

Auckland Council
Private Bag 92300
Victoria Street West
Auckland 1142

8 March 2021

Attention: Vanessa Leddra

Dear Vanessa,

Notice of Requirement by the Minister of Education for Designation for 'Educational Purposes – being a Secondary School (years 7 to 13) and an Early Childhood Education Centre (preschool)'

Please find attached a Notice of Requirement (NoR) and accompanying Assessment of Effects on the Environment (AEE), lodged on behalf of the Minister of Education. The NoR applies to 8.42ha, currently owned by the following landowners:

- Area A – 4.1ha located at 401 Jesmond Road (legally described as Lot 1 DP 139263, owned by Her Majesty the Queen)
- Area B – 4.2ha located at 281 Jesmond Road (legally described as Lot 1 DP 89570, owned by Her Majesty the Queen)
- Area C – 0.1ha (subject to survey) being part of 341 Jesmond Road (legally described as part Lot 2 DP 164625, owned by Elly S Pan and Benjamin Ban Chong Bong)

The Minister proposes to designate the above mentioned site for educational purposes including for a new secondary school (years 7 to 13) and an Early Childhood Education (ECE) Centre (preschool). The designation will provide for construction activities associated with the proposed works and the long term operation of educational activities including a secondary school and an ECE.

The site is zoned Residential – Mixed Housing Urban Zone under the Auckland Unitary Plan: Operative in Part and is within the Drury 1 precinct.

Development related activities for the site may require resource consents for stormwater discharge, earthworks and dewatering depending on design solutions pursued. If required, these consents will be sought prior to construction commencing.

Request for Public Notification

Section 169 of the Resource Management Act 1991 (RMA) sets out the process that Council must follow when considering the need to notify a NoR made under Section 168. The notification assessment for a NoR is set out in sections 149ZCB(1) to (4), 149ZCC(1) to (4), 149ZCE and 149ZCF.

Using the directions set out in section 169(1)(b), section 149ZCB states:

149ZCB Public notification of notice of requirement at territorial authority's discretion

- 1) *The territorial authority may, in its discretion, decide whether to publicly notify a designation.*
- 2) *Despite subsection (1), the territorial authority must publicly notify a designation if—*

- a) *the territorial authority decides (under section 149ZCE) that the designation that is the subject of the notice of requirement will have, or is likely to have, adverse effects on the environment that are more than minor; or*
 - b) *the requiring authority requests public notification of the notice of requirement; or*
 - c) *a rule or national environmental standard requires public notification of the notice of requirement.*
- 3) *Despite subsections (1) and (2)(a), the territorial authority must not publicly notify the notice of requirement if—*
- a) *a rule or national environmental standard precludes public notification of the notice of requirement; and*
 - b) *subsection (2)(b) does not apply.*
- 4) *Despite subsection (3), the territorial authority may publicly notify a notice of requirement if it decides that special circumstances exist in relation to the notice of requirement.*

In accordance with section 149ZCB(2)(b), the Minister of Education requests that this NoR be publicly notified.

If you have any questions in relation to this NoR please contact the undersigned. We look forward to hearing from you in due course.

Yours sincerely



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Planner

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