

**Minister of Education**  
**Notice of Requirement for Flat Bush School**  
**187 Flat Bush School Road**

**Revision History**

<b>Date</b>	<b>Issue</b>	<b>Description</b>
28/09/15	1	Draft for review
11/01/16	2	Final draft for client review
15/02/16	3	Final for submission

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Appendix 7: Stormwater and Infrastructure report

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## 1.0 THE REQUIRING AUTHORITY AND PROPERTY DETAILS

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<b>To:</b>	Auckland Council
<b>Site Address:</b>	187 Flat Bush School Road, Flat Bush
<b>Requiring Authority:</b>	Minister of Education
<b>Address for Service</b>	Barker & Associates Ltd PO Box 1986 Shortland Street Auckland 1140 Attention: Catherine Reaburn
<b>Legal Description:</b>	PT Lot 2 DP 458950 (entire site)
<b>Site Area:</b>	48.3436 ha (entire site) 3.2511 ha (School site post subdivision)
<b>Operative District Plan:</b>	Auckland Council District Plan: Manukau Section
<b>Zoning:</b>	Flat Bush Residential 3 Zone (Flat Bush Structure Plan) Terrace Housing and Apartment Buildings (PAUP)
<b>Designations/Limitations:</b>	Moderate Aircraft Noise Area Aircraft Noise Notification Area Indicative Stream
<b>Brief description of proposal:</b>	Notice of Requirement for a Designation for a primary school (refer to Form 18 at <b>Appendix 1</b> )
<b>Locality and land requirement:</b>	Refer to attached map at <b>Appendix 2</b>

## 2.0 INTRODUCTION

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The Minister of Education seeks a designation to enable a primary school to be developed at 187 Flat Bush School Road, Flat Bush. The primary school will be initially developed to provide for approximately 700 students. In addition, provision will also be made to accommodate an early childhood education centre for up to 50 children. It is expected that a new primary school will open on the site in 2017 at the earliest.

The following assessment provides background to the requirement, describes the nature of the proposed work in more detail, and specifically addresses those matters set out in section 171(1A) of the Resource Management Act. Section 171 outlines the Council's jurisdiction for assessing the Notice of Requirement. Subject to Part 2 of the Act, this document assesses the actual and potential environmental effects and any proposed mitigation measures, assesses the designation against any relevant provisions of relevant policy statements and plans, and outlines the alternatives considered, why the designation is reasonably necessary, and the consultation undertaken.

## 3.0 SITE DESCRIPTION

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### 3.1 LOCATION

The subject site is located on the southern side of Flat Bush School Road approximately 300m east of its intersection with Murphys Road. The location and extent of land requirement is identified in **Appendix 2**.

### 3.2 EXISTING SITE

The total area of the site is currently 48.3436 hectares, however the site will be subdivided to create the site for the school and associated roading. The area of the proposed school site will be 3.2511 ha. A scheme plan for the proposed boundaries for the site and associated roading is included in Appendix 2. For the purposes of this report "the site" refers to the site to be subdivided for the school.

The site is zoned 'Residential 3' in the Flat Bush Structure Plan, which enables the site to be developed for residential activity. The site is currently in pasture and is used as a rural lifestyle block. There is an existing dwelling and outbuildings located within the wider site area to the south of the school site.

The topography of the site is generally undulating from north to south and falls from the proposed side boundaries to a vegetated ephemeral stream. The site is in pasture with mature deciduous trees growing along the stream margins.

The topography of the site is generally unmodified except to accommodate the existing buildings.

The site is traversed by two aircraft noise zones being the Moderate Aircraft Noise Area (MANA) and the Aircraft Noise Notification Area (ANNA).

### **3.3 SURROUNDING LAND USE**

The surrounding land to the north and south of the site is currently utilised as rural lifestyle blocks or productive rural activity. The land to the east of the site comprises existing residential development. There is a special housing area located to the north of the proposed school site where it is expected that 275 new homes or sites will be developed over the next three to four years. A strategic special housing area is located over the wider area and it is intended that this area will be developed into approximately 4,467 new sections and residential dwellings.

## **4.0 NATURE OF THE PROPOSED DESIGNATION**

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### **4.1 ACTIVITY OUTLINE**

The Minister of Education, as the Requiring Authority, is seeking to designate an area of 3.2511ha of land currently accessed from Flat Bush School Road. The land requirement and location plan is attached at Appendix 2.

The designation will be for 'education purposes'. 'Education purposes' includes a range of activities including provision of education for school age students; early childhood education; community education; the provision of academic, sporting, social and cultural education; and ancillary activities such as administrative services and housing for staff. A full definition of 'education purposes' is provided in Appendix 3. This is consistent with the definition of Education Purposes in the Minister of Education designations in the notified version of the Proposed Auckland Unitary Plan<sup>1</sup>.

Pursuant to section 184(1)(c) the Minister requests a 10 year period to give effect to this designation.

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<sup>1</sup> No submissions were received on this definition, therefore, it is likely to be incorporated into the Unitary Plan in the notified form.

The school is being initially developed on the basis of an optimal roll of 700 students. There is, however, sufficient room available on site to accommodate roll growth.

The hours when classes will be undertaken on site are generally the same as any other school on weekdays. As with other state schools, however, the facilities will be used outside of these times. Schools are widely used outside of the core teaching hours for administrative purposes associated with the operation of the school and for ancillary education activities.

Again, like all schools, the proposed school is also likely to hold a small number of events that may involve large numbers of people on occasion, such as school gala days or sports events.

Schools are also often used by the wider community for a range of community-based activities. This site will be no exception to this. The designation being sought by the Minister, however, is only for education and related ancillary activities. Activities that fall outside of the designated purpose will be subject to the provisions of Operative District Plan and the Unitary Plan (when the relevant provisions have legal effect).

## **4.2 SITE DEVELOPMENT**

The earliest that the school could commence operating on-site is 2017. In the meantime, the site will continue to operate as a rural lifestyle block until such time as the site is required for development of the school.

There is currently no corresponding architectural or concept plans showing how the site might be developed or what it might look like. Such planning does not typically occur until such time as an 'establishment board' is formed to progress the development of the school.

The development of the school will be undertaken within key parameters intended to address potential adverse effects. Designation conditions are proposed to provide parameters for the future school development. These are detailed in Appendix 3, and include controls around:

- Building height in relation to boundary;
- Noise limits;
- On-site car parking;
- Site development to be in accordance with the geotechnical report;

- Acoustic treatment requirements for classrooms, libraries or halls within the Moderate Aircraft Noise Area ('MANA');
- School Travel Plan to set standards and goals to mitigate real and potential adverse traffic effects.
- Requirement for the first Outline Plan of Works to include the following:
  - Design Concept Plan showing the general layout of the future school including buildings, open space, access, and carparking;
  - Traffic report addressing access, traffic generation and means of mitigation and any proposed upgrade works to Flat Bush School Road; and
  - Stormwater management plan addressing stormwater reuse, onsite detention or connections to the stormwater network, management of the overland flow path and the management of flooding hazards.

#### **4.3 BUILDINGS**

Whilst no plans for the school have been prepared at this time, any new building design will likely be a modern and contemporary style of architecture, reflecting best practice in school building design and layout at that time. Buildings will meet the height in relation to boundary controls on the external boundaries.

Once a designation is confirmed, the Minister then progresses the establishment of the school and early childhood education facility. An Establishment Board of Trustees will be appointed, who will then commission the design and building layout. Detailed design plans for the proposed school would be developed to meet the designation conditions, and would be subject to Outline Plan requirements prior to construction pursuant to Section 176A of the Resource Management Act.

#### **4.4 TRANSPORT**

As school roll numbers and the degree of development have not been set at this stage, the actual vehicle parking requirements are not able to be confirmed. However, at the point of commissioning construction of the school and early childhood facility, all staff parking and on-street drop off/pick up areas will be designed in accordance with the recommendations of the Integrated Transport Assessment ('ITA' - see Appendix 4). This can be appropriately addressed at the Outline Plan stage.



Any works to Flat Bush School Road, including construction of a new kerb and channel, footpaths and provision of a pedestrian crossing, will be determined at the Outline Plan of Works stage in consultation with Auckland Transport.

The structure plan shows indicative roads to the east, west and south of the subject site. It is noted that these roads will not need to be in place for the operation of a school at the site, however they could assist with route and access options. The final alignment and design of the indicative roads will be determined in conjunction with adjacent developers and Auckland Transport at the school establishment phase, or at a future time depending on the timing of development around the school site. Should the school be operational prior to the indicative roads being formed, interim access will be obtained directly from Flat Bush School Road.

#### **4.5 OUTDOOR RECREATION FACILITIES**

Sports fields will be located on site providing space for both formal and informal recreational activities. Hard court areas may also be established.

### **5.0 SECTION 171 MATTERS**

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#### **5.1 TRADE COMPETITION OR EFFECTS OF TRADE COMPETITION**

Section 171(1A) states that when considering a requirement and any submissions received, a territorial authority must not have regard to trade competition or the effects of trade competition. Issues and effects of trade competition are not relevant to this Notice of Requirement.

#### **5.2 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT**

Section 171(A) states that when considering a requirement and any submissions received, a territorial authority must, subject to Part 2, consider the effects on the environment of allowing the requirement. Potential effects from establishing the proposed primary school on the site are considered below.

##### **5.2.1 Visual Impact**

Establishment of the school will change the general nature of the surroundings from a visual perspective. However, this will be in the context of the transition of the surrounding area from rural to a residential/urban character in accordance with the Flat Bush Structure Plan. The school will incorporate modern, architecturally designed school buildings and open space. Buildings will be designed and located to

comply with height in relation to boundary requirements, minimising potential visual amenity and dominance effects on immediate neighbours.

Whilst the proposed work will change the visual landscape, this will have no more than minor effects in terms of visual amenity values as it will be incorporated into the wider developing urban residential landscape. Further, an urban design statement will be provided with the Establishment Outline Plan of Works (as required by proposed condition 11).

## 5.2.2 Noise effects

### ***Aircraft Noise***

The site is traversed by both the Moderate Aircraft Noise Area (MANA) and the Aircraft Noise Notification Area (ANNA) which are overlays based on the predicted noise exposure from aircraft using Auckland Airport by 2030. The MANA area defined the area expected to be exposed to 60-65 dB  $L_{dn}$  in 2030 while the ANNA defines the 55-60 dB  $L_{dn}$  area.

It is noted that a number of other schools have been recently developed or expanded on sites that are also subject to noise from aircraft. For example Ormiston Senior College was recently established and is located entirely within the ANNA, with a small portion of the site located in the MANA. Papatoetoe South School and Kia Aroaha College are both located entirely within the MANA, and have recently been expanded.

The Acoustic Assessment undertaken by Norman Disney and Young (**Appendix 8**) confirms that the proposal can meet the Ministry's own design requirements with closed windows and doors in the most exposed locations. The Acoustic Assessment concludes that a school can be located at the site without causing reverse sensitivity effects on Auckland Airport or disruptions to student's learning, provided that buildings containing activities sensitive to aircraft noise are adequately ventilated as part of an acoustic treatment programme to allow windows and doors to be closed. A condition to this effect is recommended to be included on the notice of requirement (refer proposed designation condition 9).

### ***Noise Emissions from the School***

Given the nature of education facilities, the activity will generate some degree of noise. However, this noise is only likely to be significant during play times, lunch hours and during outdoor activities. There is unlikely to be any significant noise generated during classroom-based activities.

The proposed designation conditions require a design concept plan to be provided with the first Outline Plan of Works, which will need to consider the requirement to comply with the specified noise limits (also in the proposed designation conditions). The size of the site will enable the site layout to have regard to locating significant noise sources away from immediate neighbours. Building design and form can also minimise potential noise levels at adjacent properties to ensure compliance with the specified noise limits. The proposed noise limits will achieve an appropriate balance between enabling school activities to occur whilst providing an adequate level of acoustic amenity for adjacent residential neighbours. The noise limits in proposed designation condition 2 are consistent with those agreed with Auckland Council through the Unitary Plan process for schools throughout the Auckland region.

Overall, the proposed school can be designed in a way that ensures it will have less than minor effect in terms of noise.

### 5.2.3 Traffic effects

#### *Traffic generation*

The proposed school is expected to generate additional traffic along Flat Bush School Road. This will be in the context of the anticipated residential development in the area.

Traffic to and from the school site is expected to be concentrated in the hour before and the hour after normal school hours. Based on an approximate roll of 700 students, approximately 371 children are anticipated to be dropped at the school gate by car (rather than alternative modes such as walking or cycling). Many of these will be siblings, resulting in an anticipated vehicle trip rate of 218 cars arriving and then leaving every morning and afternoon. Should the childcare centre be established, an anticipated additional 70 vehicle trips would be generated from the designated activity during peak times. In the longer term, as the area around the school develops, it is expected that more children will walk or cycle to school and the number of children being drive to school will decrease. This is more likely as the school will be serving a local catchment.

The ITA identifies that Flat Bush School Road does not currently experience any traffic capacity issues as it carries very low traffic flows and is therefore considered to be able to accommodate the additional trips generated by the school and childcare centre. The intersection between Flat Bush School Road and Murphys Road also experiences low levels of congestion. Murphys Road is classified as an

arterial road which indicates that it is intended to accommodate reasonably high traffic flows.

Overall, the provision of a primary school in the area integrates well with the future transport network as it will provide for children located in the surrounding residential growth node to be educated locally without needing to travel to other more distant areas.

### *Access*

The Structure Plan makes provision for three new roads to the east, south and west of the site. While these roads are not required for the operation of the school, they could assist with access options to the site. The final alignment and formation of the indicative roads will be determined in consultation with the school establishment board, adjacent developers and Auckland Transport. Depending on the timing of surrounding development, primary access to the school may initially be directly from Flat Bush School Road. Access to the school will be confirmed at the outline plan stage.

### *Parking*

On site car parking for the school and childcare centre will be provided to meet the requirements of staff, as well as a drop-off/pick-up through area to provide for children with disabilities or whose parents are delayed. The design of the street drop off/pick up areas will be determined at the Outline Plan of Works stage in consultation with Auckland Transport.

The proposed designation conditions require standard ratios to be applied to the school and early childhood education unless otherwise supported by a specifically commissioned parking study by an appropriately qualified engineer and/or transportation planner at the Outline Plan of Works stage. The initial review provided in the ITA indicates that the total number of spaces required to be provided by the site is 54 spaces, 44 for the primary school and ten for the childcare centre. The ITA considers that the size of the site, and the various surrounding existing and future roads, provides enough flexibility to accommodate these requirements, including the potential for dedicated drop-off zones. The actual number of car parks required and their location will depend on the final design and layout of the school which will be confirmed at the outline plan stage, in accordance with the proposed designation conditions.

## *Walking and cycling*

The ITA states that, with a school roll of 700 children, around 266 children are anticipated to walk for at least part of their trip. Footpaths will be provided on Flat Bush School Road, and the surrounding roads, as part of the urbanisation of this area. A safe cycle lane would encourage cycling to and from the school. The form and location of a footpath and safe cycle lane will be determined in consultation with Auckland Transport's wider plans for the roading network at the school establishment stage.

## *Summary*

The ITA concludes that the site is suitable for the proposed activities and the school can be developed in a manner that any adverse effects can be avoided, remedied or mitigated.

### 5.2.4 Stability

A geotechnical report has been prepared to assess whether the development of the school would affect land stability, or whether the land characteristics would generate issues for development of the school (see Appendix 5). The site is generally flat, and there are no obvious evidence of past instability, erosion or creep at the subject site.

The site is underlain by alluvial deposits composed of stiff clayey silts and it is estimated that the groundwater level is at 0.5 to 1.5m. Given the relatively high groundwater levels encountered at the site, the report recommends subsoil drainage beneath the building platforms, roads, other pavement areas and playing fields. Shallow foundations are likely to be suitable for support of one to two storey school buildings constructed on the stiff surface crust of Puketoka Formation soils (upper 3 m). Where earthworks remove much of this existing material, or where larger buildings are proposed, pile foundations extending into the ECBF rock (greater than 8 to 13 m depth) may be required.

The design of the school, including the stormwater management, will meet the recommendations of the geotechnical report to minimise potential hazards. A proposed designation condition requires all site development to meet the recommendations of the geotechnical desktop study. Therefore, the proposed school can be designed in a way that ensures no more than minor effects in terms of land instability.

## 5.2.5 Contamination

A Preliminary Site Investigation has been undertaken to assess the likely risk of contamination on the proposed school site (see **Appendix 6**) as the site has been used for agricultural purposes for more than 60 years. The investigation identified the use of agrichemicals and possible use of ACM as potential HAIL activities at the site.

Soil testing undertaken at the site did not identify any visual or olfactory evidence of contamination and no building or waste materials were identified. Laboratory analytical testing showed that contaminant concentrations were reported below all acceptance criteria and within the published background concentrations. On this basis, the NES does not apply to the site and the potential for human health risk during and following the proposed redevelopment work is considered to be negligible. The potential for risk to the surrounding environment is also considered to be negligible.

Given the results of the investigation, the proposed school development is not considered to require contaminated land consents under either the NES Soil or the applicable rules in the Regional Plan or the Unitary Plan.

## 5.2.6 Ephemeral Stream

An ephemeral stream traverses the site. This stream will need to be filled in as part of the development of the new school. Resource consent for the stream works will be sought concurrently with the Outline Plan of works process and following the design stage of the process. Consultation with mana whenua will be undertaken prior to the lodgement of any resource consent for works associated with the stream. It is noted that resource consent has already be granted for the filling of part of the stream that traverses the properties located to the north of the site.

## 5.2.7 Stormwater and other infrastructure

A stormwater and infrastructure assessment report has been prepared to support the development of a school at this location (see **Appendix 7**).

### *Stormwater*

Stormwater onsite will be managed onsite through a combination of the following:

- Stormwater reuse

- Onsite stormwater detention and/or connection to Auckland Council's public stormwater network;
- Management of the overland flowpath;
- Management of any flooding hazards at the time of development.

Based on recent discussions with Auckland Council representatives, discharge to the stream east of the site is the most likely approach. However, details will be provided through a stormwater management plan provided at the establishment Outline Plan of Works stage (refer proposed designation condition 11).

A stormwater treatment device will be provided to assist in removing contaminants from the stormwater. The detail of the stormwater management system will be provided at the first Outline Plan of Works (as required by the proposed designation conditions). The school can be established in a way that will not generate any significant stormwater-related effects.

#### *Sanitary sewer*

The site is not serviced by sanitary sewer at present, however there is a sewer line proposed for the area along the front boundary of the site which will connect to a new line on the north side of Flat Bush School Road. It is anticipated that the proposed infrastructure will be capable of carrying the increased capacity for the school.

#### *Water supply*

Existing infrastructure will be adequate to service the school.

#### *Power and telecommunications*

There is sufficient capacity in the power system to service the school. Minor works will be required to facilitate appropriate connections. There is sufficient capacity in the telecommunications systems to provide for the school.

### 5.2.8 Cultural and Heritage Effects

The structure planning process that rezoned the area for residential development did not identify any significant cultural or heritage sites at 187 Flat Bush School Road. No sites of significance or value to mana whenua, or historic heritage sites, are identified within 1km of the subject sites on the Proposed Auckland Unitary Plan maps, or through initial contact with iwi representatives (see Section 6.2 of this report). Further consultation with interested iwi representatives will be

undertaken as part of the school design and development process to ensure any potential cultural heritage effects are minimised.

## 5.2.9 Benefits to the Wider Community

There will be a number of significant positive outcomes for the wider community from designating this site for education purposes, including:

- The provision of local primary school facilities for the growing residential community as a result of the Flat Bush Structure Plan; and
- The provision of an additional area of open space and school hall facilities available for informal public use, as is the case with other state schools. Any use of the school facilities by the wider community is at the discretion of the school.

## 5.3 RELEVANT POLICIES AND PLANS

When considering a notice of requirement, a territorial authority must have particular regard to:

*Any relevant provisions of –*

- A national policy statement;*
- A New Zealand coastal policy statement;*
- A regional policy statement or proposed regional policy statement;*
- A plan or proposed plan.*

There are no national policy statements that are of relevance to the proposal and the New Zealand Coastal Policy Statement is not applicable. The following policy statement and plans considered relevant in this context are the Auckland Regional Policy Statement, the Auckland Council District Plan: Manukau Section, and the Proposed Auckland Unitary Plan. These are considered below.

### 5.3.1 Auckland Regional Policy Statement

The purpose of the Auckland Regional Policy Statement ('ARPS') is to set out a policy framework for managing natural and physical resource in an integrated manner across the whole of the Auckland region.

Chapter 2 of the ARPS provides a regional overview and strategic direction. It acknowledges that unplanned growth can generate issues, including a lack of physical and social infrastructure to provide for residents. Method 2.6.6.10 states



that the Council will engage with the Ministry of Education to develop a strategic approach to providing schools in the Region in a manner consistent with the land use strategy set out in the Auckland Regional Growth Strategy and in the ARPS.

Auckland International Airport is identified as an item of regionally significant infrastructure in the definitions section of the ARPS and Strategic Policy 2.6.14(2) states that:

*“Provision is to be made to enable the safe and efficient operation, maintenance and development of regionally significant infrastructure which is necessary for the social and economic wellbeing of the region’s people”.*

Further, Policy 2.6.14(3) is:

"Land use change should avoid significant reverse sensitivity effects on regionally significant infrastructure." (Refer also to Policies 2.6.2(2) (viii), 2.6.11(1) (n), 2.6.17(e) (i) and 2.6.17(4) (ii))

The Flat Bush Structure Plan process sought to meet growth requirements of the Auckland region in a planned way, including provision for infrastructure. Although a specific school location was not identified on the decision version of the Flat Bush Structure Plan, the need for a school in an appropriate location to service the projected population growth in this area has been identified. The provision of a new primary school to service anticipated growth in accordance with the Auckland Growth Strategy is therefore consistent with the overall thrust of the ARPS. The proposed designation condition requiring acoustic treatment for any sensitive buildings within, or partially within the MANA, will address potential reverse sensitivity effects on Auckland Airport.

Overall, the designation is consistent with the policy direction set out in the ARPS.

### 5.3.2 Auckland Council District Plan: Manukau Section

The subject site is zoned Residential 3 in the Auckland Council District Plan: Manukau Section ('the District Plan') which is a zone specific to the Flat Bush Structure Plan area (Part 17 of the District Plan).

Section 17.10.9.5 sets out specific objectives and policies relating to the Residential 3 Zone. The objective of the Zone is to ensure the development of an integrated, medium density residential environment with high levels of amenity, a range of travel modes, allows for a range of living opportunities and small scale employment in appropriate locations.

The school will be developed in a manner that will facilitate walking and cycling. Locating the school proximate to the residential catchment it is intended to serve will also encourage walking and cycling to school, rather than relying on private vehicles. The layout of the school and design of the buildings will be provided at the Outline Plan stage, however the designation conditions provide broad parameters to enable the school to be developed in a way that will positively contribute to the amenity values of the Residential 3 Zone and the wider structure plan area. It is anticipated that the school will also provide employment opportunities for around 30 people.

Section 17.6.3 sets out the objectives and policies relating to airport activities. Of particular relevance to this application Policy 17.6.4.9 requires that the adverse effects of high and moderate levels of aircraft noise arising from the use of the existing runway at Auckland International Airport are avoided, remedied or mitigated. In relation to the school site, the adverse effects can be mitigated through the installation of acoustic insulation and ventilation systems (if required).

Overall, the designation is consistent with the policy direction set out in the District Plan.

### 5.3.3 Proposed Auckland Unitary Plan

The objectives and policies for the Flat Bush Sub-Precinct A precinct in the Proposed Auckland Unitary Plan ('PAUP') are consistent with those in the Residential 3 zone as assessed above. The underlying objectives and policies for the Terrace Housing and Apartment zone also apply. These objectives and policies generally seek to enable higher density residential developments in the form of mid-rise, multi-unit residential living with a high standard of design. The objectives and policies also provide for a range of non-residential activities that provide convenient access for residents while maintaining the urban residential character of these areas.

The proposed designation includes conditions around height in relation to boundary and noise controls which will ensure a reasonable standard of amenity for immediate neighbours. The proposed designation conditions also require a design concept plan to be provided at the first Outline Plan of Works and this will ensure that the development achieves a high level of visual amenity whilst ensuring that the school is easily accessible for local residents. Further, the development of the school layout and design will consider the relevant statutory context at that time.

More generally, the PAUP seeks to enable quality, compact urban form for Auckland. In terms of social infrastructure (including schools), B2.7 sets out objectives and policies which seek to achieve a high quality network of social infrastructure that meets Aucklanders' needs, and that it is located where it is accessible by a range of transport nodes. The Ministry has sought to locate the proposed primary school so that it will be accessible by walking and cycling, to minimise reliance on private vehicles for children being dropped off and picked up from school. Further, the development of the school will help to facilitate the upgrade of Flat Bush School Road to enable safe cycling and walking, potentially including provision of a safe cycle way and a pedestrian crossing at an appropriate location.

The PAUP also contains the following policies in relation to the location of educational facilities in the MANA:

1. *Avoid establishing residential and other activities sensitive to aircraft noise (ASAN):*
  - a. ...
  - b. *Within the area between the 55Ldn and 65Ldn noise contours in the 57Ldn noise contour in the aircraft noise overlay, unless the effects can be adequately remedied or mitigated through restrictions on the numbers of people exposed to aircraft noise in the external environment and the acoustic treatment (including mechanical ventilation) of buildings containing activities sensitive to aircraft noise.*
2. *Manage residential intensification and other activities sensitive to aircraft noise within identified growth centres, intensive corridors and other areas identified for accommodating urban growth in a way that avoids conflicts or incompatibilities (including reverse sensitivity effects) between those land uses and Auckland International Airport Limited and Ardmore Airport Limited as recognised significant infrastructure.*

The proposed location of the school is partially within the MANA aircraft noise overlay. The location of the school is appropriate having regard to the location of the community which it will service. Proposed designation conditions requiring acoustic treatment for buildings containing sensitive activities within, or partially within the MANA will manage potential reverse sensitivity effects.

Overall, the designation is consistent with the policy direction set out in the PAUP.

## 5.4 CONSIDERATION OF ALTERNATIVES

### 5.4.1 Alternative sites

The Ministry of Education commissioned site evaluation reports for the Flat Bush Structure Plan area in July 2010. The reports were prepared in accordance with the Ministry's standard *Methodology for Site Evaluation – Northern Region*. A total of 25 sites were identified. These sites were selected as they were likely to meet all the basic requirements of the Ministry, including criteria relating to locality; size/shape; current land use; and access. Selection of locations for consideration also considered the Flat Bush Structure Plan, which sets out areas identified for residential growth as well as indicative locations of future roads, neighbourhood centres and open space to serve the growing community.

Of these 25 locations, 14 were given detailed consideration. These sites were assessed as meeting the fundamental considerations in school site location planning. A more detailed analysis of individual sites was then undertaken, taking into account specialist consultant inputs. The proposed site (187 Flat Bush School Road) scored the highest of the 14 locations.

An amendment to the site selection report was prepared in September 2010 to assess the acoustic measurements taken at the two best performing sites in the Flatbush site selection study and the existing Mission Heights Primary School to provide an improved understanding of the relative impacts of aircraft noise. This review did not affect the ranking of the sites.

An independent review of the previous site evaluation reports was undertaken in May 2013 to determine whether circumstances had changed that would suggest an alternative location would be preferable. This review concluded that the proposed site (187 Flat Bush School Road) remained the most suitable for a new primary school and although, its score had been lowered by one point, its relative attractiveness has increased as the scores for all other sites have decreased by at least 3 points.

Given the passage of time, an additional site selection review was undertaken by Barker & Associates in September 2014. This report considered changes to the initial scoring as a result of residential subdivision; ease of acquisition (given market availability of the sites); and changes to the legislative environment. The subject site continued to score the highest of the reviewed sites, although the score differential between the two highest scoring sites was reduced.

Overall, the subject site has consistently scored the highest through a series of site selection review processes. As a result of the detailed site evaluation process, it is considered that adequate consideration has been given to alternative sites.

## 5.4.2 Alternative methods

Designations are the mechanism used widely by the Minister of Education as part of a national strategy for establishing, maintaining and operating school sites. The primary reasons for adopting this technique are:

- The Ministry of Education has a national policy to designate all its schools;
- Designations provide greater certainty in terms of future management options for a site, because it allows the Ministry to carry out development of the site in accordance with the designated purpose indefinitely; and
- Designations recognise the long-term commitment to the particular sites, as well as identifying the site on the District Plan maps.

In addition, designations allow the setting aside of land for a future work, in this case for education purposes, with certainty as to its ability to be used for that purpose irrespective of any changes to the District Plan in the meantime. This is particularly important in this case, as the school may not be progressed for some time (depending on demand), but the opportunities to acquire a suitable site may soon be lost with on-going urban residential development in the Flat Bush Structure Plan area.

For the above reasons, it is considered that the use of the designation procedure, as specifically provided for in the Resource Management Act, is appropriate.

## 5.5 REASONS WHY THE DESIGNATION IS NECESSARY

When considering a requirement, a territorial authority must have particular regard to:

*Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought.*

Flat Bush is expected to have a population of 40,000 people by 2021 and therefore it is projected that there will be a need for schooling for up to about 8,000 children who will live in Flat Bush by the time it is fully developed. Approximately half the children are expected to be primary school age and half will be intermediate and secondary school age.

In May 2006, MoE prepared the Flat Bush Area Strategy to cater for the education needs of children within Flat Bush and to ensure that the key decisions about the types of schools needed and the shape of the network were made well in advance of being required.

Alongside the area strategy, the Ministry of Education developed an early childhood education strategy and a special education strategy in consultation with a local Advisory Group.

The Flat Bush Area Strategy identified that four contributing schools (year 1-6) – one on the Jeffs Road campus, one on the Ormiston Road campus, and one in each of the south west and the south east areas of Flat Bush would be required meet the projected growth in the numbers of school age students in Flat Bush. This Notice of Requirement seeks to designate land for the establishment of a school in to the south east area of Flat Bush and is necessary to meet the demand for schooling in the Flat Bush area.

Therefore, the work and designation are deemed reasonably necessary.

The purpose of the Notice of Requirement is to assist in achieving the Minister’s goal of providing and maintaining effective education facilities throughout New Zealand. The Minister seeks to establish the primary school and early childhood facility.

The Minister has submitted the Notice of Requirement to achieve the following objectives:

- To provide new education facilities to the Flat Bush area and the surrounding catchment to serve the education needs of this growing community; and
- To designate the land to provide for the efficient management of a nationwide portfolio of education facilities.

The RMA makes provision for requiring authorities to designate land in the District Plan to carry out their functions and provide for future needs. The Minister of Education is a requiring authority pursuant to Section 166 of the RMA. Designation of this site achieves the Minister’s objectives as outlined above.

## **5.6 PART 2 OF THE RMA**

Section 171 of the RMA requires territorial authority consideration of a Notice of Requirement subject to Part 2 (the purposes and principles of the RMA).

Section 5 of the RMA imposes a duty to promote the sustainable management of natural and physical resources while endeavouring to avoid, remedy or mitigate adverse effects of activities on the environment.

The proposed Notice of Requirement will provide for future schooling needs in Flat Bush and will provide for the community's social, economic and cultural wellbeing. As outlined in the above assessment of effects on the environment, any adverse effects are able to be adequately avoided, remedied or mitigated through the design of the school. Any residual adverse effects are balanced by the benefits that the new education facilities will bring to the Flat Bush community to meet their future educational needs. Given these matters, the proposal is considered to be consistent with the sustainable management purpose of the RMA as articulated in Section 5 of the Act.

There are no Section 6 Matters of National Importance of relevance to this Notice of Requirement.

Section 7 Other Matters of relevance to this Notice of Requirement, are:

*(b) the efficient use and development of natural and physical resources (eg Auckland Airport)*

*(c) the maintenance and enhancement of amenity values*

*(f) maintenance and enhancement of the quality of the environment*

Reverse sensitivity effects on the efficient use and development of Auckland Airport, having regard to the operative noise contours, will be managed through appropriate acoustic treatment.

Amenity values are defined in the Act as:

*'those natural and physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes'.*

It is acknowledged that the Notice of Requirement will have an effect on the amenity of adjoining residents (both existing and future). However, the assessment above indicates that any adverse effects will likely be no more than minor, and can be adequately avoided, remedied or mitigated through the proposed designation conditions and through the more detailed Outline Plan process.

Similarly, the quality of the environment can be maintained and enhanced through development of the school, including through stormwater quality treatment.

Overall, the proposal is considered to be consistent with Part 2 of the RMA.

## 5.7 SUMMARY OF SECTION 171 ASSESSMENT

In summary, the effects of the future development of 187 Flat Bush School Road for education purposes are likely to be minor and can be adequately avoided, remedied or mitigated through the proposed designation conditions, and through the Outline Plan process.

The proposal is not contrary to the provisions of the ARPS, District Plan or PAUP.

The proposed work and designation is reasonably necessary and is also consistent with Part 2 of the Act. On this basis we request that Council recommend confirmation of the requirement without modification.

## 6.0 SUMMARY OF CONSULTATION

### 6.1 KEY STAKEHOLDERS

#### 6.1.1 Property owners

The Ministry has been liaising directly with Auckland Council Property Limited (who own the site) terms of property acquisition. A memorandum of agreement regarding purchasing of the site was signed on 8 June 2015.

#### 6.1.2 Auckland International Airport Limited

A copy of this application was provided to AIAL for their review and feedback. Feedback was received in October 2015. The following key comments were made in respect of the draft Notice of Requirement:

Comments	Ministry response
Include further policy assessment of reverse sensitivity effects on Auckland Airport within the NoR documentation.	Additional recognition and assessment provided in this report.
Amendments to clarify the status of the MANA, and the use of technical terminology.	Amendments made as suggested in feedback.
Proposed designation conditions	Many factors are considered when



Comments	Ministry response
amended to require activities sensitive to aircraft noise ('ASAN') to be located outside of the MANA.	determining the appropriate layout for a new school. For the proposed school in this location, this may include achieving a quality active frontage to Flat Bush School Road, and opportunities for connectivity between the playing fields on the school and in the proposed Auckland Council park to the south of the site. On balance, classrooms within the MANA, with appropriate acoustic treatment, may result in an overall better layout when considering these multiple factors. The Ministry therefore do not wish to restrict the potential to locate ASAN within the MANA through designation conditions.
Proposed designation conditions amended to require acoustic treatment to be provided to buildings located partly (in addition to wholly) within the MANA; for relocated as well as new classroom, libraries or halls, and for additions and alterations.	These changes have been agreed to by the Ministry and incorporated into the proposed designation conditions at Appendix 3.

## 6.2 IWI CONSULTATION

On 2 September 2015, an email was sent to the following mana whenua groups advising of the proposed school at Flat Bush School Road:

Mana whenua group(s)	Comments	Ministry response
Ngāi Tai Ki Tāmaki Tribal Trust	Sought a site visit. Met onsite on 30 September 2015. CIA requested.	CIA will be undertaken for new school design.
Te Ākitai Waiohua and Ngai Tai ki Tamaki	Sought a site visit. Met onsite on 30 September 2015.	No comments received.
Ngāti Tamaoho Trust	Will defer to other iwi.	Not required.

Mana whenua group(s)	Comments	Ministry response
Te Ara Rangatu o Te Iwi o Ngāti Te Ata Waiohua	Discussed at Ngāti Te Ata offices.	No comments received.
<ul style="list-style-type: none"> <li>Ngāti Whanaunga Incorporated</li> <li>Waikato-Tainui Te Kauhanganui Incorporated</li> </ul>	No response received – Follow up email sent 14/09/15.	No comments received.
<ul style="list-style-type: none"> <li>Te Kawerau Iwi Tribal Authority</li> <li>Ngāti Paoa</li> <li>Ngāti Maru Rūnanga Incorporated</li> <li>Te Patukirikiri Incorporated</li> <li>Ngāti Tamaterā</li> </ul>	No input required.	Not required.

## 6.3 AUCKLAND COUNCIL AND RELATED ORGANISATIONS

### 6.3.1 Auckland Council

A pre-application meeting with Auckland Council was held on 10 November 2014. This involved discussing preliminary technical assessments, and the scope of work required to support the Notice of Requirement application.

A draft copy of the Notice of Requirement documentation was provided to Auckland Council, including their consultants specialists, on 28 September 2015.

All feedback provided by Auckland Council has been considered in the technical assessments provided with this NoR application and in the proposed designation conditions. The key comments and the Ministry response is summarised below.

Comments	Ministry response
Confirmation of intensity (i.e. student numbers).	Confirm that the school will be able to accommodate an optimal 700 students, however this may increase in the future.

Comments	Ministry response
Confirm the timing of works.	Timing of the opening of the school in relation to surrounding road upgrades, completion of the subdivision and provision of servicing is not able to be confirmed at this time. The school establishment phase, including preparation of the first Outline Plan of Works (OPW), will require engagement with Auckland Council and Auckland Transport to ensure a safe and serviced school at the time it becomes operational. This will be achieved through the proposed designation conditions.
Further information and clarification sought on the acoustic assessment.	<p>The proposed designation conditions relating to acoustic treatment is consistent with the operative designation conditions for schools established within, or partially within the MANA. This condition has been agreed with Auckland International Airport Limited. The outcome of consultation with AIAL is outlined above.</p> <p>The proposed designation condition for noise limits is consistent with the corresponding Proposed Auckland Unitary Plan general education condition. The designations topic was completed in December 2015. A more onerous noise limit for this specific school is not considered necessary.</p>
Auckland Council's approach to stormwater in Flat Bush is currently under review, and the stormwater department is seeking a variation to their discharge consent.	The Ministry of Education appointed engineers (Woods) have discussed the proposed stormwater approach for the school with the Auckland Council stormwater team, as discussed in the stormwater memorandum. Detention will be provided in the dry basin, while tanks can be utilised for retention. Treatment will be provided as required. Discharge will be to the stream to the east of the site. A full stormwater management plan will be prepared as part of the school establishment phase.
Vehicle trips from staff numbers should be considered in peak trip numbers.	The timing of staff members arriving and departing from the school is unlikely to correspond with peak student drop off and pick up times. Therefore, these vehicle trips have not been added to peak trip generation in the ITA.
The future transport network	The future transport environment is unknown.

Comments	Ministry response
<p>should be considered.</p>	<p>Only effects on the existing environment are required to be considered. However, the ITA has been updated to consider potential increases in traffic volumes, and known road upgrades in the area. Sufficient information has been provided to demonstrate that the school can be established without having significant adverse effects on the safety and efficiency of the transportation network. Details on how this will be achieved, including through timing with road upgrade works, will be provided as part of the school establishment phase/ first OPW.</p>
<p>Amendments to proposed designation conditions to address:</p> <ul style="list-style-type: none"> <li>• Pedestrian facilities</li> <li>• Require a strong built edge along Flat Bush School Road and the eastern collector road frontages</li> <li>• A construction management plan</li> <li>• Require at least 54 car parking spaces</li> <li>• Require the Ministry to meet the full cost of upgrading Flat Bush School Road and meet specified engineering requirements</li> <li>• Provision of adequate water and wastewater network servicing</li> <li>• Water sensitive design, stormwater retention, and compliance with the relevant Network Discharge Consent and other Council</li> </ul>	<p>The Ministry's response to these requests are as follows:</p> <ul style="list-style-type: none"> <li>• Specific reference to requiring the provision of pedestrian facilities is not considered necessary for a designation condition. This can be considered as part of the Establishment Outline Plan of Works and School Travel Plan (proposed designation conditions 11 and 14);</li> <li>• Requiring provision of a "strong built edge" is not considered appropriate for a designation condition. Alternative approaches may be more appropriate having regard to the overall layout of the school. The Establishment Outline Plan of Works will include an urban design statement including consideration of the relationship of the school to the public realm (proposed designation condition 11).</li> <li>• It is not appropriate to state the number of carparks within the designation conditions as this will be dependent on the design capacity. Proposed designation conditions 3, 4 and 11 appropriately address carparking and this can be assessed through the OPW process.</li> <li>• Funding of road upgrade works is not a matter for designation conditions. This will be determined through engagement</li> </ul>

Comments	Ministry response
standards.	<p>with Auckland Council, Auckland Transport and adjacent landowners at the school establishment phase.</p> <ul style="list-style-type: none"> <li>• Conditions relating to water and wastewater servicing, water sensitive design and stormwater retention have been incorporated into the proposed designation conditions. It is not appropriate to require compliance with Auckland Council documents as these are subject to change. The stormwater management plan can be assessed at the OPW stage, and if the relevant network discharge consent is not complied with, a separate stormwater discharge consent will be required. It is therefore not necessary to include this requirement in the designation conditions.</li> </ul>

Further detail will be provided at the first Outline Plan of Works stage, including a design concept plan for the school, which will address any outstanding queries about how potential adverse effects will be avoided or mitigated. The proposed designation conditions have been reviewed to ensure clarity of the information required to be provided with the first Outline Plan of Works, and for consistency with other recent Minister of Education designations.

### 6.3.2 Auckland Transport

A pre-application meeting with Auckland Council was held on 10 November 2014 in which a representative from Auckland Transport was present. Auckland Transport's representative questioned how Flat Bush School Road was to be designed to accommodate a low speed environment and also questioned the funding arrangements for the construction of Flat Bush School Road. Both of these matters will be addressed through the outline plan of works process.

## 7.0 CONCLUSION

The Minister requests Auckland Council proceed to process this Notice of Requirement pursuant to section 169 of the RMA, and anticipates Council's recommendation in due course as per section 171(2) & (3). The NoR application

addresses all relevant matters under Section 171 of the RMA and it is therefore requested the designation be confirmed without modification.

**AUTHOR**



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