Tegretol level is satisfactory then I would consider increasing the Risperidone. I will remain in telephone contact with Fleur while we are adjusting his medication.

With kind regards.

Yours sincerely

Seen and approved electronically

Rosemary Marks
Visiting Developmental Paediatrician

Submission No 1



09-634 3790
09-634 3791
www.spectrumcare.org.nz

Spectrum Care Trust Board
270 Neilson Street, Onehunga
PO Box 91 147, Auckland

Nora Comer

Cc:
Fluer and Ulrich Hess
Jeff Simpson
Martin Hess
Delwyn Nixon

15-06-06

Dear Nora, Fleur etc...

In relation to Rene's most recent Behavior Support review plan I am writing to emphasis the link-up between three of Rene's identified concerning behaviors, those being:

Inconsistent behaviors
Difficulty adjusting to changes
Vehicle safety

As Rene is getting taller and stronger this is a timely reminder to make sure that all staff working with Rene remember to adhere strictly to the usage of the harness and buckle guards when traveling in a vehicle with Rene. Should this restraint not be used for ANY reason please remember that there is to be no less then two support people in attendance with Rene.

Due to Rene's inconsistent behaviors and difficulties accepting change, it is imperative that everyone sticks to this restraint to avoid Rene becoming further agitated should he find that his vehicle restraint is in anyway optional. It must be kept as an incorporated part of René's life and routine to ensure the safety of Rene and others – so everyone please remember “do not ever become complacent with Rene”!

Nora, could you please check with the team and make sure that everyone has received and read a copy of this letter.

Kind Regards,
Dene Rogers
Home Support Co-ordinator
CYR
Spectrum Care

CLIENT RISK MANAGEMENT FORM

Client: Rene Hess DOB: 20.7.92 NHI: F4G1362

No	Risk - what, where, who	How to manage/minimise this risk	Date	Evaluation	Sign & Date	Sign & Date	Sign & Date
①	Rene will run off	Monitor Rene closely so you can stop him before he takes off. Train track near house within which Rene has headed for in the past. DO NOT BE COMPLACENT!! - Restrain if needed to keep Rene safe	14/9/5	Reviewed 14/9/5			
②	Physical abuse towards others	Triggers - Anxiety, frustration Do not getting his own way. * Agitated / anxious around noise, changes, visitors, strange * Seizure activity * Creckions * Tailoring					

Family signature [Signature] Date 13-9-5
Coordinator signature [Signature] Date 13-9-5

Document Type	FORM	Issued	April 2005
Title/Manual	CYR Client RM Form	Version Status	Version 3
Owner	CYR Service Manager	Reviewed	April 2007
Document Control Reference	C-3.2.7.1F	Authorisation	

Spectrum Care

Te Wai Kahu'kura Atawhai

CLIENT RISK MANAGEMENT FORM

Client: Rene Hess.	DOB: 20-7-92	NHI: F44 1362
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No	Risk - what, where, who	How to manage/minimise this risk	Date	Evaluation	Sign & Date	Sign & Date	Sign & Date
	Cont 1.	- Give Rene space - Remove the triggers a redirect					
		- Play outside					
		- Ensure there are no sharp objects which could be used as weapons.					
		- Ensure toileting is taken regularly a encourage liquids. Don't make a big issue of toileting. Be creative, may use a reward.					
		Do not make a big fuss as this will reinforce the behaviour to Rene. Ignore when possible.					
13	Spitting						
14	Unrational behaviours towards people/objects. ie: Kicking, biting, scratching	Triggers - epilepsy, hunger, constipation. Rene being discussed negatively in his					

Family signature Date

Coordinator signature *dkk* Date *10/9/5*

Document Type	FORM	Issued	April 2005
Title/Manual	CYR Client R/M Form	Version Status	Version 3
Owner	CYR Service Manager	Reviewed	April 2007
Document Control Reference	C-3.2.7.1F	Authorisation	<i>[Signature]</i>

IT RISK MANAGEMENT FORM

Client: Kene Hess OB: 20 7 92 NHI:

No	Risk - what, where, who	How to minimise this risk	Date	Evaluation	Sign & Date	Sign & Date	Sign & Date
	using objects as weapons	presentatt - showing fear & begins acting odd.					
		⑤ Max/minimise					
		Do in yourself or Kene is a sign of danger.					
		- Use zoning techniques to yourself.					
		- Be at all times - Kene has pt to behave					
		irritably.					
		- Keep away from vehicles & outside room/office					
	⑤ Irrational behaviour around water.	Trigger attention seeking behaviour of humour					
		seeking from others.					

Family signature

Date

Coordinator signature [Signature]

Date 13.9.5

Document	Issued	April 2005
Title/Client RIM Form	Version Status	Version 3
Service Manager	Reviewed	April 2007
Document Control Ref 2.7.1F	Authorisation	<u>[Signature]</u>

FORM
Service/CYR

Spectrum Care

Te Wai Kahukura Atawhai

CLIENT RISK MANAGEMENT FORM

Client: <u>Rene Hess</u>	DOB: <u>20.7.92.</u>	NHI: <u>F46 1362.</u>
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No	Risk – what, where, who	How to manage/minimise this risk	Date	Evaluation	Sign & Date	Sign & Date	Sign & Date
		Behaviour shown ① Running into the sea & not stopping when it gets too deep. ② Running into accessible swimming pools. ③ Defecating in pool.					
		Minimize / minimize by: wearing a zip up top body suit. Make sure he has been to the toilet first.					
		Always be aware of where Rene is & hold his hand.					
		Minimize risk around his epilepsy & water danger.					
⑤	Outings in the community.	Staff need to be aware					

Family signature Date

Coordinator signature DRD Date 13.9.5

Document Type	FORM	Issued	April 2005
Title/Manual	CYR Client R/M Form	Version Status	Version 3
Owner	CYR Service Manager	Reviewed	April 2007
Document Control Reference	C-3.2.7.1F	Authorisation	<u>AS</u>

Q:\Forms\CYR\CYR 2.24 RISK MANAGEMENT FORM.doc

4.

CLIENT RISK MANAGEMENT FORM

Client: Rene Hess DOB: 20.7.92 NHI: FYG 1362

No	Risk - what, where, who	How to manage/minimise this risk	Date	Evaluation	Sign & Date	Sign & Date	Sign & Date
①	Rene has NO traffic awareness.	Rene's behaviour is unpredictable. Always be aware he may do irrational things. ie - Run out in front of cars - Run past cars - Kick parked cars * MINIMISE * - Supervise Rene closely - Always get out of vehicle before Rene. - Always hold Rene's hand when in public places.					
②	Irrational behaviour around toileting.	Triggers - Attention, excessive giggling - seizure activity which can make him aggressive					

Family signature Date
Coordinator signature A. L. G. P. Date 13.9.5

Document Type	FORM	Issued	April 2005
Title/Manual	CYR Client R/M Form	Version Status	Version 3
Owner	CYR Service Manager	Reviewed	April 2007
Document Control Reference	C-3.2.7.1F	Authorisation	

CLIENT RISK MANAGEMENT FORM

Client: Rene Hess	DOB: 20-7-92	NHI: FYG 1362
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No	Risk - what, where, who	How to manage/minimise this risk	Date	Evaluation	Sign & Date	Sign & Date
		of Rene's triggers & signs & environment when taking Rene out - planning is important.				
		* Staff to work within the family home if Rene is showing signs of being aggressive or agitated				
		* Do not take to public places to minimize the risk of harm.				
		* Avoid locations where previous incidents have happened eg - certain shops etc...				
		* If on an outing with Rene & his behaviours escalate - try & calm him down before putting him in the van - or near other vehicles				

Family signature Date

Coordinator signature *[Signature]* Date *1395*

Document Type	FORM	Date	April 2005
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Submission No 1

Case Conference

Held 28 August, 2002

For Rene Hess

Venue: Arohanui Special School

Present:

Dr. Rosie Marks (Paediatrician), Fleur and Ulrich Hess (Parents), Munira Haidermota (Behavior Advisor, Spectrum Care), Charles Heywood (Psychologist, Arohanui Special School), Nora Cromer (Home Support, Spectrum), Melissa Frith (Assistant Psychologist / Behaviour Therapist, Arohanui), Delwyn Nixon (Home and Respite Support, Spectrum), Kay Graham (Occupational Therapist, Arohanui), Joan McCaughey (ASD 'School' Leader, Arohanui).

DISCUSSION

Current Major Problems

1. **Seizure activity.** Distress is worse when seizures are worse.
2. **Behaviours**

In school - (Charles' observations)

- more inappropriate behaviours when expected to do something
- getting attention reinforces the behaviour
- trying to get out of the task

Inappropriate behaviours increase with the above.

When Rene has his choice of activity, his behaviour is more appropriate and he is likely to stay on task for longer periods.

- seizure activity, eye twitching
- erections, biting, attacking others
- destructive behaviour with resources etc

At home -

- eye rolling and seizure activity
- erections, biting, attacking others
- shredding items such as bedding, clothes etc.

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At Sturges -

- all of the above

Some behaviours seem to go in cycles and seem to go with eye rolling. Stesolid has stopped the eye rolling. Rene has even indicated that he wants to have the Stesolid. ("Give me the glue").

Rosie suggested a 24 hour Video EEG monitoring but this could take time to book an appointment and would be very difficult for Rene to manage (plus all concerned).

Clinically speaking, there are seizures but it is not known if 'activity' constitutes seizures. Tegretol COULD be making Rene worse. Rene hits his head in the same place on the right and says - "naughty boy, shut up, get out of here". He is much happier when he is not anxious and having seizure activity.

Rosie suggested the possibility trialling a longer acting anti-convulsant (Clobezam - brand name Frisium). This would be less likely to impair consciousness. Rene could be weaned off Tegretol.

Kay suggested videoing Rene in school before he changes medication.

When Rene has seizure activity, he loses his appetite; he gets tics when Respiridone is increased and this could be linked to erections. Lately, Rene seems to be having erections OR seizure activity but not both. Rene seems to calm with pressure.

STRATEGIES

1. For the next 14 days, 300 mg Tegretol BD. (2 x per day - am and pm and NOT in school). Watch and observe until Sept. 10, 2002. (Rene began Tegretol on Sept. 11, 2001).
2. Fleur and Ulrich to think about Clobezam (½ tablet to begin with).
3. Rosie to send parents information on the medication.
4. 10 Sept. Rosie and parents to discuss situation and decide if Clobezam is to be used.
5. Prescription to be given to Fleur.
6. School to explore sensory and behavioral strategies.
7. Rosie to book Video EEG.
8. School to video behaviors.

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9. Give stesolid after 15-20 minutes of seizure activity ie. Eye rolling / biting
10. Data to be collected across settings. Munira to adapt rating scale and liaise with Charles.

Behavioural Observations to include:-

- eye rolling
- urinating / defaecating
- destruction of clothing, furniture etc
- erections
- attacking / biting / targeting staff
- exposing self
- facial tics
- head banging
- facial grimacing
- crying

Minute taker

Joan McGaughey
Associate Principal

Submission No 1

30/12/2015

To whom it may concern,

The information below contains private and confidential information.

My name is Jing Yin, a Home Support service coordinator from Spectrum Care. I am writing in regards to my client Rene Hess, DOB 20/07/1992, at 51 Gilbransen Road, Huapai.

The parent of Rene has asked me to provide you with a professional idea of Rene's needs and challenging behaviours in response to the council's proposal to build a school next door to his flat.

This letter is not a submission.

Rene Hess is a 23 year old young man who has severe Autism and an intellectual disability. Due to his very high needs he is funded 59 hours of 1:1 in home support per week from Taikura Trust and Spectrum Care is providing the support to him and his family. There are four permanent support workers and a pool of casuals to cover 15 shifts plus 3 sleepovers each fortnight. This is to give you an idea of how high his needs are.

It is unlikely that Rene will display challenging behaviour toward others however part of his disability is that he response sensitive to changes and experiences sensory overloads fairly quickly. He has difficulties understanding social norms and is not flexible with the increase of noises and changes in his environment. Rene is not capable of understanding or communicating like most other people do.

I would like to make you aware about the potential behaviour that might be displayed such as hitting his head, intense and loud swearing, screaming, stripping, pacing along the borderline and unusual body language that may upset young children. Also consequences might be due to Rene's high anxiety level that he will potentially display anger and threatening behaviours towards the people in the community.

I feel that you should be aware of this before you proceed your planning.

Kind regards,

Jing Yin

Service coordinator

Spectrum Care

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~~253 Old North Rd~~
~~180 Orana Road~~, RD2
Kumeu 0892, Auckland
PO Box 158, Kumeu 0841
Auckland, NZ



Contacts
Phone: 09 412 2016
Mobile: 021 637 772
petesinton@townplanner.co.nz

Fleur & Ulrich Hess
51 Gilbransen Road
Huapai

25th January 2016

Dear Fleur & Ulrich

Re: Proposed Primary School & Early Childhood Education Centre

The following are the elements in the application where submissions need to be made for a hearing.

The Kumeu-Huapai Residents & Ratepayers Association will also make a submission but it would be on the larger and wider issues of the application as it effects the District.

The following items are not in order of significance but cover aspects that need resolution.:-

1. Consultation

Given that the Hess site is the only one which has a land locked aspect, I would have thought a consultation with you would have been essential. Formal consultation was made to the IWI groups but not you.

2. Comprehensive development Plan

As part of the pre-approval of the Cabra site, they were required to undertake and obtain consent to a Comprehensive Development Plan. That detail as you are aware involved your site and Cabra's land. The

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2.

concept plan had to be submitted and approved as part of the preliminary work for your subdivision and Cabra's residential development.

Clearly the roading part of that approval is not being followed by the Ministers application.

3. Future roading adjacent to the Reserve is totally ignored. That roading was with minor changes incorporated into the final approval for Cabra. No roading in the school designation provided for.
4. Adjacent land to West had a roading pattern aligned with the Cabra roading to develop the land under the Minister requirement. That alignment and through roading is not provided for.
5. The Jasmax Plan doesn't provide any connectivity between the North corner of Cabra Development and southern end of Gilbransen Road.
6. Gilbransen road is expected to contain all traffic to the school despite the road being a 'dead end' with no cul-de-sac head or turning areas.
7. The Jasmax concept plan makes little or no use of the formed access to the North-Eastern corner of the site, despite roading being formed to the school boundary.
8. Traffic for the school with a mix of car & buses will not be successful in a one way street system.

9. Density of school versus Housing

Housing allows approximately 90 people in Cabra's two sites at 2 adults & 1 child per site. The School will have 35 staff and 800 children in same area, without visitors, parents etc; and additional cars.

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3.

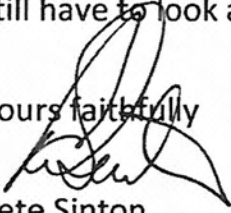
10. The Concept Plan is not the Development Plan, that comes later and you will have no say in how the school will be designed - that is unacceptable.
11. Noise level is 55 dba on the residential bdy but that excludes normal playground noise and sounds which would exceed that level.
12. Building height for residential is 2.5ht on bdy with 45% building plane from there. No max height is specified so the school could go to 3 stories where as residential has an upper limit.
13. The roading designation affecting the land has not been uplifted.
14. The school layout on Jasmax plan will restrict your site for housing and will probably reduce the value of sections due to proximity to the proposed school. No one wanting a residential section will want to pass a Primary School to obtain access to your site.
15. The public in the West will have to detour around the school to obtain access to the park.
16. It is quite likely that unless the school roading plan is changed that the public will want access to the Reserve by access through your site.
17. Alternatively to school zoning would be a mix of medium density residential housing not single dwelling housing that would add a potential higher density of development than currently approved.
18. There is no time limit on when the school will start.

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4.

There are probably other items, but I am still working through the fine print. I still have to look at the Due Diligence Assessment Document.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Pete Sinton', written over the words 'Yours faithfully'.

Pete Sinton

Town Planner

Submission No 1



Adult Mental Health
Regional Dual Disability Service
492 Great South Road
PO Box 22223
Otahuhu
Auckland
Ph: 09 270 9090
Fax: 09 270 9095

29 January 2016

To Whom It May Concern:

Dear Sir or Madam:

Re: Rene Graham Hess
NHI: FYG1362
DOB: 20/07/1992
Address 51 Gilbransen Road Phone: 09 412 8681
R D 1
Kumeu
Auckland 0810

I am a Consultant Psychiatrist specialising in Intellectual Disability. I am writing to let you know about the problems that will occur if a primary school and early learning centre are built next door to one of my clients, Mr Rene Hess. My clients diagnoses include :

1. Severe Intellectual Disability
2. Severe Autism
3. Problem Behaviour (Challenging Behaviour)– touching his genitals (with or without erection) – removing clothes (exposing genitals) – screaming, swearing, hitting head, running away from home – severe property damage, for example smashing windows, doors and walls – throwing or smearing faeces
4. Epilepsy

Whilst we try to help Rene feel the best he can, and use a Behavioural Support Plan, these problems listed above are lifelong, and he still exhibits the Problem Behaviour when at his best.

His family have built a home to cope with his significant needs. This has been at their own cost. The house has reinforced windows, solid core walls and doors, and space for Rene to pace, inside and outside, and a self-contained flat for Rene and a Carer to be in during his Respite time (days for family to have a break from caring for him), that divides off from the rest of the house, and a security fence and secure gate. Unfortunately, he has still managed to abscond at times, despite the house specifications. It is worth noting that the family left their previous house, due to complaints about his Challenging Behaviours, from neighbours.

I understand that there are plans to build a primary school and an early learning centre adjoining this property, and that the concerns raised so far by family, and other medical specialists, have been dismissed as being able to be dealt with by a 'safety plan'. From experience working with adults with Autism and Challenging Behaviour, it is not possible to contain them at all times, and it is only a matter of time before he inadvertently exposes his genitals to the pupils of the school. They will also hear his behavioural outbursts, which are frightening to adults, and would certainly be

This is Confidential information.

If you have received this in error please contact the writer or manager at the above service.

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frightening to children. My client throws things over the current fence, which would be dangerous in a primary school, but the current neighbours allow for this, and understand the situation, thankfully. Similarly, from experience, and appropriately, parents will not tolerate their children being exposed to a naked adult male. Most recently, Rene has got out through the gate, and the Search and Rescue Helicopter was involved to find him. As far as I understand, at this time, he did not remove his clothes, but he can do this at any time, and very quickly.

It is important for me to emphasise that my client is not aware that he is doing anything wrong and he does not seek to cause distress.

The problems of a school for my client include the temporary noise of the building work, which tends to cause a severe worsening in the mental state of people with autism, the noise of children, and the school bell. These are likely to cause him distress, as high-pitched noises are a trigger for people with Autism due to significant Sensory Sensitivity.

It is noteworthy that the adjustments to the family home, whilst expensive, are not of value to anyone but this family, and therefore if they were to sell the house, they would not get a price that would allow them to build a house of the same specifications, elsewhere. This leaves them in an impossible situation, should the school and centre be built.

You will be able to understand from the information I have given you, that there are good reasons for me sharing this information; it is to avoid trauma to young children and their parents, along with distress to my vulnerable client, that I ask that an alternative site for the school is found.

Thank you for doing all you can to avoid a disastrous outcome.

Yours sincerely



Dr Gail Fleming
MB ChB BSc MRCPsych (UK)
Consultant Psychiatrist and Clinical Lead
Regional Dual Disability Service

Cc: John Key, MP for Helensville

Gail Fleming, Consultant Psychiatrist
Regional Dual Disability Service
Medical Registration No. 45307
492 Great South Road, Otahuhu
Phone: 270 9090 Fax: 270 9095

Submission No 2

SUBMISSION ON A NOTICE OF REQUIREMENT UNDER SECTION 169, RESOURCE MANAGEMENT ACT 1991

To: Auckland Council

Submission on: PA 197 Notice of Requirement for designation, Minister of Education (47 and 49 Gilbransen Road, Huapai)

Name of submitter: New Zealand Fire Service Commission (the Commission)

Address: c/o Beca Ltd
Attention: Perri Duffy
PO Box 6345
Auckland

This is a submission on behalf of the New Zealand Fire Service Commission (NZFS or the Commission) on a Notice of Requirement (NoR) submitted by the Minister of Education for a new designation at 47 and 49 Gilbransen Road, Huapai. The proposed designation is for the purpose of establishing a primary school and early childhood education (ECE) centre. Detailed Design plans have not been developed however a development concept plan has been included as Appendix F of the NoR, which demonstrates that it is feasible to establish an education facility on the subject site.

The specific parts of the application that the Commission's submission relates to are:

Aspects of the proposed development that may impact upon the operations of the Commission include vehicle access and the provision, location and access to sufficient water supply for fire fighting purposes.

The Commission's submission is:

In achieving the sustainable management of natural and physical resources under the Resource Management Act (RMA 1991), decision makers must have regard to the health and safety of people and communities. Furthermore, there is a duty to avoid, remedy or mitigate actual and potential adverse effects on the environment. The risk of fire represents a potential adverse effect of low probability but high potential impact. The Commission has a responsibility under the Fire Service Act 1975 to provide for fire fighting activities in a safe, effective and efficient manner. As such, the Commission monitors development occurring under the RMA 1991 to ensure that, where necessary, appropriate consideration is given to fire safety.

A resultant benefit of submitting on applications is that people become aware of fire risks associated with land development, the implications should sufficient water supply not be available for the fire service, and the benefits of complying with the *NZFS Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008* (Water Supplies Code of Practice). Having inadequate access to water supply for fire fighting purposes creates a safety risk for users of the building in an emergency, which is a risk the fire service is seeking to minimise.

Submission No 2

In addition, the Commission submits on Plan Reviews and Plan Changes to seek provisions that will manage development to avoid or minimise the adverse effects of fire, including in relation to the provision of adequate access and water supply (as set out in the Water Supplies Code of Practice). Of note, the NZFS has submitted on the Proposed Auckland Unitary Plan (PAUP) and has been involved with mediations, provided evidence to the Panel, and attended hearings. Adequate access to property and the provision of adequate water supply are two key matters that the Commission is pursuing through the PAUP process.

The Commission supports the consideration afforded to its operational requirements in the NoR as it is important to the Commission that the proposed development adequately provides for fire fighting activities to all buildings in a safe, effective and efficient manner as required by the Fire Service Act 1975. In summary, the Commission generally supports the proposed development from a fire fighting perspective but notes that in the case that on-site water storage is not provided, an additional hydrant should be installed on-site to enable the provision of efficient and effective fire fighting services to the development. Further detail around this submission point is provided below.

Vehicle Access

The development concept plan included as Appendix F of the NoR shows conceptual vehicle access points and vehicle circulation. From the plans it appears that three vehicle accessways to the site from Gilbransen Road are proposed. It is noted that the plans also show a dedicated access and loading area for fire appliances along the southern boundary of the site. The intention to provide a dedicated area for access and operation of fire appliances is supported by the Commission.

While it is acknowledged that the proposed development is only at concept design stage, the Commission would like to take this opportunity to note that in order for an aerial fire appliance to easily negotiate a vehicle crossing / accessway a minimum crossing width of 3.5m must be provided. In order to provide sufficient room to allow vehicle crews to work with fire fighting equipment around the vehicle a hard standard area with a width of 6.0m must be provided. Further, to allow an aerial fire appliance to easily negotiate curved sections of an accessway, a minimum inner radius of 5.2m and outer radius of 12.5m, with a distance between the inner and outer arcs of not less than 7.3m should be provided.

Water Supply

While the site is not currently connected to the reticulated water supply system, Auckland Council's GIS Viewer shows three existing fire hydrants along Gilbransen Road in the vicinity of the site. Two hydrants are situated immediately opposite the site and the third is situated approximately 60m to the north of the site. It is noted that the intention of the proposed development is to provide a connection into the reticulated system, via a 150mm connection, branching into a 150mm fire sprinkler line and a 100mm potable water line at the site boundary.

The Ministry of Education requires sprinklers in all new schools with specific design and flow testing based on criteria set out in the New Zealand Standard (NZS) 4541: 2013 for Automatic Fire Sprinkler Systems to demonstrate that adequate capacity is available. This is supported by the Commission. The NoR has identified that flow testing is required on the existing water supply in Gilbransen Road to confirm suitability for sprinklers. It acknowledged that if the flow and pressure in the reticulated system is not suitable for a sprinkler system, a pump and storage on-site could be required to ensure that there is adequate fire fighting water supply to protect the school. The Commission undertakes regular pressure and flow testing of hydrants and upon review of the NoR, undertook testing of the two hydrants that flowed between numbers 42 and 50 Gilbransen Road. For the Requiring Authority's information, the flow rate was 38.5 litres per second, with a static and

Submission No 2

running pressure of 650 kilopascals and 400 kilopascals respectively. The Commission would be happy to discuss these results in further detail with the Requiring Authority.

The Commission supports the intention to provide sprinklers. The Commission also supports the intention to provide on-site water storage and pumping in the event that the existing water supply in Gilbransen Road proves unsuitable for sprinklers however for clarity, notes that any on-site water supply should be developed in accordance with the Water Supplies Code of Practice. Any tank used for the storage of fire fighting water supplies should be fitted with a 100mm female round thread suction hose adaptor in accordance with the *NZFS Specification for Firefighting Waterway Equipment SNZ PAS 4505L 2007*.

In the case that on-site water storage and pumping is not provided, the Commission notes that the provision of an additional on-site fire hydrant located within the accessway of the development would far improve the fire fighting water coverage of the site. As outlined in the Water Supplies Code of Practice, all buildings / structures must be within 135m of a fire hydrant in order to provide adequate fire fighting water coverage for the development. It is noted that part of the buildings (as indicated on the development concept plan included as Appendix F to the NoR) are located further than 135m from the existing hydrants on Gilbransen Road. Currently without the provision of on-site water storage in accordance with the Water Supplies Code of Practice, the coverage for the site is insufficient.

The Commission aims to enable the provision of efficient and effective fire fighting services to the development and recognises the consideration afforded by the Requiring Authority to the operational requirements of the Commission. The Commission generally supports the proposed development from a fire fighting perspective (provided that water supply is developed in accordance with the Water Supplies Code of Practice at detailed design phase), however considers that an on-site fire hydrant is required to provide sufficient fire fighting water capacity for the proposed development and thereby improve the ability for an efficient fire fighting response in the event of an emergency.

The Commission seeks the following decision from the consent authority:

If the Consent Authority is minded to provide a favourable recommendation for the NoR, the Commission seeks the inclusion of the following as conditions of the designation:

- A. That upon the construction of the habitable building, sufficient water volume, pressure and flows is provided in accordance with NZFS Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008; and

Either

- i. That if the water supply is to be provided by way of tank storage, this should be located a safe distance away from all buildings in accordance with NZFS Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008. Any tank used for the storage of fire fighting water supplies is to be fitted with a 100mm female round thread suction hose adaptor in accordance with the NZFS Specification for Firefighting Waterway Equipment SNZ PAS 4505:2007;

OR

- ii. That a fire hydrant shall be provided in accordance with the *NZFS Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008* and should be located so that all buildings can be serviced from a hydrant in times of emergency. The hydrant shall be connected to the Council reticulated water supply and shall be accessible and maintained to an operable standard at all times.

Submission No 2

The Commission wish to be heard in support of their submission.



.....
(Signature of person authorised to
sign on behalf of New Zealand Fire
Service)

9/02/2016

.....
Date

Title and address for service of person
making submission:

New Zealand Fire Service Commission
c/o Beca Ltd

Attention: Perri Duffy

Address: Beca Ltd
PO Box 6345
Auckland

Submission No 3



3 February 2016

Attention: North Planning Technician
Auckland Council
Private Bag 92300
Auckland 1142

8 Henderson Valley Rd
Henderson, Auckland 0612
Private Bag 92 250
Auckland 1142
New Zealand
aucklandtransport.govt.nz

Ph 09 355 3553
Fax 09 355 3550

Dear Sir/Madam

**SUBMISSION ON NOTICE OF REQUIREMENT BY MINISTER OF EDUCATION AT 47 AND 49
GILBRANSEN ROAD, HUAPAI**

Attached is Auckland Transport's submission on the proposed Notice of Requirement at the above address.

Should you have any queries in relation to this submission, please contact Jade Ansted (Assistant Transport Planner) on 09 4475 391

Yours sincerely



Don Munro
Manager – Strategic Transport Integration

Enc: Auckland Transport's submission on Notice of Requirement

cc: Minister of Education c/o Incite P O Box 3082, Auckland 1140.



Submission No 3

SUBMISSION ON NOTIFIED NOTICE OF REQUIREMENT AT 47 AND 49 GILBRANSEN ROAD, HUAPAI

To Team Leader – Planning North/West
Auckland Council
Private Bag 92300
Auckland 1142

From Auckland Transport
Private Bag 92250
Auckland 1142

This is a submission on the Notice of Requirement (NoR) at 47 and 49 Gilbransen Road, Huapai as sought by the Minister of Education to provide for a primary school and early childhood centre (plan modification 197).

Auckland Transport's submission relates to the entire Notice of Requirement.

Auckland Transport's submission is:

We conditionally support the Notice of Requirement, subject to the matters below being resolved.

The reason for Auckland Transport's submission is that:

As the Road Controlling Authority responsible for planning, funding, and developing Auckland's land transport system, Auckland Transport (AT) considers it is vital that land use development supports providing an integrated, safe, responsive, and sustainable transport system.

AT makes this submission on the Notice of Requirement to ensure that this is achieved, in particular, that the necessary roading upgrades on the boundary of the school site occur, that sufficient on-site parking and pick up/drop off facilities are provided, and that more certainty is provided regarding safe access points to the proposed facilities.

1. Road Infrastructure

The site at which the school is to be located is currently rural in nature and, although identified as an area of future growth, does not have the standard of road infrastructure required to support a school site, including parking, crossings and access. Furthermore, the street is not currently equipped to handle the anticipated volumes of traffic. Upgrades will, therefore, be necessary along Gilbransen Road. These are matters that must be considered as part of this NoR process. While the detailed design and funding arrangements for these upgrades can be finalised at the Outline Plan of Works (OPW) stage, AT provides the following comments at the NoR stage for appropriate conditions and to guide the design development:

- The plans provided with the application refer to the *Huapai Road Hierarchy Plan* which shows a proposed upgrading of Gilbransen Road as a collector and neighbourhood road (Due Diligence Report, 2015) and noted as considered able to handle such volumes of traffic. This plan is currently contained in the Operative District Plan and has not been carried through to the Unitary Plan. There can be no reliance on such an upgrade occurring through development of this area and the OPW needs to be prepared on the basis of the planning framework in place at that time.
- Gilbransen Road is a cul de sac (and will remain so) and currently the only road access to the site. This raises concerns regarding the ability of the street to handle peak traffic volumes safely. Greater consideration needs to be given to how traffic will circulate at the end of Gilbransen Road at peak times and, in particular, how bus turning will be accommodated. A plan for accommodating bus turning is needed.

Submission No 3

- AT requests that the detailed design for a bus drop off facility is to be submitted in the *Outline Plan of Works*. On the *Bulk and Location Concept Plan* provided as part of the application documentation, the bus stop facility is shown adjacent to the school on Gilbransen Road in front of the main entrance - such a drop off is likely to be inadequate for school purposes and consideration needs to be given to locating this within school premises. As mentioned above, Gilbransen is a cul-de-sac and buses would need to be able to turn around safely in close proximity to the school and current residential property driveways. This could be a traffic safety issue and needs to be looked at in closer detail. A turning plan as noted above is needed.
- The application shows proposed paths of 1.5 metres – these do not meet Auckland Transport's standard of 1.8 metres and so needs to be amended. The Auckland Transport Code of Practice (ATCOP) also identifies that shared paths must be at least 3 metres wide. Given the land use proposed, there should be a consideration to increase the path width to provide for a shared route.

2. Parking and Pick up/Drop off Facilities

There appears to be inconsistency between the application's AEE and the *Due Diligence Assessment Chapter 4.0 Traffic and Transportation* regarding the number of staff anticipated to be working at the site. This is relevant as it will affect parking numbers and traffic generated. Within the supplied AEE in *4.0 Description of Proposal* it states that there will be 'approximately' 25 staff for the primary school, and the Early Childhood Education Centre (ECC) will have 'approximately' 10 staff. However the *Due Diligence Report* states that 38 staff will work at the primary school and 7 staff in the ECC. Clarification over which numbers are correct is requested.

Considering the nature of a school servicing a maximum of 750 children (years 1 – 8) and 50 children in the ECC, and limited provision of public transport in this locality, the supply of 80 carparks on site for both the primary school and the ECC is supported.

Parking requirements for the school and centre must be addressed on-site as no reliance can be placed on on-street parking opportunities. Any future upgrade to Gilbransen Road, even if parking bays were provided, is not appropriate for drop off facilities as is envisaged in the application. Whilst parking may be provided along Gilbransen Road in the future, this will be provided by a developer or at such a time as the road is upgraded.

In order to manage potential congestion at peak times, alternative travel plans should be adopted to reduce the number of trips made by car. This is addressed in more detail in the following section.

3. Travel Planning and Active Modes

AT supports the development of a Travel Plan as proposed in *7.3 Transport and Traffic Effects* in the Notice of Requirement documentation. As public transport is currently limited in the area and given the close proximity of future residential development, alternative modes such as walking and cycling are considered to be appropriate and more attractive alternatives to sole reliance on the private vehicle in this location.

AT requests that the Travel Plan address the following matters:

- Safe access to the entry points to the school. Zebra and KEA crossing facilities are supported and should be well located within pedestrian desire lines
- The Travel Plan should be consistent with/make use of the *TravelWise* programme
- Vehicle entry and pedestrian/cyclist entries should be separated
- The inclusion of a pedestrian/cyclist access onto Van Rixel Drive is supported and should ensure users arrive in a safe area with a crossing and/or suitable cyclist/pedestrian path.

The provision of long term cycle parks is supported, however, clarification is sought over whether 53 is the number of stands (which would allow around 100 bikes to be parked), or if 53 is the maximum capacity. Room for expansion of cycle parking should be provided if possible.

Submission No 3

The cycling/pedestrian link at the north east edge of the site to Van Rixel Drive as shown in the *Bulk and Location Concept Plan* is supported by AT and appears to already have been constructed. This needs to be confirmed as there should be a requirement on the requiring authority to ensure these facilities are constructed prior to the school opening, rather than an expectation on AT or Auckland Council to provide such a facility.

AT notes that other travel modes such as Walking School buses and carpooling are supported and encouraged.

4. Transport Assessment

The AEE has estimated around 488- 512 two way-trips during each peak hour, meaning that around the school hour there will be approximately 244 – 256 vehicle movements per hour to the school and a similar number away from the school (AEE, 2015).

Further clarification around the traffic generation analysis is requested as it appears inconsistent in parts and does not seem to take account of the site's rural nature and transport situation.

It also states in the application that because the area is presumed to be largely developed by the time the school becomes operational that a large number of trips will already be on the network. Irrespective of other development, the addition of a school and ECC will generate additional trips. This change in trip pattern has not been investigated in sufficient detail. In particular, AT notes that the addition of these facilities will likely have effects on the intersections at Matua/Tapu Road and Matua/Gilbransen Road as well as Matua/SH16 intersection which have not been adequately assessed in the application. Bearing the areas rate of change in mind, AT requests that a full ITA be done at the time of the OPW in order to address the changed circumstances at the time of implementation.

5. Proposed Conditions

Auckland Transport supports Conditions 3, 4 and 7 proposed by the requiring authority addressing car parking and on-site pick up/drop off facilities, provided that Condition 7 has a transport assessment which addresses the concerns raised through this submission and that a full ITA is provided with the OPW on the basis that the area will have changed circumstances at the time of implementation.

Condition 6 is generally supported by AT in respect to the travel plan being developed in consultation with AT, and any future actions / improvements to the roads identified, being done in consultation with AT prior to the submission of any *Outline Plan of Works* or consents for new classrooms for the school.

AT requests that proposed Condition 5 regarding the *Outline Plan of Works* and proposed Condition 6 regarding the Travel Plan be amended to include the following statements:

Condition 5: Outline Plan of Works - to be amended to include the following

The requiring authority shall submit with the first outline plan of works:

- a. *A school traffic and movement concept plan including:*
 - i. *General location of access points, staff parking and drop off/pick up areas.*
 - ii. *General location of future buildings and open spaces (such as playgrounds and sports fields)*
 - iii. *A summary of the manner in which it is anticipated that the school development will change over time as it accommodates intensifying use.*
- b. *A design assessment by a suitably qualified urban designer that addresses how the school concept plan in clause (a) incorporates CPTED principles (such as passive surveillance over the streetscape).*
- c. *A full Integrated Transport Assessment (ITA) prepared by a suitably qualified traffic engineer and/ or transportation planner which addresses those matters outlined in the Auckland Transport ITA guidelines and in particular:*
 - i. *Access to the school premises (pedestrian, cycle and vehicles, including buses, as well as any ground and building maintenance access points)*

Submission No 3

- ii. *Staff car parking, cycle parking, on site pick up and drop off areas, and sufficient loading spaces to facilitate deliveries and rubbish removal.*
- iii. *Traffic generation and means of mitigation*
- iv. *Upgrade works to Gilbransen Road to address bus and vehicle turning and safety issues.*

Condition 6: Travel Plan - amended to include the following

- i. *The Travel Plan shall identify current travel patterns, and set standards and goals to mitigate real and potential adverse traffic effects, and road safety risks. This is envisaged to be a live document that addresses traffic related concerns from school activities on an ongoing basis and monitored by bi-annual surveys undertaken by the school with the results provided to Auckland Transport. The plan shall be consistent with the Travel Wise programme.*
- ii. *Surveyed results shall be to the Auckland Transport community transport school travel planning format and be submitted bi-annually to Auckland Transport.*
- iii. *The frequency of the surveys may be revised in consultation with Auckland Transport to reflect the level of traffic related concerns from the operation of the school.*

We note that similar conditions have been accepted by the Ministry for other recent school designations.

The submitter does wish to appear and be heard in support of its submission



Signed for and on behalf of Auckland Transport

Don Munro
Manager Strategic Policy Integration

Date: 09/02/16
Address for service of submitter:

Jade Ansted
Auckland Transport
Private Bag 92250
Auckland 1142

Telephone: 09 4475 391
Email: jade.ansted@aucklandtransport.govt.nz
For: Jade Ansted
Assistant Transport Planner
Strategy and Planning

Submission No 4

Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification

Sections 168A,169, 181, 189A, 190, and 195A of the Resource Management Act 1991
FORM 21



Correspondence to :
Auckland Council
Private Bag 92300
Auckland 1142
Attention to: Planning technician

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name of Submitter or Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Troy & Sarah File

Organisation Name (if submission is on behalf of Organisation)

Address for service of the Submitter

50 Gilbransen Road, Kumeu.

Telephone:

027 901 1860

Email:

files@live.ie

troyfile@hotmail.com

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By: Name of Requiring Authority

Auckland Council District Plan - Rodney Section

For: A designation or alteration to (describe)

Primary School and ECE Centre - Huapai

At: The site or place to which it applies

47 & 49 Gilbransen Road.

Within (indicate relevant District Plan)

Relevant District Plan:

☐ Auckland Central

☐ Auckland Gulf Islands

☐ Auckland Isthmus

☐ Franklin

☐ Manukau

☐ North Shore

☐ Papakura

☒ Rodney

☐ Waitakere

The specific parts of the Notice of requirement that my submission relates to are: (give details):

See Attached

My submission is:

I support the Notice of requirement ☐

I oppose the Notice of Requirement ☒

Submission No 4

The reasons for my views are:

See Attached

(continue on a separate sheet if necessary)

I seek the following recommendation or decision from Council (give precise details including the general nature of any conditions sought).

See Attached

I wish to be heard in support of my submission



If others make a similar submission, I will consider presenting a joint case with them at a hearing



Sarah File, Troy File

Signature of Submitter
(or person authorised to sign on behalf of submitter)

3.2.16

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use form 16B.

By taking part in this public submission process submitters will, for the purposes of the Official Information Act 1982, be understood to have waived privacy interests in their submission.

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the council. (unless the council itself gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that

- (a) Adversely affects the environment, and
- (b) Does not relate to trade competition or the effects of trade competition

Submission No 4

The Specific Parts of the Notice of Requirement that our Submission relates to are:

1. Loss of Privacy
2. Noise
3. Car Parking
4. Access / Traffic
5. Visual Appearance

The Reasons for our views are:

1. Loss of Privacy

As our property is located at the very end of Gilbransen Road, a no exit road, our driveway is already used as a turning area by a handful of cars every day. Unless the road design around the school is given serious consideration we see this situation getting a lot worse affecting our own access to our home, our privacy and our children's safety.

2. Noise

Noise pollution is another concern, not just from the school children but also from the extra cars, busses and service vehicles that will be using our quiet little road.

3. Car Parking

From first-hand experience there is never enough parking outside our schools which leads to congestion, double parking and frustration.

4. Traffic/Access

It is not logical to locate a school at the end of a no exit road. A visit to any school at pick up and drop off time will show the chaos that ensues on the surrounding roads.

Gilbransen Road is not currently up to dealing with the level of commuter traffic not to mind school busses that will be using it when the school is complete.

5. Visual Appearance

We are concerned about the visual impact of having the actual school building and service area located directly opposite our house as well as the service lane and rubbish pick up area.

Submission No 4

We seek the following recommendation or decision from Council:

1. Loss of Privacy

We would like to see the school building located towards the rear of the section backing on to the domain and away from all existing residential properties and the main access off Van Rixel.

2. Noise

Noise reducing elements such as double panel fencing, double glazing and acoustic insulation etc should be fitted to the school and the surrounding properties.

3. Car Parking

Minimum parking requirements should not be suggested as it is evident in every school at pick up/ drop off time that there is insufficient parking and it also allows for no future expansion.

4. Traffic/Access

It would make sense to put a one way system in place entering either from Gilbranson and exiting onto Van Rixel Road with this road continuing onto Tapu road and a roundabout from there to SH16 in order to minimise bottle necks.

Although currently under construction, it does not look like Gilbransen Road is being upgraded to the level stated in the proposal. Can you please ensure that this is addressed?

Is it possible to put in reduced speed limits on the roads surrounding the school around pick up and drop off times in the interest of safety?

5. Visual Appearance

It would make a lot more sense to locate the school buildings to the rear of the section, backing on to the domain and away from all existing residential properties. Service areas should also back on to the domain to limit noise and visual pollution to the neighbours.

Submission No 5

From: donotreply@aucklandcouncil.govt.nz [<mailto:donotreply@aucklandcouncil.govt.nz>]

Sent: Tuesday, 9 February 2016 12:12 p.m.

To: DP North Submissions

Subject: Submission on a notice of requirement

Thank you for your submission.

If you selected to be heard at a hearing then we will be in touch when hearings are scheduled.

If you have any questions, please contact us on 09 301 0101.



Contact details

Full name of submitter: Katrina VAN DER WENDE

Submission No 5

Organisation name:

Full name of Agent:

Phone (daytime): 021444104

Phone (evening):

Mobile: 021444104

Email address:

Postal address: 36 Gilbransen Road, Huapai

Post code: 0810

Date of submission: 9-Feb-2016

Submission details

This is a submission on a notice of requirement:

By: Name of Requiring Authority

Minister of Education

For: A designation or alteration to (describe)

Primary School and Early Childhood Education Centre, Huapai

At: The site or place to which it applies

Within: (indicate relevant District Plan)

Rodney

Specific parts of the Notice of Requirement that my submission relates to are: (give details)

Support the placement of the school.

Query on travel plans relating to the school.

Request to keep the existing trees on the Gilbransen Road border.

I/We:

Support the Notice of Requirement

The reason for my/our views is:

Believe the future school is well placed in a future subdivision and placement next to local fields for utilisation of the sports fields.

I/We seek the following recommendation or decision from council (give precise details including the general nature of any conditions sought):

1. Request that the trees lining the border of the site along Gilbransen Road be kept and maintained. There has already been extensive removal of trees in

Submission No 5

the area with the amount of subdivision. It would be good to keep some of the existing trees to maintain some of the original area horticulture.

2. Schools are notorious for traffic congestion and parking issues at pick up and drop off. As part of this process prior to confirmation of the school's placement a travel plan and implications for residents needs to be released to local residents and planned for. Given local residents will be directly affected by drop off and pick up and from knowledge of other schools may not be able to enter and exit their houses at these times due to parking and congestion. A travel plan needs to be discussed with residents at the earliest planning stages.

I/We wish to be heard at the council planning hearing:

Yes

If others make a similar submission, I/we will consider presenting a joint case with them at a hearing:

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public:

Accept

09 FEB 2013

CBD ALBERT ST

Submission on a publicly notified proposal for policy statement or plan change or variationClause 6 of First Schedule, Resource Management Act 1991
FORM 5

Correspondence to :

AUCKLAND COUNCIL

- 9 FEB 2013

GREWA

For office use only

Submission No:

Receipt Date:

Submitter details**Full Name of Submitter or Agent (if applicable)**

Mr/Mrs/Miss/Ms (Full Name)

Gary Leonard MOSS

Organisation Name (if submission is on behalf of Organisation)

Huapai Reserve Advisory Committee

Address for service of the Submitter

30 Tapu Road, Huapai, Kumeu 0810

Telephone:

09 412 7752

Email:

glavmoss@xtra.co.nz

Contact Person: (Name and designation if applicable)

Gary Moss, Chairperson Huapai Reserve Advisory Committee

Scope of submission**This is a submission to:**

Plan Change/Variation Number

Plan Change/Variation Name

Notice of requirement for a designation for a Primary School + Early Childhood Centre at 47 + 49 Cilbransen Road, Huapai

To the (indicate which plan below)

Relevant District Plan:☐ Auckland Central☐ Auckland Gulf Islands☐ Auckland Isthmus☐ Franklin☐ Manukau☐ North Shore☐ Papakura☒ Rodney☐ Waitakere**Relevant Regional Plan/ Policy Statement:**☐ Coastal☐ Sediment Control☐ Proposed Air Land Water☐ Farm Dairy Discharges☐ Transitional Regional Plan☐ Auckland Regional Policy Statement**The specific provisions that my submission relates to are:**

Please identify the specific parts of the Proposed Plan Change/Variation

Rule(s)

Or

Property Address

Or

Map

Or

Other (specify)Designation Huapai North Primary School + Early Childhood Education Centre
47 + 49 Cilbransen Road, Huapai**Submission**

Submission No 6

My submission is: *(Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)*

I **support** the specific provisions identified above ☐

I **oppose** the specific provisions identified above ☐

I wish to have the provisions identified above amended Yes ☒ No ☐

The reasons for my views are:

Submission attached

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the Plan Change/Variation ☐

Accept the Plan Change/Variation with amendments as outlined below ☒

Decline the Plan Change/Variation ☐

If the Plan Change/Variation is not declined, then amend it as outlined below. ☐

Submission attached

I wish to be heard in support of my submission ☒

If others make a similar submission, I will consider presenting a joint case with them at a hearing ☒

L.H. Moss
Signature of Submitter
(or person authorised to sign on behalf of submitter)

Date

4 February 2016

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6 (4) of part 1 of Schedule 1 of the Resource Management Act.

I ~~could~~ ☒ could not ☐ gain an advantage in trade competition through this submission

If you could gain an advantage in trade competition through this submission please complete the following:

I am ☐ am not ☐ directly affected by an effect of the subject matter of this submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition

Submission No 6

DESIGNATION HUAPAI NORTH PRIMARY SCHOOL & EARLY CHILDHOOD EDUCATION CENTRE AT 47 & 49 GILBRANSEN ROAD, HUAPAI

SUBMISSION

This submission is made by me on behalf of the Huapai Reserve Advisory Committee which is an elected local community group representing users of the Huapai Reserve facilities.

I am the chairperson of this group.

Gary Moss.

The report to the Minister of Education written by Incite Consultants dated 28 September 2015 on the suitability of the chosen site makes the following statement on page 31:

“Contributing to the high ranking of the site was the fact that the site is of an appropriate size, shape and topography is within its anticipated school catchment and backs on to the Huapai Reserve which presents an opportunity to share facilities with the Reserve”.

The points about “backing on to the Reserve” and the opportunity to “share facilities” are of special interest to the Huapai Reserve Advisory Committee.

They are the essence of this submission.

The Committee would like, at a very early stage to enter into dialogue as to how a Reserve which is open to the public at all times can be safely shared with the school and what conditions would need to be placed on the school's use of the fields and other facilities.

The Committee is also concerned about the implications of the school site being at the end of a no exit road and backing on to the Reserve property.

At a length of about 150 metres from the school boundary across Reserve playing fields are two large carparks and a further 200 metres along the Reserve driveway leads to Tapu Road, a main exit road.

Members of the committee envisage school- use of the Reserve parking facilities in at least two ways. Firstly, parents may drop-off and collect students using the Reserve driveway and carparks. Secondly, students would walk the 150 metres across the playing fields to and from the school.

As most cars would only be using the parking and driveway for a short time it would present few problems except that the driveway is not really suited to two-way traffic and there is a history of frequent maintenance to soft patches on the seal.

Of greater concern to the committee is the prospect of large numbers of students tracking across the fields in all weathers causing wear to the turf.

At this point there are no paths at the Reserve that lead to the school site. However, in conjunction with Auckland Council Parks and Reserves division, the Huapai Reserve Advisory Committee is slowly, as funds allow, constructing a concrete fitness path around the perimeter of the Reserve. Once construction of the path reaches the boundary with the school site, it may be feasible and sensible to locate the path in such a way that will lead students around the boundaries of the fields to the carpark and exit via Tapu Road.

If the Ministry of Education acknowledges that this is a likely pedestrian route for many students the Committee would like to negotiate some financial support from the Ministry for the construction of the path that students will use.

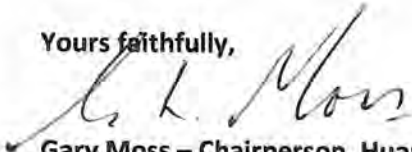
Submission No 6

Submission No 6

Page 2

THE HUAPAI RESERVE ADVISORY COMMITTEE WOULD LIKE TO ENTER IN TO DIALOGUE WITH MINISTRY OF EDUCATION REPRESENTATIVES AT AN EARLY STAGE OF SCHOOL CONSTRUCTION AND RESPECTIVELY REQUESTS THAT THE CONCERNS MENTIONED IN THIS SUBMISSION ARE ACKNOWLEDGED AND TAKEN INTO ACCOUNT IN THE COSTINGS AND CONSTRUCTION OF THE SCHOOL.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'G. L. Moss', written over a horizontal line.

✓ Gary Moss – Chairperson, Huapai Reserve Advisory Committee

4 February 2016

Submission No 6