Notice of Requirement & Assessment of Environmental Effects Report

for the Minister of Education

for a New Designation under s168 of the RMA

Primary School (Years 0-8) and Early Childhood Education (ECE) at 13-15 Trig Road, Whenuapai, Auckland

4 June 2021







Quality Control

Title	Notice of Requirement & Assessment of Environmental
	Effects Report for the Minister of Education for a New
	besignation under s168 of the RMA: Primary School (Years
	0-8) and Early Childhood Education (ECE) at 13-15 Trig Road,
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Signature	408

Limitations:

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Overview

Requiring authority:	The Minister of Education
Territorial authority:	Auckland Council
Nature of Notice:	To enable the establishment of a new primary school catering for school students from Year 0 to Year 8, as well as a new Early Childhood Education Centre (ECE) catering for pre-school children. Refer to attached Designation Plan in Appendix A.
Site address:	13-15 Trig Road, Whenuapai, Auckland.
Legal description:	Lot 5 DP66045 (Title ID 192542)
Landowner:	Her Majesty the Queen (the Crown)

Auckland Unitary Plan - Operative in Part:

Modifications:

- Proposed Plan Change 5 Whenuapai (Proposed Residential Mixed Housing Urban Zone)
- Zones:
 - Future Urban Zone

Precincts:

• Nil

Overlays:

• Natural Resources: High-Use Aquifer Management Areas Overlay [rp] – Kumeu Waitemata Aquifer

Controls:

• Macroinvertebrate Community Index - Rural

Designations:

 ID 4311 Defence Purposes – protection of approach and departure paths (Whenuapai Air Base), Minister of Defence



Flood Plains and Overland Flow Paths

• Overland flow paths apply to parts of the site

Additional consents: No other consents are being sought as part of this notice of requirement, but resource consents will be required following detailed design to enable the school and ECE to be constructed and commence operations.

Regional consents and/or consent under the *Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011* may be required for bulk earthworks. Regional consents for on-site treatment and discharge of stormwater and wastewater will be required for the initial stage of school development which is planned to occur ahead of full urban development of the area as anticipated by Proposed Plan Change 5.



1.0 Introduction

The following document supports a Notice of Requirement (Notice) by the Minister of Education (the Minister), under s168 of the Resource Management Act 1991 (RMA). It includes an Assessment of Environmental Effects (AEE) Report.

In summary, the designation will enable the establishment of a new full primary school catering for school age children from Year 0 to Year 8, as well as a new Early Childhood Education Centre (ECE) catering for pre-school children. The new educational facilities are required to meet expected population growth and related school demand projections enabled by the Auckland Unitary Plan.

The new school is initially required to serve a temporary shortfall in the school network at Whenuapai North, Redhills and Hobsonville until new schools are acquired and built in these fast-developing locations. There is a forecast shortfall in student spaces in the existing school network of 600 by 2025. The area around the school site is zoned for future urban purposes in the Auckland Unitary Plan and is subject to a current plan change to transition to 'live' urban zones. The school and adjacent land is shown as having residential zonings of various intensities in the proposed plan change. Accordingly, the school will ultimately serve the local catchment as the area urbanises, and a master plan roll of up to 1000 and an ECE has been assumed in the longer term.

Section 171 of the RMA sets out the matters the territorial authority (Auckland Council) shall have regard to in considering this requirement for a new designation and making its recommendation to the requiring authority. This report assesses the proposed designation against the relevant parts of s171.

2.0 Site Description

The site is located at 13-15 Trig Road and has been held by the Crown for educational purposes for approximately 20 years. It is legally described as Lot 5 DP66045 (Title ID 192542) and is approximately 4ha in area. It is rectangular in shape with road frontage to Trig Road.

Trig Road is currently a rural road with one lane in each direction and narrow shoulders. There is a footpath on the western side only and no provision for on street parking or cycle lanes. The current posted speed limit is 80 km/hr. Trig Road connects to Hobsonville Road to the south and the Upper Harbour Motorway to the north (east facing ramps only) as well as extending beyond the motorway interchange to connect to Brigham Creek Road at the Whenuapai Airbase and village. An upgrade of Trig Road is proposed as part of the Supporting Growth Programme for the north-west part of



Auckland. This is understood to include two traffic lanes, a flush medium to support right turns into adjacent properties, footpaths on both sides of the road and cycling and public transport facilities. There is no confirmed timeframe for this upgrade.

The only other road in the immediate vicinity of the site is Ryans Road which is a cul-desac on the opposite side of Trig Road with footpath access from the head of the cul-desac to Trig Road generally opposite the school site, with the road connection to Trig road located south of the school site.

An existing dwelling (currently rented) and associated garage, driveway and amenity planting are located on the part of the site adjacent to Trig Road with the balance of the site in pasture with shelter planting along the north-eastern boundary. An access drive serving properties to the rear runs adjacent to the north-western boundary.



Figure 1: Site Location (Source: Auckland Unitary Plan)

The topography of the site is undulating with a gully feature generally in the centre of the site draining via an ephemeral overland flow path to a wetland system on the adjacent block to the south-east. A small portion of this wetland system extends in the school site in the immediate vicinity of the boundary.

The site and wider area are zoned Future Urban in the Auckland Unitary Plan (with the exception of a site zoned Open Space – Informal Recreation Zone located off Ryans



Road). Land uses in the area generally comprise a mix of residential sites accessed from Ryan Road and fronting Trig Road on the western side running south from Ryans Road, and larger blocks primarily used for lifestyle/grazing purposes. Whilst the current character of the area could be described as peri-urban, this area is subject to proposed urban zonings under Proposed Plan Change 5 to the Auckland Unitary Plan that will see the area transition to full urban development.

The 13-15 Trig Road site and adjacent sites are all proposed to be rezoned to Residential – Mixed Housing Urban Zone which anticipates medium intensity housing or up to three levels, whilst land on the opposite side of Trig Road is proposed to be rezoned to a mix of Residential - Mixed Housing Urban Zone and Residential - Terrace Housing and Apartment Zone. Accordingly, the area is expected to transition away from its current character towards full urbanisation.

There are currently no reticulated stormwater or wastewater services the area. Watercare water services are located in Trig Road.

3.0 The Minister's Objectives

The Minister is a requiring authority under section 166 of the RMA. The Minister has financial responsibility for state owned and funded schools, so may give the Council a notice of requirement for a designation for such works.

The Education and Training Act 2020 mandates the Minister of Education to designate schools. Those elected to the Board of Trustees are legally responsible for the management of their school, in the same manner as applies to all other State schools.

The project is required to provide opportunities for students to undertake their studies as provided for under the Education and Training Act 2020. Accordingly, the establishment of a full primary school catering for school age children from years 0-8, as well as the provision for ECE facilities catering for pre-school children, is reasonably necessary in achieving the objective of the Minster in providing state schooling.

Designation is considered to be the appropriate mechanism to provide for the establishment and on-going operation of the school and ECE for its proposed purpose. The Minister requires ongoing certainty that the site can be developed and used for this purpose. Designation provides the necessary long-term certainty and flexibility for operation of a school and pre-school on the site, while also identifying the use of the site to the general public. Most other State schools within Auckland Council's jurisdiction and within New Zealand are designated, with many of these containing existing or provision for ECE's.



4.0 Proposed New Designation in the Auckland Unitary Plan

The Minster requires the site to be designated for the purpose of *"Educational Purposes* – *Primary School (Years 0-8) and Early Childhood Education (pre-school)"*. The land area to be designated is approximately 4ha and is shown on the Designation Plan in Appendix A.

These educational facilities will be constructed in a staged manner. The new school is initially required to serve a shortfall in the school network at Whenuapai North, Redhills and Hobsonville until new schools are acquired and built in these fast-developing locations. There is a forecast shortfall in student spaces in the existing school network of 600 by 2025. The area around the school site is zoned for future urban purposes in the Auckland Unitary Plan and is subject to a current plan change to transition to 'live' urban zones. The school and adjacent land is shown as having residential zonings of various intensities in the proposed plan change. Accordingly, the school will ultimately serve the local catchment as the area urbanises with an anticipated master plan roll of up to 1000 and an early childhood education centre in the long term.

The two principal phases of school development are described as follows:

- Phase 1: Overflow school to serve a shortfall in the school network capacity in Whenuapai North, Redhills and Hobsonville.
- Phase 2: School and Early Childhood Education (ECE) to serve the long-term needs of the local adjacent school catchment as the adjacent area is live zoned and developed for urban purposes.

Due to the short-term forecast shortfall in school capacity in adjacent developing areas, the Minister proposes to open a school as soon as practicable using modular buildings. Similar modular buildings have been temporarily installed at the new Scott Point School at 11 Scott Road whilst construction of that school on another part of the site is completed. Depending on timing, these same modular buildings may be relocated to the Trig Road site. Alternatively, similar modular buildings can be constructed. Photos of the Scott Point School modular buildings are provided with the bulk and location feasibility study in Appendix C.

Initially it will be necessary to have on-site wastewater and stormwater treatment as until full urban development occurs in the area there are no existing three-waters infrastructure services other than water supply. These elements of the project will require regional resource consents. Over time as the area urbanises, reticulated



wastewater services will be extended to the area and a network wide stormwater system and network discharge consent will be implemented.

Road access will be to Trig Road although in the long term it is possible other local roads will be provided in the area to provide secondary access. Trig Road will need to be widened adjacent to the school to make it suitable for school access, and the Ministry of Education will work with Auckland Transport in regard to suitable speed limit restrictions to support a school at this location.

A small wetland protruding into the site at the south-eastern boundary has been identified, and it is confirmed that it will not be developed to protect its ecological function. A buffer area of 10m around this wetland where no earthworks or vegetation clearance will occur will be established. Further, wastewater disposal fields for on-site treatment will not be located within 20m of the wetland or overland flow paths on the site.

The hours when classes will be held on site are expected to be similar to most other schools. In general, core teaching hours for schools in New Zealand are undertaken on weekdays and can start between approximately 8:30am – 9.00am and end between 3.00pm – 3:30pm. However, some activities may occur outside of core school hours such as supervised care of school students after school hours, school sporting or cultural events or training, community education (night classes), school fairs etc.

The ECE would operate independently from the school with its own teaching facilities within the designated land.

No detailed design of the school and ECE has been undertaken at this stage, and as such plans for the development of the site are not included with this Notice. This will be addressed at the later Outline Plan stage for each major phase of school development.

A feasibility bulk and location study has been undertaken for the initial overflow school phase and later expanded capacity to serve the local student catchment as the area urbanises. This is shown in Figures 2 and 3 below and in Appendix C.

Whilst there may be other local roads constructed over time as the area urbanises as envisaged by Proposed Plan Change 5, the feasibility bulk and location plans show all vehicle access off Trig Road on the basis that it is the only existing road. Proposed Plan Change 5 shows an indicative future road along the south-eastern boundary of the school site. Whilst there is no certainty a future local road will be built on this exact alignment, the feasibility plans account for up to 10m of a future local road being constructed along the south-eastern boundary of the school site to not preclude this potential future opportunity. This could also potentially provide a future secondary vehicle access.





Figure 2: Phase 1 Bulk and Location Study Feasibility Plan (Source: Jasmax)





Figure 3: Phase 2 Bulk and Location Study Feasibility Plan (Source: Jasmax)



The Minster would not accept any condition linking the designation to these feasibility plans as it is a feasibility assessment of the site only to confirm the site is fit for purpose and to provide a realistic framework for assessing the effects of a future school on this site, and may not reflect the actual design. However, as is typical for any school and ECE facilities, some or all of the following are expected to be developed on the site:

- Buildings; including classrooms, hall, library, gymnasium, specialist teaching areas, administration office space, staff workspace, caretaker's facilities, dental clinic, sick bay, etc;
- Outdoor play area, sports field, hardcourts, playground structures;
- Vehicular, pedestrian and cycle access and egress, parking space for staff, visitors and cycles, onsite student drop off/pick up bays, onsite bus parking;
- Landscaping, and;
- Infrastructure services including water, sewerage, stormwater, telecommunications and outdoor lighting (initially onsite wastewater and stormwater treatment and discharge is proposed as these serves are not currently available to the area.

The proposed amendments to the Auckland Unitary Plan including the designation purpose and conditions for the proposed new designation are detailed in the Form 18 Notice of Requirement. The proposed purpose of the designation is:

Educational Purposes – Primary School (Years 0-8) and Early Childhood Education (Pre-School).

The standard conditions for schools in the AUP (see Appendix D) apply except where modified by the Notice of Requirement. Minor amendments are made to the standard noise condition to ensure this applies to the ECE, whilst the standard height in relation to boundary control condition is amended to take account of the controls in the proposed Auckland Unitary Plan zone that will apply to the site under Proposed Plan Change 5.

Additional site-specific conditions have been included with the intention that the effects they address will be subject to a further and more detailed design at the Outline Plan stage for each major development phase of the school following designation of the site. In particular, an 'establishment outline plan' condition is included to provide specific guidance on matters that need to be considered and demonstrated as part of the outline plan for the first substantive stage of each of the two main phases of school development. There is also an obligation for a Travel Plan to be prepared and implemented before the school opens. The Council has the ability to make comment and request changes once that more detailed information is available, in accordance with s176A of the RMA and has appeal rights where any requested changes are not adopted.



Specific designation conditions around potential soil contamination, on-site stormwater and wastewater discharges, and protection of the natural wetland are not proposed as part of the designation as they remain subject to other Auckland Unitary Plan regional consent requirements and National Environmental Standards (that require resource consent where the permitted activity requirements of those standards are not met).

Purpose Explanation

The *"educational purposes"* purpose for the new designation is consistent with other school designations in the Auckland Unitary Plan The meaning of *"educational purposes"* is set out with the standard conditions for all school designations in Chapter K, which is also attached in Appendix D to this report.

The purpose is further defined and clarified by the reference to the Primary School (Years 0-8), and ECE.

5.0 Statutory Assessment

The following provides a statutory assessment of the proposal in accordance with the RMA. The statutory and non-statutory documents assessed include:

- RMA;
- National Policy Statement on Urban Development 2020;
- National Policy Statement for Freshwater Management 2020;
- The Auckland Plan 2050 (an 'other matter' under s171(1)(d));
- Whenuapai Structure Plan 2016 (an 'other matter' under s171(1)(d));
- Auckland Unitary Plan (operative in part);
- The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-FW); and
- The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ('the NES-Soils').

5.1 Resource Management Act 1991

The RMA provides for the use and development of New Zealand's natural and physical resources through:

• Part 2, which establishes the purpose and principles applying to resource consents and designations;



- Section 168, which enables a requiring authority to lodge a notice of requirement for a new designation; and
- Section 171, which subject to Part 2, prescribes the matters to which particular regard must be had in considering the effects on the environment of allowing the requirement.

The following sections of the RMA are most relevant to this notice.

Section 5 – Purpose

The purpose of the RMA is to promote the sustainable management of natural and physical resources. Sustainable management is defined in section 5(2) as:

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

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

The proposed school and ECE are consistent with the purpose and principles of Part 2 of the RMA as they enable the community to provide for their social, cultural and economic well-being by providing necessary community infrastructure to service the projected demand for school and pre-school education in the area. This not only provides for the well-being of the children and students that attend, but also for the wider community, as schools generally become focal points for community interaction (e.g. social interactions with other parents, school sport, fundraising activity etc.). The effects of the designation are evaluated later in this report and demonstrate that any actual and potential adverse effects on the environment will be able to be avoided, remedied or mitigated, and the life-supporting capacity of the wetland on the site periphery sustained.

Section 6 – Matters of National Importance

Section 6(e) requires the following matter of national importance to be recognised and provided for:

- a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetland, and lakes and rivers ad their margins, and the protection of them from inappropriate subdivision, use and development.
- *e)* The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.



The natural character of the existing wetland (primarily on adjacent land) and its margins has been significantly compromised by pastoral farming use. The school project will ensure a suitable development buffer around the wetland and will provide opportunities for enhancement through planting. This area can also be built into education programmes to provide students with enhanced understanding of the functioning and importance of wetland systems.

Consultation undertaken with Auckland mana whenua is outlined in the consultation section of this AEE report below. Consultation undertaken with mana whenua has not raised any specific cultural concerns to date.

Section 7 – Other Matters

This section lists certain matters to which particular regard is to be had in making resource management decisions. The relevant matters are as follows:

- (a) Kaitiakitanga;
- (aa) The ethic of stewardship;
- (b) The efficient use and development of natural and physical resources;
- (c) The maintenance and enhancement of amenity values;
- (d) Intrinsic value of ecosystems;
- (f) Maintenance and enhancement of the quality of the environment;

Consultation undertaken with Auckland mana whenua is outlined in the consultation section of this AEE report below. Consultation undertaken with mana whenua has not raised any specific cultural concerns to date.

An assessment of the potential effects in respect of natural/physical resources, ecosystems, amenity values and the quality of the environment follows later in this report.

Section 8 – Treaty of Waitangi

This section requires those exercising powers or functions under the RMA to take into account the principles of the Treaty of Waitangi. It is considered that the principles of the Treaty of Waitangi have been taken into account in terms of the consultation undertaken to date with mana whenua, and any ongoing engagement that may be required as a result of this designation process and future project implementation resource consents. The site is not identified on Auckland Council's Geomaps as being subject to a Statutory Acknowledgement.

Section 168 – Notice of Requirement

The Minister of Education is a Minister of the Crown. This notice has been lodged with the relevant territorial authority under section 168(1) of the RMA.



Section 171 – Recommendation by the Territorial Authority

Under section 171, the territorial authority may recommend to the requiring authority one of the following:

- confirm the designation
- modify the designation
- impose conditions
- withdraw the requirement

This recommendation is based on matters the territorial authority is required to have particular regard to when considering a notice of requirement. The matters to be considered are set out in section 171(1) of the RMA and are as follows:

- (1) When considering a requirement and any submissions received, the territorial authority must, subject to Part 2, consider the effects on the environment of allowing the requirement, having particular regard to—
 - (a) Any relevant provisions of—
 - (i) a national policy statement,
 - (ii) a New Zealand coastal policy statement,
 - (iii) a regional policy statement, or proposed regional policy statement; and
 - (iv) a plan or a proposed plan; and
 - (b) Whether adequate consideration has been given to alternative sites, routes, or methods of undertaking work if—
 - (i) the requiring authority does not have an interest in the land sufficient for undertaking the work; or
 - (ii) it is likely that the work will have significant adverse effect on the environment; and
 - (c) Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and
 - (d) Any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.

The proposal to designate this site has taken into account the relevant statutory planning documents identified above. The Auckland Unitary Plan is the key statutory planning document under the RMA requiring consideration under s171(1)(a). An assessment of the Auckland Unitary Plan is provided below.

The requiring authority has an interest in the land which has been held for approximately 20 years for educational purposes, and the work is not likely to have significant adverse environmental effects. Accordingly, it is not necessary to assess



alternative sites, routes or methods. However, a number of other sites were considered for this project, a summary of which is included later in this assessment.

Designation is considered to be the most appropriate method for the efficient delivery of educational services and for addressing a staged development that may occur over time and provides for the long-term planning certainty that is required by the Minister.

The project and designation are considered reasonably necessary for the provision of educational services by the Minister. The Minister's objectives are outlined earlier within this report.

An assessment of the AUP as well as an assessment of environmental effects are included within this report and collectively deal with the matters that are considered reasonably necessary for the Auckland Council to make a recommendation on the requirement.

Relevant "other matters" assessed in regard to s171(1)(d) have also been assessed. No relevant iwi management plans were identified for this particular project.

Section 176A – Outline Plan

An Outline Plan is required to undertake future development of the site once a designation is confirmed, so that the territorial authority is able to understand in detail the nature of proposed physical works, and if necessary request any changes prior to development. At this stage no design work for site or building layouts has been undertaken, aside from a feasibility plan to show at a high level the site is capable of accommodating the school and ECE.

5.2 National Policy Statement on Urban Development 2020

The proposal is consistent with the National Policy Statement on Urban Development 2020 (NPS-UD). The proposal will provide critical social infrastructure to support urban development to occur in accordance with growth enabled in adjacent areas under the Auckland Unitary Plan, and further growth proposed to be enabled under Proposed Plan Change 5, which supports the outcomes envisaged by NPS-UD.

Implementation Provision 3.38 of the NPS-UD requires Auckland Council to remove any rules from the Auckland Unitary Plan that have the effect of requiring a minimum number of car parks (other than accessible car parks). This provision does not apply to designations. The Minster is providing the standard Auckland school designation condition of two car parks per new classroom for this designation in recognition that the current and proposed future Trig Road cross section has no provision for on-street car parking, and the location of future local roads that may provide additional on-street car parking capacity is unknown. Accordingly, setting a minimum number of car parks per classroom as a designation condition is considered to be appropriate in this instance.



The condition enables a lessor amount to be considered in the future of the local infrastructure will support less on-site car parking.

5.3 National Policy Statement for Freshwater Management 2020

The Proposal is consistent with the National Policy Statement for Freshwater Management 2020.

Objective 2.1(1) and Policy 2.2(6) seek to protect the health of freshwater ecosystems and ensure there is no further loss of extent if natural wetland, their values are protected, and their restoration is protected. The project can be designed to ensure there is a suitable development buffer provided around the existing natural wetland, and that opportunities are provided for restoration of wetland through planting of the buffer area.

The conclusion of the ecological assessment in Appendix F is that if best practice stormwater and wastewater management guidelines are implemented, then the impacts of these activities on site water quality and freshwater values will be not be discernible, and the level of effect has been assessed as low. Furthermore, the development of the site will also have the benefit of removing stock access to the wetland and could include wetland enhancement planting. It also concludes that whilst there is potential for sediment to be discharged from the site to the receiving environment, this would be addressed through the existing requirement for industry best practice erosion and sediment controls during any land disturbance.

5.4 Auckland Plan 2050

The Auckland Plan 2050, adopted by Auckland Council in June 2018, is the key high-level strategic planning document for Auckland setting out the direction for tackling Auckland's challenges. The detailed statutory rule book for development and growth is included within the Auckland Unitary Plan which is assessed separately below.

The Plan sets out Auckland's key challenges. Key Challenge 1 relates to population growth and its implications. It acknowledges that the rate and speed of Auckland's population growth puts pressure on Auckland's infrastructure. Investment in a new school and ECE is in direct response to population growth that has been and is proposed to be enabled by the Auckland Unitary Plan in the Auckland north-west area.

Key Challenge 3 is reducing environmental degradation. As set out in the Tonkin and Taylor report in Appendix G, on-site stormwater and wastewater management system can be suitably managed on site for the initial phase of school development. A development buffer area can also be provided around the natural wetland to protect it ecological values.



The Auckland Plan Development Strategy identifies Whenuapai Stage 2, which encompasses the Future Urban Zone covering the school site and surrounding land, as having a proposed development ready timeframe of 2028-2032. The school site is well located to serve the future school needs of this development area and overflow capacity for existing development areas while schools for those areas are acquired and constructed.

It is therefore considered that the development of a school and ECE on the proposed site is consistent with the relevant provisions of the Auckland Plan.

5.5 Whenuapai Structure Plan 2016

The Whenuapai Structure Plan is a non-statutory high-level plan setting the vision for the future development of the Whenuapai Area. The Structure Plan sets a framework for changes to the Auckland Unitary Plan. Proposed Plan Change 5 to the Auckland Unitary Plan aims to rezone approximately 360ha of mostly Future Urban zone land in the Whenuapai are to a mix of business and residential activities. The Structure Plan provides a context for the land use strategy in Proposed Plan Change 5.

The Structure Plan map shown in Figure 4 below identities the site to which this Notice of Requirement relates as a school site.



Figure 4: School Site identified in Purple, Whenuapai Structure Plan 2016

Accordingly, the location of the school is anticipated in the Whenuapai Structure Plan 2016.



5.6 Auckland Unitary Plan – Operative in Part

The Auckland Unitary Plan fulfils a number of statutory planning functions including a regional policy statement, regional coastal plan, regional plan and district plan to guide development in the Auckland Region.

The following provisions of the Regional Policy Statement are of particular relevance to the proposal.

B2 Issues of regional significance – Tāhuhu whakaruruhau ā-taone » 2.1 Urban growth and form

Auckland's growing population increases demand for housing, employment, business, infrastructure, social facilities and services. Growth needs to be provided for in a way that does all of the following:

- enhances quality of life for individuals and communities.
- supports integrated planning of land use, infrastructure and development.
- optimises the efficient use of the existing urban area.
- encourages the efficient use of existing social facilities and provides for new social facilities.
- maintains and enhances the quality of our environment, both natural and built.
- enables Mana Whenua to participate and their culture and values to be recognised and provided for.

B.2.8.1 Social Facilities Objectives

- Social facilities that meet the needs of people and communities, including enabling them to provide for their social, economic and cultural well-being and their health and safety.
- 2) Social facilities located where they are accessible by an appropriate range of transport modes.
- *3) Reverse sensitivity effects between social facilities and neighbouring land uses are avoided, remedied or mitigated.*

B.2.8.2 Social Facilities Policies

- 1) Enable social facilities that are accessible to people of all ages and abilities to establish in appropriate locations as follows:
 - a) Small-scale social facilities are located within or close to their local communities
- 2) Enable the provision of social facilities to meet the diverse demographic and cultural needs of people and communities.
- *3)* Enable intensive use and development of existing and new social facility sites.
- 5) Enable the efficient and flexible use of social facilities by providing on the same site for:



a) Activities accessory to the primary function of the site; andb) In appropriate locations, co-location of complementary residential and commercial activities.

6) Manage the transport effects of high trip-generating social facilities in an integrated manner.

The explanation to the social facilities objectives and policies states that *Social Facilities* include facilities that provide for education. The proposal will provide essential education facilities to a planned growth area. A school within Whenuapai as the area is developed will help manage travel demand by avoiding a need to travel to other schools in the wider area. In the short term it will temporarily serve as an overflow for other adjacent areas until the school network is completed in those areas to ensure there is sufficient provision for schooling to serve these growth areas. The facility therefore promotes the social well-being of the community.

The development will provide a facility that will benefit the community, not only in terms of the educational benefits for children, but also in terms of employment opportunities and the provision of a facility that will act as a community focal point for social interaction. The potential adverse effects of the facility can be appropriately managed through the proposed conditions on the designation, appropriate design and future resource consents that may be required.

The site is currently located within the Future Urban Zone which applies to rural land identified as being suitable for urbanisation. Whilst the policy framework does not anticipate urban development until the land is rezoned for urban purposes, educational facilities are provided for as discretionary activities. Furthermore, the land is subject to a proposed plan change to allow urbanisation to occur. Further, development of a school at this location will not compromise future urban development in terms of Objective H18.2(3) as it will occur on a site identified for this purpose in the Whenuapai Structure Plan 2016.

The site is subject to a proposed Residential – Mixed Housing Urban Zone in Proposed Plan Change 5. Education Facilities are a discretionary activity in this zone. Residential areas are typical locations for schools throughout New Zealand and locating schools in these areas promote alternative transport modes to private motor vehicles.

The Residential - Mixed Housing Urban Zone includes a suite of objectives and policies to enable a reasonably high intensity residential zone with development up to three stories high and a variety of built form including detached dwellings, terrace housing and low-rise apartments. Non-residential activities to provide for the community's social, economic and cultural wellbeing are envisaged provided they are compatible with the scale and intensity of development anticipated in the zone.



In this instance, the school and ECE is required to serve existing enabled and future proposed growth in and around the Whenuapai area and will be provided on a large site that enables any adverse effects to be mitigated on the amenity of surrounding residential areas. Modern schools include high quality architectural designs to address their interaction with the surrounding environment and public realm, consideration of crime prevention through environmental design (CPTED) principles, promotion of safe and easy access by all modes of transport, and environmental sustainability including water and energy conservation. This is embodied in the Ministry of Education's national design guidelines that are mandatory of school design projects¹. School buildings will be fully compatible with development up to three-stories envisaged in the zone, and the large site and existing topography will ensure a generally lower extent of coverage by buildings and impervious surfaces on the site that would generally be anticipated for residential development in the Residential – Mixed Housing Urban Zone.

Accordingly, the proposal is assessed as being consistent with the relevant residential zone objectives and policies of the Auckland Unitary Plan.

Whenuapai 3 Precinct

Proposed Plan Change 5 proposes to insert the Whenuapai 3 Precinct into the Auckland Unitary Plan. The purpose of the Whenuapai 3 Precinct is to enable an increase in housing capacity and provide employment opportunities through the efficient use of land and infrastructure.

Three precinct plans are included as follows:

- Precinct Plan 1 shows indicative open space, the permanent and intermittent stream network and a coastal erosion set back. The school site does not conflict with any of these features.
- Precinct Plan 2 shows proposed future transport infrastructure. This includes an indicative future road connecting with Trig Road and running along the southeastern boundary of the school site. There is currently no funding, timing or exact alignment of this indicative road. However, the feasibility layouts of the school have provided a 10m strip within the school site to construct half of this road should it be constructed in the future on this specific alignment.
- Precinct Plan 3 shows Whenuapai aircraft engine testing noise boundaries. The school site is outside areas affected by these boundaries.

The policy framework for the Whenuapai 3 Precinct Plan is to ensure the area is developed as a liveable, compact and accessible community with a mix of high quality

¹ Designing Schools in New Zealand, Requirements and Guidelines – Ministry of Education, October 2015.



residential and employment opportunities, while taking into account the natural environment and proximity of Whenuapai Airbase.

Based on the site location, feasibility plans and associated assessment of effects/technical assessments, and suite of proposed designation conditions, the proposal is assessed as being consistent with the policy framework for the Whenuapai 3 Precinct Plan. In regard to the policy framework, the development of the school will:

- Integrate with Infrastructure to the extent it is available for initial phase of the school as an overflow school for adjacent areas, and be able to connect to other services as they are extended to serve the area as it urbanises is accordance with Proposed Plan Change 5. In the interim, stormwater and wastewater will be able to be managed appropriately on-site due to the large site size.
- The proposed school site will support a multi-modal transport system and support a compact and contained urban form by providing an educational facility within the catchment it is proposed to serve in the long term and avoiding the need to travel outside of the Whenuapai area for schooling. Whilst initially as an overflow school there will be an interim need for a high reliance on private motor vehicle trips, this demand will reduce when other planned schools in the network are established. As the adjacent area urbanises the location of the school will encourage walking and cycling trips for students to get to the school. These modes of transport will be specifically encouraged by a school and ECE travel plan.
- Stormwater management will be in accordance with the Whenuapai 3 Precinct Stormwater Management Plan prepared to support Proposed Plan Change 5.
- The proposed buffer area around the wetland system and future design of onsite stormwater and wastewater systems (subject to future regional resource consents) will ensure the biodiversity values of the wetland system are protected.
- The site is located outside of the noise boundaries and aeronautical height restrictions for Whenuapai Airbase.

Variation 1 to Proposed Plan Change 5

A consultative draft Variation 1 to Proposed Plan Change 5 closed for comments on 13 May 2021. This is primarily to address further information on aircraft engine testing noise and to respond to the NPS-UP 2020. This does not alter the status of notified Proposed Plan Change 5. The draft revised precinct plans do not add any additional restrictions to the school site, and there is still an indicative road shown along the southeastern boundary of the school site. Additional Residential - Terrace Housing and Apartment Zone is shown on land further south along Trig Road and fronting Hobsonville



Road. If zoned in accordance with the draft variation this may create further demand for schooling in the wider area due to the increased development capacity for housing, further diving the need to establish the school and ECE.

5.7 The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-FW)

A natural wetland is located primarily on adjacent land to the south with a small part protruding across the south-eastern boundary into the school site.

The regulations in the NES-FW will be relevant to the future development of the site once designated.

Under Regulation 52, earthworks and diversion and discharge of water within 100m of a natural wetland is a non-complying activity where this results to is likely to result in the complete or partial drainage of all or part of a natural wetland (where not otherwise provided for under Regulations 31-51). Detailed design and management of bulk earthworks and drainage will be undertaken to ensure it does not result in complete or partial drainage of all or part of the natural wetland.

Regulation 53 Regulation to earthworks and taking, use, damming and diversion, or discharge of water within a natural wetland is not relevant, as none of these activities are proposed within the natural wetland.

Under Regulation 54, the diversion and discharge of water within 100m of the wetland will be required which is a non-complying activity (Regulation 54(c)). The stormwater and wastewater systems will be designed to ensure the wetland is not adversely affected. The Tonkin and Taylor report in Appendix G and Morphum Environmental Report in Appendix F show that it is feasible to design these systems such that any adverse effects on the wetland would be low. The project also provides the opportunity for positive effects on freshwater values through the removal of stock grazing and application of agrichemicals to the lands, and opportunities provided for buffer planting. No earthworks or vegetation clearance is proposed within 10m of the wetland (Regulations 54(a) and (b)).

No designation conditions in regard to effects on the natural wetland as the NES-FW and Auckland Unitary Plan regional rules will continue to apply after a designation for the site is confirmed.



5.8 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES Soils)

As outlined in the Preliminary Site Investigation (PSI) report in Appendix H, buildings on the site that were built and/or demolished during the period when asbestos and lead based paints were in common use may have occurred on the site. It is also possible filling may have occurred in the past. Therefore, it is possible that these activities could be considered HAIL activities and on that basis it is possible that future resource consents will be required under the NES Soils and potentially under the Auckland Unitary Plan regional rules for discharges associated with disturbing contaminated soils when enabling earthworks to develop the site are undertaken. Soil testing before site works are undertaken will confirm whether or not these consents are required.

No designation conditions in regard to potential contaminated soil are required as the NES Soils and regional discharge rules in the Auckland Unitary Plan will continue to apply after a designation is confirmed on the site.

6.0 Assessment of Environmental Effects

6.1 Overview of Approach

Technical reports included to support the Notice of Requirement include the following:

- Integrated Transport Assessment (ITA) prepared by Abley Limited;
- Civil Infrastructure Feasibility prepared by Tonkin and Taylor Limited;
- PSI prepared by Tonkin and Taylor Limited; and
- Ecological Assessment prepared by Morphum Environmental Limited.

A bulk and location feasibility study has also been prepared by Jasmax Limited with inputs from the wider consultant team and Ministry of Education to confirm the feasibility of accommodating the necessary project components on the site and providing a realistic basis for assessing the effects of works that would be enabled by the designation (see Appendix C). This includes a feasibility bulk and location plan for both main phases of the school. This is not intended to be a design and accordingly should not be referred to in any designation conditions. It is intended that the detailed design including its detailed traffic solutions, urban design and infrastructure solutions are dealt with at the future Outline Plan stage. An establishment outline plan condition for each of the major school phases, consistent with the approach taken for other recent school designations in Auckland, has been included for this purpose to ensure relevant matters are addressed in the school design phase following designation of the site.



A Detailed Site Investigation (DSI) of potentially contaminated land has not been undertaken at this stage with reliance on existing PSI information. This is sufficient to show there are no fundamental development constraints. A DSI can occur at a later date and any site management/remediation addressed as part of a future Outline Plan of Work and any contaminated soil resource consent processes.

6.2 Visual and Amenity Effects

The site is currently zoned as a future urban zone. The site and adjacent land is generally utilised for rural lifestyle and/or grazing purposes, so development of a school will be a noticeable visual change from the existing environment. However, the site is shown in both the Whenuapai Structure Plan 2016 and Proposed Plan Change 5 as having a medium intensity housing zoning which indicates the expected future urban form for the site. Proposed Plan Change 5 also indicates that the higher intensity Residential – Terrace Housing and Apartment Zone will be applied to nearby land. Accordingly, the school will be visually compatible with the anticipated future urban form of the area and will provide lower building coverage and more impermeable area than would be expected for medium intensity housing development.

A large proportion of schools in New Zealand are accommodated within residential areas and are an integral and expected component of such areas. They are large sites that provide the opportunity for large areas of open space for active recreation which also mitigates the effects of any larger buildings and ancillary infrastructure such as parking areas associated with schools.

A height in relation to boundary control condition will apply which will avoid unreasonable dominance or overshadowing of any adjoining land likely to be zoned and developed for residential purposes.

Any specific building proposal can be assessed by the Council through the Outline Plan process at each stage of development. The feasibility bulk and location study for Phase 1 and Phase 2 of the school is attached in Appendix C which demonstrates that the site is able to accommodate a primary school and ECE development while adhering to the proposed height in relation to boundary control condition. It also demonstrates that there is adequate space for large permeable areas and generous areas for landscaping. It should be noted that the detailed design of the school may differ from what is shown, and these concepts have only been provided to demonstrate that the site is able to adequately accommodate a primary school and ECE development. The Minister will not accept a condition that require the site to be developed in accordance with the feasibility plans provided.

If a school and ECE were not to be developed on the site, under the proposed Auckland Unitary Plan zoning the likely alternative use would be medium density housing up three stories. Dwellings would likely be located across the majority of the site, without the



visual relief that is offered by playing fields and other open spaces in educational facilities of this nature.

Further, there will be ample opportunities available for landscaping within the site. Any detailed landscaping proposals will be addressed through the Outline Plan process for each particular development stage for the site.

As such, it is considered that the visual amenity/character effects of any future school and ECE developed on the site can be appropriately managed without detailed controls being included in the designation conditions (aside from the height in relation to boundary control to address the site interface with adjoining land), and will be compatible with the expected future development opportunities on adjacent land.

Aural amenity for other land is adequately protected by the standard noise condition applied to schools in the Auckland Unitary Plan, which is slightly modified for this designation to make it clear it also applies to the ECE.

6.3 Transport and Traffic Effects

An Integrated Transport Assessment (ITA) prepared by Abley Limited is attached as Appendix E. The ITA concludes that the land to be designated for educational purposes and the existing surrounding roading network can accommodate the anticipated traffic from both phases of the proposed school and can provide adequate access arrangements. It also concludes that a school on this site can satisfy the outcomes sought by the regional and local transport strategies and plans. Key findings from the ITA are summarised below:

- The local road network in the Trig Road area is not confirmed at this stage. However, the traffic generated by both phases of the school at this location can be accommodated on the existing road network without the reliance on future roads.
- The proposed access for both school scenarios are modelled with a separate entry and exit access point. The SIDRA models show all scenarios and time periods work at an acceptable level of service.
- The site can cater for the required parking demand for staff and visitors, student pick up and drop off and separate parking for an ECE facility.
- Detail of car and cycle parking, access arrangements and pedestrian crossings will be considered further during the Outline Plan stage.
- A Travel Plan for the school and the ECE will be developed prior to these facilities opening to promote road safety and encourage active modes for travel to/from school.
- The infrastructure requirements for Phase 1 of the school include:
 - a safe crossing point on Trig Road, including a footpath to link the crossing to the school entrance;



localised road widening and a right turn bay for access to the school; and
installation of a 40km/h school zone.

• The infrastructure requirements for Phase 2 of the school are primarily catered for by the Trig Road upgrade which will be undertaken by Supporting Growth Alliance.

The ITA concludes that Auckland Council can recommend confirmation of the Notice of Requirement to designate the land for educational purposes.

Any school will inevitably have some adverse effects on the transport system in the vicinity of the school, particularly at peak times. In its initial phase as an overflow school, a higher proportion of private vehicle trips than a school within a walkable catchment can reasonably be expected to occur wherever it is located until schools are acquired and constructed in those catchments. In its second phase serving urbanisation in the area around the school, the site will be well located to serve a local catchment and will provide better opportunities for travel demand management and use of modes such as walking and cycling rather than creating a need to commute to a school in another location outside of the local area.

It is acknowledged that upgrading of Trig Road adjacent to the school would be required to ensure it is at an appropriate standard at the time the school is opened. A more comprehensive upgrade and widening of Trig Road as anticipated as part of the Surprinting Growth Programme for the north-west to support urbanisation as envisaged by Proposed Plan Change 5.

The ITA sets out certain minimum works that will be needed for Phase 1 of the School to open. These include:

- 1. Pedestrian Crossing (either raised or kea crossing depending whether the reduction in speed limit is temporary or permanent)
- 2. Localised widening of Trig Road to allow for a right turn bay
- 3. Footpath on eastern side of road to link pedestrian crossing with school entrance
- 4. No-Stopping lines along school frontage
- 5. 40 km/h School Speed Zone or permanent speed reduction to 50km/h

The requiring authority will be responsible for the costs of these works if not already implemented by others before the first phase of school opens and is open to entering into a side agreement with Auckland Transport in regard to the funding and implementation of the above works. The proposed establishment outline plan condition will require a demonstration that necessary works will be implemented to support opening of Phase 1 of the school.

With knowledge of the location of the school through the Whenuapai Structure Plan 2016 and the current designation process, there will be opportunities for Auckland



Transport and Auckland Council to look at matters such as footpath widths and adequate road widths to enable short term on-street parking etc. as subdivision and development of other land occurs in the area.

6.4 Infrastructure and Flood Effects

Infrastructure and flood effects are addressed in the Site Feasibility Assessment – Civil Infrastructure papered by Tonkin and Taylor Limited attached as Appendix G.

Figure 5 below shows the indicative overland flow paths and areas subject to flood hazard on Auckland Council's GIS. The overland flow paths originate within the site and the site can be designed to maintain these overland flow paths whist all buildings shown on the feasibility bulk and location plans can avoid any identified flood areas and overland flow paths. The Tonkin and Taylor report concludes that the development shown on the feasibility plans is within the modelled parameters for the Whenuapai 3 Precinct Stormwater Management Plan prepared to support Proposed Plan Change 5 and accordingly no additional flood hazard mitigation measures will be required.



Figure 5: Indicative Overland Flown Paths and Areas Subject to Flooding: Auckland Council GIS

The initial phase of the project expected to occur before urbanisation of the adjacent area occurs will rely on on-site stormwater and wastewater solutions. The feasibility of these solutions has been assessed in the Tonkin and Taylor Report in Appendix G. The report concludes that a suitable area for onsite stormwater management and onsite



wastewater disposal can be accommodated within the bulk and location feasibility plan. For Phase 2 of the school to serve the local catchment as it urbanises, it is anticipated that a connection will be able to be made to a public sewerage system.

The practical ability to expand the school roll beyond that anticipated for Phase 1 will be limited by the available of public sewerage infrastructure. The onsite stormwater and wastewater solutions will require separate reginal resource consent. These consents will be sought at a later date once the systems and detailed school layout have been designed.

Public water supply infrastructure is available in Trig Road.

6.5 Ecological Effects

An ecological assessment prepared by Morphum Environmental is attached in Appendix F. The conclusions and recommendations of that report are:

- It is acknowledged that the construction and operation of a school has the potential to have adverse ecological effects. The magnitude of these effects has been considered as either low to negligible using the EIANZ Ecological Impact Assessment guidelines. Considering both the ecological values and the magnitude of impacts, the overall level of effect ranges from low to very low. EIANZ guidelines describe low to very low-level effects as "not normally of concern" and "no more than minor", although normal design, construction and operational care should be exercised to minimise adverse effects.
- Farming activities have cleared much of the site's original vegetation, the current land cover present is typical and consistent with the past and current agricultural use of the site. The largest extents of vegetation are pasture grasslands (93%) and a smaller area mature exotic trees interspersed with regenerating natives (7%). Exotic pest plants such as woolly nightshade, field bindweed, and agapanthus are also common.
- Although the site has been heavily modified, it retains some ecological value. Ecological features of note include the area of woody vegetation and identified wetland. Vegetation, where present contributes to ecosystem services such as habitat provision for native fauna adapted to moving across agricultural landscapes. The paucity of quality habitat values and areas is reflected in the native species of birds, lizards, bats, and fish considered likely to utilise the site. Avifauna species present are consistent with those that can comfortably travel distances over open fields between forested patches, or make use of fields, farmland, and shelter belt vegetation as habitat. Suitable lizard habitat is limited and, if present, lizard populations are likely limited to Copper or Plague Skinks. The subject site contains no old growth trees with cavities or loose bark that may be utilised as roosts and is not proximate to any waterways that could be



utilised as movement corridors by native long-tailed bats. Given the absence of fish habitat, the subject site is not expected to support native freshwater fish populations.

- Whilst onsite fauna observations were limited to common species, the use of this area by threatened species such as long-tailed bats, whilst considered unlikely, cannot categorically be ruled out. The redevelopment of the subject site would likely require the demolition and construction activities involving land disturbance and potentially minor vegetation clearance and associated dust, noise, vibrations, and traffic movements. Given the values associated with the vegetation identified in this report the level of effect for any vegetation clearance would be very low. The provisions of the Wildlife Act will also remain in effect to ensure that any loss of habitat for native avifauna, lizards and bats is appropriately managed.
- For all land disturbance activities, such as building demolition and construction, there is the potential for sediment to be discharged from the site to the receiving environment; this would be addressed through the existing requirement for industry best practice erosion and sediment controls during any land disturbance. The redevelopment of the site for educational purposes could result in increased in impervious coverage. The potential effects of changes to the quantity and quality of stormwater discharged from the site would be addressed through the stormwater management approach developed for the site. The potential effects of changes to site hydrology and nutrient values as a result of on-site wastewater treatment and disposal will be addressed by implementing Auckland Council best practice guidelines (GD01, GD05 and GD06).
- Overall, the effects of the proposed activities are considered here as low very low. As such it is not considered necessary to recommend any ecology-specific conditions to address any of the identified effects.

6.6 Soil Contamination Effects

The site was subject to a PSI undertaken by Tonkin and Taylor Limited in March 2021 (see report in Appendix H).

Historical information reviewed as part of the PSI shows HAIL activities have or may have occurred on site including:

- Placement of fill during site development;
- Buildings containing Asbestos Containing Material (ACM); and
- Buildings constructed with other potentially contaminating materials (e.g. leadbased paints).



The PSI recommends that:

- the presence of any contaminants is confirmed by soil testing before the site is developed. This will determine if contaminants, specifically asbestos, metals and polycyclic aromatic hydrocarbons (PAHs), are present at concentrations that pose a risk to human health; and/or
- The scale and duration of works should be evaluated against the permitted activity thresholds when development thresholds (detailed design) have been resolved.

Assessment against the permitted activity requirements of the NES-Soils and the Auckland Unitary Plan rules for discharge of contaminants will be required regardless of the proposed designation, and any necessary management measures can be addresses through those processes. Accordingly, no specific designation conditions are proposed in relation to the disturbance of soils that are potentially contaminated.

The PSI concludes that the site is generally suitable for the proposed new development from a contaminated land perspective.

6.7 Hazardous Substances Effects

No storage and use of hazardous substances over and above materials such as paint for building maintenance, cleaning products or gas bottles are likely to be used and stored on-site.

6.8 Historic Heritage Effects

There are no known objects or sites of historic or archaeological significance affecting this site. No sites, objects or places of historic heritage are shown in the Auckland Unitary Plan, and no recorded sites in the New Zealand Archaeological Association (NZAA) are shown as affecting this site.

6.9 Cultural Effects

A summary of the consultation with mana whenua is detailed in Section 9 below. No specific cultural values or recommendations in regard to the proposed designation were identified as part of that consultation.

There are no sites of significance to mana whenua or archaeological sites affecting the proposed designation area included in the Auckland Unitary Plan or recorded by the New Zealand Archaeological Association.



The Minister's representatives will continue to engage with any mana whenua who express an interest in this project either as a direct response to communications set out by the Ministry of Education or through the formal designation process.

Effects on the adjacent wetland system form earthworks and future stormwater and wastewater will be relevant factors in regional resource consents that will be required for project implementation subsequent to a designation being confirmed.

7.0 Additional Consents Required

In general, no further land-use consents will be required from the Auckland Council in terms of its District Plan consent functions once the site is designated. The one exception may be if a land use consent is required in regard to contaminated soil under the NES Soils which prevails over a designation where the designation was made after the NES Soils came into force. This will be determined by the outcome of a DSI that will be undertaken at a later date once the site is designated.

Any regional resource consents required for on-site stormwater and wastewater management, bulk earthworks or discharges from disturbing contaminated under either the Auckland Unitary Plan or NES-FW will be determined once detailed design has been undertaken. Accordingly, no resource consents consent from Auckland Council have been applied for at this stage and will be applied for as necessary in the future once the site is designated and the design for any particular stage is completed to a sufficient level of detail for resource consents to be sought.

8.0 Alternative Locations and Methods

As this site has been owned by the Crown for educational proposes for approximately 20 years, is in a suitable location to meet the Minister's objectives for this school, and is identified as a future school site in the Whenuapai Structure Plan 2016, no alternative sites have been considered.

Use of designation as a tool for providing for the proposed educational facilities for which the Minister has financial responsibility is the mechanism used widely by the Minister as part of a national strategy for establishing, maintaining and operating school sites.

Part 8 of the RMA provides for requiring authorities to seek provision for designations in district plans. The primary reasons for adopting this technique are:

a. The Minister has a national strategy to designate all state schools.



- b. Designations provide greater certainty in terms of future management options for a site, because it allows the Minister to carry out ongoing development of the site in accordance with the designated purpose indefinitely.
- c. Designation recognises the long-term commitment to the particular site, as well as identifying the site on the district plan maps.

As such, it is considered that the use of the designation process, as specifically provided for in the RMA, is appropriate. The principal alternative method would be to seek resource consent for the establishment or future changes to the school and ECE at the time these facilities are ready to proceed (in regard to matters controlled by the district plan rules in the Auckland Unitary Plan). This process would provide the Minster with less certainty and would be inconsistent with the planning status of similar state facilities in the Auckland Unitary Plan, and the majority of other state schools nationwide.

9.0 Consultation

Mana Whenua

An information package was sent to all mana whenua groups identified by Auckland Council as having an interest in the Upper Harbour Local Board area on 28 April 2021, with a follow up sent after approximately 2 weeks of sending out the initial communication. These groups included:

- Ngati Manuhiri Settlement Trust
- Ngāti Maru Rūnanga Trust
- Ngāti Paoa Iwi Trust
- Ngāti Paoa Trust Board
- Te Ara Rangatu o Te Iwi o Ngāti Te Ata Waiohua
- Ngā Maunga Whakahii o Kaipara Development Trust
- Ngāti Whātua Ōrākei Trust
- Te Ākitai Waiohua Iwi Authority
- Te Kawerau Iwi Settlement Trust
- Te Rūnanga o Ngāti Whātua

The only response received was from Ngāti Manuhiri Settlement Trust indicating they have an interest in the Whenuapai Area but would defer to Maunga Whakahii o Kaipara in this instance.

No other responses have received at the time of completing this documentation for lodgement. However, the Minister's representatives will continue to engage with any mana whenua who express an interest in this project either as a direct response to communications set out by the Ministry of Education or through the formal designation process.



Upper Harbour Local Board

The Upper Harbour Local Board was sent project information on 28 April 2021. No feedback has been received at the time of finalising this Notice of Requirement.

Local Community

A project information mail-out was sent to the ratepayer addresses for properties adjacent to the site, along Ryan's Road and along Trig Road between Hobsonville Road and State Highway 18.

Feedback received included:

- Support for the school project to support growth;
- Concerns over the growing traffic volumes on Trig Road; and
- Concerns over the Supporting Growth proposal for road widening along Trig Road including the extent of potential land take and alignment of the connection to Hobsonville Road.

Auckland Transport

Auckland Transport was involved in two pre-application meetings and provided feedback on the draft ITA and draft conditions.

The Minister has adopted the changes to conditions suggested by Auckland Transport. The ITA records how Auckland Transport's comments have been addressed in the final ITA document.

Auckland Council

A pre-application meeting was held with Auckland Council Plans and Places along with representatives of Auckland Transport and Auckland Council Earth Streams and Trees. Further comments were subsequently provided from stormwater and wastewater specialists within Auckland Council.

10.0 Conclusion

The requiring authority has assessed the relevant matters as set out in s171(1) of the RMA and concludes that is appropriate for the designation to be confirmed subject to conditions as proposed. The designation will enable the delivery of essential community infrastructure to support population growth in the Auckland north-west area.

The Minister does not require any change to the standard lapse period of 5 years before the designation is given effect to.

The Minister requests notification of the Notice of Requirement.