

IN THE MATTER OF

the Resource Management
Act 1991

AND

IN THE MATTER OF

Application for a Notice of
Requirement by the Minister
of Education for a New
Designation under s168 of the
RMA for a Primary School
(Years 0-8) and Early
Childhood Education (ECE) at
2 Waka Moana Drive,
Hobsonville, Auckland - NoR
Designation 46XX.

**Directions issued by Hearing Commissioners under section 41C of the Resource
Management Act 1991**

1. Pursuant to section 34 and 34A of the RMA, Auckland Council (the Council) has appointed a Hearing Panel consisting of independent hearing commissioners – Karyn Kurzeja (Chairperson) and Vaughan Smith. The Hearing Panel's function is to hear the application and submissions and make a decision on the Notice of Requirement application.
2. Further to our Directions dated 8th July 2022, in which we advised there will be no hearing as no submitters now wish to be heard, we set out that any questions that the Hearing Panel may have for the applicant will be made in writing.
3. We now set out below our questions for the applicant:
 1. *Can you please provide a more detailed explanation as to why a designation process by way of a Notice of Requirement application is more appropriate than a resource consent process for this proposal?*
 2. *Please provide confirmation that the Ministry of Education owns the subject land.*
 3. *What restrictions will fall down on the new title? In particular, please provide us with a copy of the wastewater encumbrance that will be imposed on the new title.*
 4. *Without maximum building standards, the resulting building height, scale and intensity on this site has the potential to result in significant adverse effects on*

residential amenity on the adjoining existing and future residential housing. What consideration has been given to imposing controls on the future built form, and what are the reasons for not proposing maximum building standards as conditions?

5. *How can the Hearing Panel be sure that the adverse effects of shading as assessed in the application material will be relevant to the future built form?*
6. *What is the setback distance to the future southern boundary that the applicant is relying on to assess the potential shading effects from any future built form?*
7. *Why is no urban design assessment required to be submitted with an Outline Plan of Works for the future built form? If one was required, what urban design principles should be included for consideration of any future school buildings?*
8. *What consideration has been given to requiring a Landscape Concept Plan for the entire site at the time that the first Outline Plan of Works is submitted? If one was to be required, what matters should be included in this landscape concept plan?*
9. *What consideration has been given to fencing treatment on the exterior boundaries of the proposed school site?*
10. *What is the purpose of the Construction Management Plan (CMP) and what matters should be included as a minimum within the CMP?*
11. *What matters should be included in the Dotterel Management Plan to be certified by Council? What consideration, if any, should be had of the Dotterels on this site, outside of the nesting season?*
12. *The Jacobs Integrated Transport Assessment which forms a part of the application material is dated 29th November 2021. Should this date be reflected in any designation condition, rather than a reference to a Jacobs ITA dated 10th November 2021?*
13. *What would be an appropriate timeframe for monitoring of the School Travel Plan?*
14. *Given the known transport issues in the immediate area, should there be a requirement for annual updates of the School Travel Plan, as opposed to a review only occurring at a time a future Outline Plan of Works is prepared?*
15. *Has an ecological assessment been undertaken of the ponded water feature in the middle of the subject site? Does it meet the definition of a 'natural wetland' as set out in the NES:FW? What are the implications, if any, of this for any future development of the site?*

4. Can the applicant please provide answers to the above questions in writing to the Hearing Panel by Friday 5th of August 2022.
5. Please note that any material provided by the applicant to the Hearing Panel will be made available on the Council's website, shortly after it is received.

For and on behalf of the Panel of Hearing Commissioners



Karyn Kurzeja
Chairperson

22nd July 2022