

**Notice of Requirement
&
Assessment of Environmental Effects Report
for the Minister of Education**


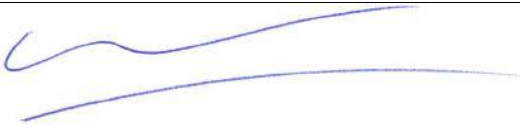
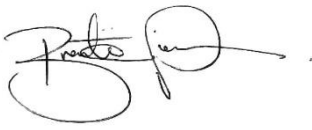
for a New Designation under s168 of the RMA

Primary School (Years 0-8) and Early Childhood Education
(ECE) at 2 Waka Moana Drive, Hobsonville, Auckland

29th November 2021



Quality Control

Title	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 2 Waka Moana
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Limitations:

The report has been prepared for the Ministry of Education on behalf of the Minister of Education, according to their instructions, to support a Notice of Requirement application under the Resource Management Act 1991. This report has been prepared on the basis of information provided by the Ministry of Education and technical reports provided by various specialist consultants. Incite has not independently verified the provided information and has relied upon it being accurate and sufficient for use by Incite in preparing the report. Incite accepts no responsibility for errors or omissions in the provided information.

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Overview

Requiring authority: The Minister of Education

Territorial authority: Auckland Council

Nature of Notice: To enable the establishment of a 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.

Refer to attached Designation Plan in Appendix A.

Site address: 2 Waka Moana Drive, Hobsonville

Legal description: Section 1 of title plan SO 562499 (new title yet to be issued)
Underlying title is Lot 1005 DP 528384 (CT identifier 853848).

Landowner: Her Majesty the Queen (the Crown)

Auckland Unitary Plan - Operative in Part (AUP):

Zones:

- Residential – Mixed Housing Urban Zone
- Residential – Terrace Housing and Apartment Building Zone

Precincts:

- Hobsonville sub-precinct D, Sub – precinct
- Hobsonville sub-precinct C, Sub - precinct

Overlays:

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

Controls:

- Macroinvertebrate Community Index – Urban
- Stormwater Management Area Control – West Harbour, Flow 1

Designations:

- ID 4311 Protection of approach and departure paths (Whenuapai Air Base), Minister of Defence

Flood Plains and Overland Flow Paths

- Flood plain and overland flow paths apply to parts of the site

Additional consents: No other consents are being sought as part of this notice of requirement.

Regional consent and/or consent under the *Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011* may potentially be required in the future when a school is developed on the site, as well as regional consent for bulk earthworks.

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 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 educational facility will be master planned to accommodate up to 1000 children to ensure any further future growth demand is adequately catered for, as well as provision for an ECE. It is proposed to open the new school by 2024/2025.

The new educational facilities are required due to:

- the current population growth Hobsonville Point is experiencing.
- the current over-utilisation of the existing Hobsonville Point Primary School, and.
- the school demand projections in the wider area given the current and proposed urban zonings that apply.

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.

1.1 Background to Requirement for an Educational Facility

Section 171(1)(c) of the RMA requires that when considering the Notice, the 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”.

Hobsonville Point is a fast-developing suburb of North-West Auckland. Over the last decade, the former airbase has been redeveloped as a sustainable community with a compatible mix of residential and employment activities largely led by Hobsonville Land Company (HLC) now known as Kāinga Ora. In 2016, the Hobsonville Point Precinct Plan was confirmed as the guiding framework to make efficient use of the land and infrastructure to increase the supply of housing in the Hobsonville area.

Since the redevelopment began in 2011, two new schools were established to meet the predicted education demand based on the initial yields estimated by HLC. These schools are Hobsonville Point Primary (opened in 2013) and Hobsonville Point Secondary School (opened in 2014). Since these schools were established, HLC’s anticipated housing yields in the area have increased. Based on the currently known yields, it is estimated that up to 2,600 primary aged students could be living in the new suburbs of Hobsonville and Scott Point by 2043. These yields exclude any additional private

development and are beyond the Ministry's master-planned rolls for the existing schools. The pace and scale of development has already placed significant demand on Hobsonville Point Primary School which, as of October 2020, was at 120% space utilisation.

In response to the short-term demand, temporary classrooms are currently being used to accommodate the additional students at the existing Hobsonville Point Primary School. In addition, the nearby Scott Point Primary School, which opened in February 2021, is currently under construction, with temporary classrooms also being utilised on the site until construction is complete. In conjunction with these property approaches, the Ministry undertook a public consultation process with the community to amend the enrolment zones to balance the demand between the two primary schools with the final boundaries confirmed in 2020. While these property and non-property solutions have alleviated some of the immediate pressure, the Ministry has concluded that the long-term education demand will be better served through delivery of an additional site to ensure that education outcomes are not compromised by over-intensification of the existing schools.

Therefore, the acquisition and designation of a new site is considered necessary to accommodate the primary aged student population anticipated for Hobsonville Point. It is proposed to open a school on the new site by 2024/2025. In the interim, the Ministry is working with the existing schools to provide additional capacity where it is needed most in advance of new facilities being established on the new site.

It is noted that the Minister is also initiating investigations to expand the secondary school network in the North-West area. Currently Hobsonville Point Secondary School's enrolment scheme home zone takes in all of the Whenuapai structure plan area to the north. The current shortfall analysis undertaken by the Ministry of Education for Hobsonville Point Secondary School found that another secondary school to serve the Whenuapai area will be required by 2030. There is currently surplus capacity at the Hobsonville Point Secondary School site which is being master planned to accommodate up to 2,500. When a new secondary school is opened in the wider North-West area, the Hobsonville Point Secondary School enrolment zone can be managed to ensure there is sufficient secondary school capacity retained in the area.

2.0 Site Description

In light of the high density and urban development typologies in Hobsonville Point, together with the increasing cost of land, the Ministry sought to acquire a preferred site option that had a smaller footprint with potential for multi-level development. As part of the site investigations, internal workshops and early bulk and location plans determined that a minimum site size of 1.5000 hectares could suitably accommodate an urban type of school development for buildings of up to three levels without compromising land area for outdoor play space. Following a two stage, multi criteria site investigation, the Ministry identified and acquired a preferred site located at 2 Waka Moana Drive, Hobsonville.

The site is owned by the Crown for educational purposes, having been acquired from Eke Panuku Development Auckland (Panuku). The extent of the site is shown on Section 1 SO 562499 as shown in Figure 1 below. A new title is yet to be issued as several underlying title restrictions are yet to be extinguished which have been agreed to in the sale and purchase agreement with Panuku. These restrictions are no longer applicable to the site that have been carried over from the period when the site was part of a larger super-lot proposed for residential development. Panuku is working through the removal of these title restrictions with Auckland Council. Once this process has been completed a new title will be issued for the school site, which is expected to occur before the end of 2021/early 2022.

The underlying title is legally described as Lot 1005 DP 528384 and is approximately 2.48ha in area. The site acquired for the school is approximately 1.5ha in area. It is an irregular shape, with road frontages along Wallace Road and Hobsonville Point Road. The current street address is 2 Waka Moana Drive, although when the title is issued, there will be no frontage to this road.



Figure 1: Site Location and Designation Plan (Source: Ministry of Education, 2021)

The balance of the land has been retained by Panuku which the Minister understands is to be on sold with the intention of residential development to occur on the site.

The majority of the site is zoned Residential – Mixed Housing Urban. A small portion of the site adjacent to Hobsonville Point Road is zoned Residential – Terrace Housing and Apartment Building.

The site has been earth worked and adjacent roads constructed in anticipated of development but is currently vacant. The topography is generally flat to gently sloping.

Adjacent sites are part of the Hobsonville Point master planned development, which is a mixture of developed and undeveloped land, comprised of a mix of terraced housing with some detached dwellings, former aircraft hangar buildings and a yacht building shed. The Hobsonville Point Ferry Terminal is located directly to the northeast of the site, which also features the Catalina Bay Farmers Market and dining area. The wider area surrounding the south and east of the study area is primarily medium density terrace housing.

The Hobsonville Point area has been zoned for urban purposes in the AUP, with land parcels in Hobsonville Point largely zoned either Residential – Mixed Housing Urban or Residential – Terrace Housing and Apartment Zone. Other pockets of land are zoned varying levels of Open Space Zone and the wider Hobsonville Point Ferry Terminal area is zoned Business – Mixed Use.

In regard to the surrounding transport network, Hobsonville Point has been designed as a low traffic speed area and the road network is reflective of this. The site's western boundary with Hobsonville Point Road features wide footpaths and cycle lanes that have already been constructed.

The site is subject to some overland flow paths and a flood plain along the eastern side of the property. These flood paths and flood plain is described in more detail in the Infrastructure, Contamination and Flooding Assessment prepared by Williamson Water and Land Advisory in Appendix G.

Existing three-waters infrastructure is available in the immediate area.

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 public work subject to this Notice 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 Minister in providing state schooling.

Designation provides the necessary long-term certainty and flexibility for operation of a school and ECE 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 area defined by hatching in Figure 1 above and on the Proposed Designation Plan in Appendix A will be designated for “*Educational Purposes – Primary School (Years 0-8) and Early Childhood Education (pre-school)*”. The land area to be designated is approximately 1.5ha.

These educational facilities may be constructed in a staged manner. The current master plan design roll of student/child numbers and estimated associated staff numbers are:

Facility	Students/Children	Associated Staff (FTE)
<i>Primary School</i>	1000	58
<i>Pre school</i>	50	8

Table 1: Master Plan Student, Child and estimated Staff Numbers: Source: Ministry of Education

The school has a planned opening roll of approximately 350 students with a potential opening date of 2024/2025, with the potential to grow to the full master plan roll of 1000 in the longer term.

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. To this end, the location of buildings, sport fields and associated access and parking arrangements has yet to be determined, with this information to be provided as part of a future OPW under s176A of the RMA, once the Minister’s designation is confirmed. There is, therefore, no indicative development plan for the site, and the assessments in support of this NOR have been carried out from first principles. Detailed design will be addressed at the outline plan of works stage. Once the NOR is confirmed, the establishment board of trustees (appointed by the Minister) will work with the Ministry on developing the vision of the school and on the building design. A project brief, developed with the establishment board of trustees, is provided to the designers to guide the development of the school property master plan, detailed design and future property improvements. In this regard it is noted that the master planning of a school is undertaken in accord with the Ministry’s ‘Designing Schools in New Zealand Requirements and Guidelines’, with this involving a multidisciplinary planning process and

independent review and testing by a Design Review Panel. Once a masterplan is developed and endorsed by the establishment board of trustees, the Minister will submit an OPW to Auckland Council detailing the proposed building design and location within the designated education site. Once again, it should be noted that this detailed design process will be undertaken during the OPW phase.

A feasibility plan has been prepared by Jasmox purely for the purposes of confirming the feasibility of accommodating the school and ECE on this site at the master plan roll size (see Figure 2 below and Appendix C).

The Minister would not support any condition linking the designation to this plan as it is a feasibility assessment of the site only to confirm it is fit for purpose and may not reflect the actual design. However, it shows a logical layout for this site which can accommodate the required components

A ten-year lapse period for the designation is proposed.



Figure 2: Feasibility Plan (Source: Jasmox, 2021)

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.

4.1 Proposed Designation Conditions

The proposed amendments to the AUP 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 noise condition to ensure this applies to the ECE. The height in relation to boundary control condition is removed given that this is not a requirement of the underlying zoning within the Precinct Plan for this area. The standard school parking condition that generally apply to schools have been modified to better reflect the location of this urban-style school within a highly walkable catchment. The school site is well located within the existing and developing and medium to high-density residential catchment which encourages walking and cycling and maximises the accessibility of the site by active modes. A revised on-site car parking rate is proposed, being one carpark per new classroom or classroom equivalent.

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 of works stage 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 development. There is also an obligation for a Travel Plan to be prepared and implemented, as well as a condition to address the contingency of having to manage the effects on any potential nesting dotterels during the initial construction phase. 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.

Purpose Explanation

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

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 documents assessed include:

- RMA.
- National Policy Statement on Urban Development 2020.
- The Auckland Plan 2050.
- The Hauraki Gulf and Marine Park Act.
- Auckland Unitary Plan (operative in part), and.
- The *Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011* ('the NESCS').

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 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.

Section 6 – Matters of National Importance

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

- *The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*

Consultation undertaken with mana whenua has not identified any specific adverse cultural effects that cannot be appropriately addressed as part of detailed design and project implementation. Te Kawerau a Maki has advised that they would like full engagement in the designation process. At the time this Notice of Requirement document was lodged, the Ministry of Education has followed up with Te Kawerau a Maki and there has been no further correspondence. However, the Minister's representatives will continue to engage with interested mana whenua as the planning process progresses.

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 mana whenua is outlined in the consultation section of this AEE report below. Consultation undertaken with mana whenua has not identified any specific adverse cultural effects that cannot be appropriately addressed as part of detailed design and project implementation. As mentioned above, Te Kawerau a Maki has indicated that they would like full engagement in the designation process. At the time this Notice of Requirement document was lodged, the Ministry of Education has followed up with Te Kawerau a Maki and there has been no further correspondence. However, the Minister's representatives will continue to engage with interested mana whenua as the planning process progresses.

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.

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 as listed above. The AUP is the key statutory planning document under the RMA requiring consideration under s171(1)(a). An assessment of the AUP is provided below.

The requiring authority has an interest in the land which has been acquired 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 of works 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 the AUP, 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 AUP 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 Minister is providing a modified school designation condition of 1 car park per new classroom for this designation in recognition of the walkable catchment that the school is located in. It is reasonable to assume that the parking spaces would most likely be used by staff members who may live outside of the school catchment zone and be required to travel greater distances. The provision of a larger number of carparking spaces is

likely to induce demand for parking spaces and encourage travelling to school via private vehicle, which ultimately does not align with the objectives set out in the NPS-UD. It should be noted that the feasibility plan indicates that the minimum number of car parks required by the proposed conditions can be accommodated, if not more. However oversupplying carparks would be to the detriment and quality of school/ECE facilities that can be delivered on a smaller than standard primary school site.

Additionally, the promotion of travel demand management measures will be in place to support a well-functioning urban environment. 1 car park per new classroom is consistent with the outcomes envisaged by the NPS-UD. Accordingly, setting a minimum number of carparks per classroom as a designation condition is appropriate in this instance. The condition also enables a lesser amount to be considered in the future if the local infrastructure will support less on-site car parking.

5.3 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 AUP 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 enabled by the AUP and Hobsonville Point master plan.

Key Challenge 3 is reducing environmental degradation. An urban three waters infrastructure system is available for the school to connect to. Given the size of the Hobsonville Point development, it is anticipated that there is capacity within the system for the school to utilise. There are no significant hydrological or ecological features on the site. Some overland flow paths are located towards the eastern boundary of the site and are able to be managed.

The Plan sets out how Auckland will take a quality compact approach to growth. In regard to building strong urban centres and neighbourhoods, the Plan notes in regard to centres that maximising investment can be achieved by creating higher-density clusters of employment and housing, supported by public transport and other services such as schools and hospitals. The schools proposed location in Hobsonville Point, a suburb which features medium to high density housing, is intended to support the continued growth in an around this centre.

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.

5.4 Hauraki Gulf Marine Park Act

The Hauraki Gulf Marine Park Act 2000 (HGMPA) provide special recognition for the Hauraki Gulf. The HGMPA established objectives for the Gulf, its islands and catchments, and aims to achieve integrated management across land and sea. This ensures the effects of urban and rural land use on the Gulf are given proper attention and the life-supporting capacity of the Gulf is protected.

Section 7 of the HGMPA recognises the national significance of the Hauraki Gulf, its islands and catchments, while section 8 outlines the objectives of the management of the Hauraki Gulf, its islands and catchments. The following provides a summary of the HGMPAs provisions considered relevant to the proposal:

8. Management of Hauraki Gulf

To recognise the national significance of the Hauraki Gulf, its islands, and catchments, the objectives of the management of the Hauraki Gulf, its islands, and catchments are:

- a. the protection and, where appropriate, the enhancement of the life-supporting capacity of the environment of the Hauraki Gulf, its islands, and catchments.*
- b. the protection and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments.*
- c. the protection and, where appropriate, the enhancement of those natural, historic, and physical resources (including kaimoana) of the Hauraki Gulf, its islands, and catchments with which tangata whenua have an historic, traditional, cultural, and spiritual relationship.*
- d. the protection of the cultural and historic associations of people and communities in and around the Hauraki Gulf with its natural, historic, and physical resources.*
- e. the maintenance and, where appropriate, the enhancement of the contribution of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments to the social and economic well-being of the people and communities of the Hauraki Gulf and New Zealand.*
- f. the maintenance and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments, which contribute to the recreation and enjoyment of the Hauraki Gulf for the people and communities of the Hauraki Gulf and New Zealand.*

The sites' location within the Stormwater Management Area Control Flow zone requires the development to have a form of stormwater attenuation which will be undertaken as part of detailed design.

Overall, given the proposal involves a well-designed school development in an urbanised environment, and any adverse effects from construction activity and stormwater discharged will be appropriately managed, it is considered that the proposal is consistent with the relevant objectives of the HGMPA.

5.5 Auckland Unitary Plan – Operative in Part (AUP)

The AUP 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.2.2.1 Urban Growth and Form Objectives

- 1) *A quality compact urban form that enables all of the following:*
 - a) *a higher-quality urban environment*
 - b) *better use of existing infrastructure and efficient provision of new infrastructure*
 - c) *greater social and cultural vitality*

B.2.8.1 Social Facilities Objectives

- 1) *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; and*
 - b) *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.*

B.2.3.1 Quality Built Environment Policies

- 3) *The health and safety of people and communities are promoted.*

B.6.3.1 Recognition of Treaty of Waitangi partnerships and participation

- 1) *Mana Whenua values, mātauranga and tikanga are properly reflected and accorded sufficient weight in resource management decision-making.*

B.6.3.2 Enable Mana Whenua to identify their values associated with...

- a) *Ancestral lands, water, air, sites, wahi tapu, and other taonga.*
- b) *freshwater, including rivers, streams, aquifers, lakes, wetlands, and associated values.*
- c) *biodiversity*
- d) *historic heritage places and areas; and*
- e) *air, geothermal and coastal resources*

The explanation to the above objectives and policies states that *Social Facilities* include facilities that provide for education. The proposal will provide essential education facilities to a growing area. A second primary school within Hobsonville point will relieve the capacity issues currently experienced at the existing Hobsonville Point Primary School. The designation of this site for a school is consistent with the above objectives and policies in being a component of social infrastructure that makes up a quality compact urban form. The proposed school is considered to be of a metro style, located in a more compact urban setting that provides social infrastructure in a location within the community that it will serve. In turn, the community can also benefit from access to school facilities.

The facility therefore promotes the social well-being of the community as it provides an additional school for children to attend within the immediate area and they will not need to travel further than required to attend school.

The construction of a dedicated pick-up/drop-off area within the school site itself, supports the health and safety of adults and students on the site.

Section 6.10 of this Notice of Requirement discussed the cultural effects of the proposal. The Minister's representatives will continue to engage with mana whenua who express an interest in this project either as a direct response to the letter of intention sent out by the Ministry of Education or through the formal designation process.

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.

AUP Zoning

The site is subject to largely zoned Residential – Mixed Housing Urban Zone, with a small portion in the western part of the site zoned Residential – Terrace Housing and Apartment Building Zone. The site is also located with Hobsonville Point Precinct, largely Sub-Precinct D, and the small Terrace Housing and Apartment Building zoned portion of the site located within Sub-Precinct C.

The Mixed Housing Urban Zone includes a suite of objectives and policies to enable varying levels of development. The zone promotes increasing the capacity and choice of housing within neighbourhoods as well as promoting walkable neighbourhoods, fostering a sense of community and increasing the vitality of centres. It also seeks to provide for non-residential activities that support the social and economic well-being of the community and are in keeping with the scale and intensity of development anticipated within the zone. In regard to the small area of the site zoned Terrace Housing and Apartment Buildings Zone, this zoning promotes a greater intensity of development in the form of terrace housing and apartments. This zoning provides for the greatest density, height and scale of development of all the residential zones. As per the Mixed Housing Urban Zone, the Terrace Housing and Apartment Buildings Zone also provides for non-residential activities to support communities.

The Hobsonville Point Precinct applies alongside the general zone provisions and includes additional objectives, policies and rules designed to deliver the overall vision for the Hobsonville Point Precinct. The Hobsonville Point Precinct chapter of the AUP specifies particular activity status of land use, development and subdivision that may differ to the underlying zoning rules, which is the case for the subject site. Educational facilities are treated as restricted discretionary activities within this precinct. The Hobsonville Point Precinct is discussed in detail later in this section.

In regard to the Mixed Housing Urban Zone and Hobsonville Point Precinct, the policy framework seeks to enable a mix of housing choice compatible with a reasonably high levels of intensity. Additionally, these zones and the precinct consider on-site amenity for residents, provision of safe and attractive streets and public open spaces and restrictions on impervious areas to manage stormwater runoff. Comparatively, the policy framework for the Terrace Housing and Apartment Buildings Zone focuses rather on a variety of housing types at high densities, such as terrace housing and apartments. It is also sought to provide attractive, safe streets and public open spaces,

albeit within a high-density urban built character of predominately five, six or seven storey buildings.

Whilst these zones are both primarily designed to accommodate housing of differing densities, with the Terrace Housing and Apartment Building Zone focusing on higher density development, both zones include an objective and policy that seek to provide for non-residential activities that support social, economic and cultural wellbeing of the communities in which they are located while being in keeping with the scale and intensity of development anticipated in the zone and avoiding, remedying or mitigating adverse effects on residential amenity¹.

In this instance, the school and ECE is required to serve the projected growth in the Hobsonville Point community and are provided on a suitable 1.5ha 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 projects².

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

Hobsonville Point Sub-Precincts C and D

The purpose of the wider Hobsonville Point Precinct is to provide for a comprehensive and integrated redevelopment of the former airbase, making efficient use of land and infrastructure and increasing the supply of housing in the Hobsonville area. The site is largely located within Sub-Precinct D, with a small eastern portion of the site located within Sub-Precinct C. Both Sub-Precincts align with the Residential – Mixed Housing Urban and Residential – Terrace Housing and Apartment Building zonings within the site. Both zones and precincts envisage a greater intensity of development than previously provided for. This is reflected with there being no height in relation to boundary and alternative height in relation to boundary standards within Sub-Precincts C and D. No specific future school site to serve additional growth has been identified.

The Hobsonville Point Precinct Plan shows indicative future road alignment and indicative bus routes. In regard to the indicative road shown with the site, it is arguable that this indicative road not connecting through to Hobsonville Point Road will not affect the future road network functionality within the wider area. Peihana Road to the immediate south of the site is a vested road and generally aligns with the indicative road alignment, so this indicative road is still partially achieved and provides for the functional intent of this indicative road. The indicative bus route is generally aligned with Wallace Road, with this road allowing there to still be a flowing transport network to occur between local roads in the area. Overall, the Feasibility Plan in Appendix C

¹ See AUP H5.2(4), H5.3(7), H6.2 (4), H6.3 (9)

² Designing Schools in New Zealand, Requirements and Guidelines – Ministry of Education, October 2015.

demonstrates that the development of a school on this site still ensures the functionality of the road network in the Hobsonville Point area.

There are no other relevant elements within the Precinct Plan affecting the site.

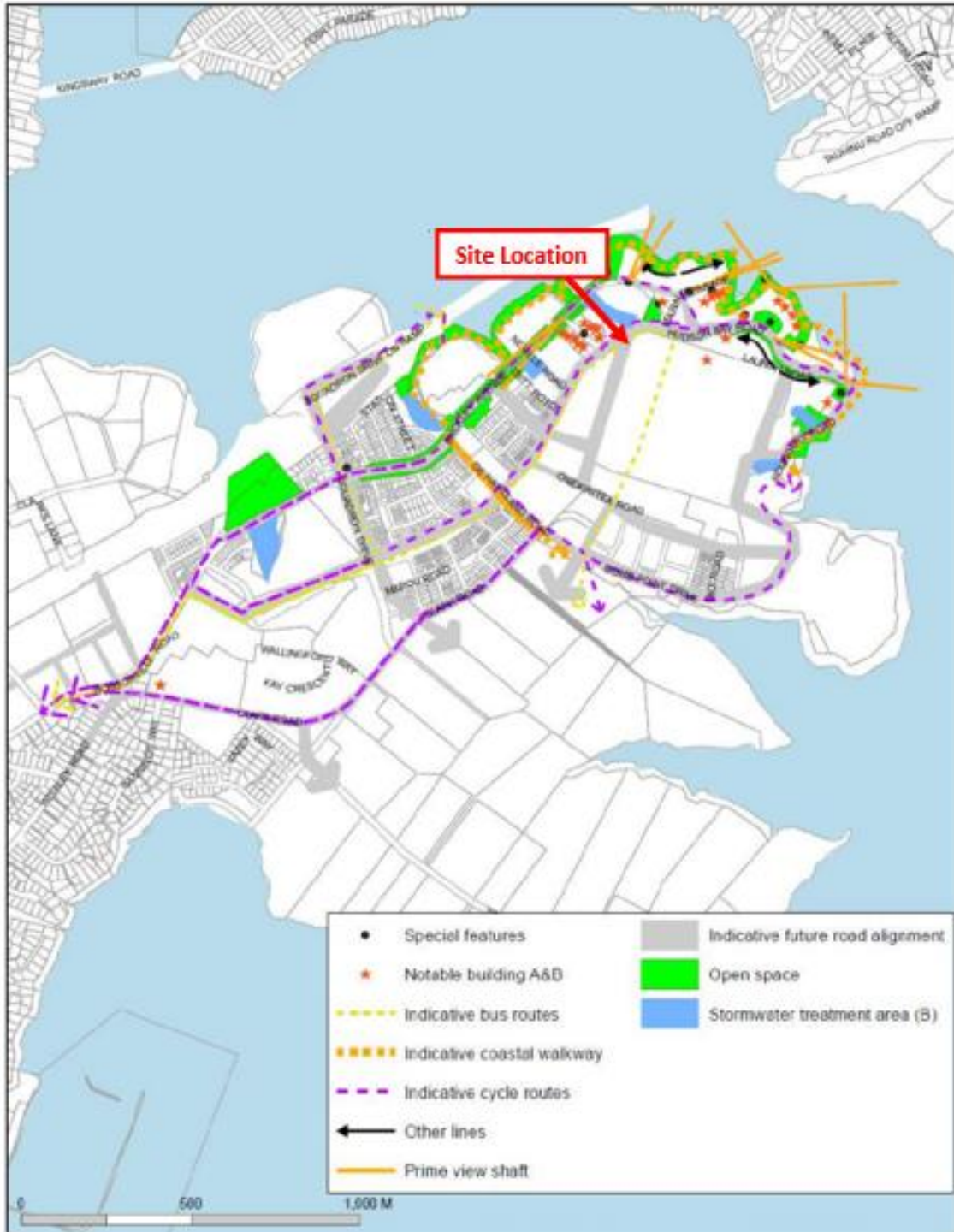


Figure 3: Hobsonville Point Precinct Plan (Source: Auckland Council)

The Precinct Plan includes its own specific suite of objectives and policies. The most relevant provisions are:

1605.2. Objectives

- (1) Hobsonville Point Precinct is developed in a comprehensive and integrated way to provide for a compatible mix of residential living, commercial and employment in order to increase housing supply.*
- (2) Development is of a form, scale and design that provides for high quality onsite amenity for residents and responds to the neighbourhood's planned residential character.*
- (5) Subdivision and development are sensitive to the precinct's historic cultural heritage, natural ecological and open space and coastal values, and those values are a significant feature of the precinct's development.*
- (6) Development is integrated with transport networks and supports pedestrian, cycle and public transport use.*
- (7) Adverse effects of stormwater runoff are avoided or mitigated.*

1605.3. Policies

- (1) Promote comprehensive and integrated development of the precinct in accordance with Precinct plan 1 - Hobsonville Point precinct plan.*
- (2) Encourage the establishment of land use activities or development within a sub precinct to ensure that the precinct is developed in a coordinated, integrated and comprehensive manner*
- (3) Enable a community that model's sustainability, particularly the principles of passive solar design, energy efficiency, sustainable water management, and compact walkable neighbourhoods.*
- (4) Encourage higher density and mixed-use development, and an integrated urban form, with public transport networks, pedestrian facilities and cycleways movement networks, to provide an alternative to, and reduce dependency on, private motor vehicles as a means of transportation.*
- (7) Promote principles of urban sustainability and excellence of urban form.*
- (23) Minimise the effects of offsite disposal of stormwater and wastewater through the use of sustainable infrastructure design.*

(24) Ensure development is consistent with the granted network discharge consent (or variation thereto) and integrated management plan.

The proposal will support the current growth and intensification being experienced in Hobsonville Point by delivering an additional educational facility, which is enabled in the zone and precinct plan.

While there is not currently any detailed design, the proposed condition in regard to the establishment outline plan will ensure a quality development reflecting good urban design and environmental principles. The school's feasibility concept promotes the policies centred around compact walkable neighbourhoods and solar design.

Objective 7 and Policies 23 and 24 address the need for developments to efficiently manage stormwater and wastewater infrastructure. There are existing three-waters services installed throughout Hobsonville Point. Stormwater, wastewater and water supply services are available to the site, with capacity available within these networks. The infrastructure report attached in Appendix G and comments from the Auckland Council Development Engineer do not identify any constraints that would not enable the onsite management of stormwater subject to a suitable design. The sites' location within the Stormwater Management Area Control Flow zone requires the development to have a form of stormwater attenuation which will be undertaken as part of detailed design.

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 and avoiding the need to travel outside the Hobsonville Point area for schooling, and to ease the pressure on enrolments at the existing Hobsonville Point Primary School. 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.

The school's location does not preclude implementing the indicative roading and bus network as included in the Hobsonville Point Precinct Plan. The Precinct Plan shows an indicative road travelling through the site. It is arguable that this indicative road not connecting through to Hobsonville Point Road will not affect the future road network functionality within the wider area. Peihana Road to the immediate south of the site is a vested road and generally aligns with the indicative road alignment, so this indicative road is still partially achieved and provides for the functional intent of this indicative road. Additionally, given the wider piece of land is proposed to be utilised as a school with likely residential activity on the adjacent piece of land to the south, the indicative road traversing this land is no longer necessary. The feasibility plan shows Wallace Road and an indicative private road, which would serve as the schools pick up and drop off area, providing a means for traffic to still flow effectively around the site and still provide a functional network.

Accordingly, the proposal is assessed as being consistent with the relevant objectives and policies for the Hobsonville Point Precinct Plan.

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

A review of the history of the site indicates that the site was part of the grassed airfield and no structures or specific activities have occurred on the site except for earthworks in 2010 and 2017, after airbase activities had ceased and the Hobsonville Point area began to be subdivided for residential development. Two sediment retention ponds were located in the northern part of the site during the 2017 works and were subsequently filled. Soil contamination testing found that contaminants are below background levels except in the vicinity of the filled sediment ponds where low levels of PAH were detected. In conclusion, no exceedances of NESCS or AUP criteria were reported. Further detail of this contamination study is contained within Appendix G.

Given the site has also had earthworks undertaken on it in preparation for residential development, the above indicates that the site is not likely to be a HAIL site and contamination levels indicate soil does not present a risk to human health or the environment. Future resource consent for soil disturbance is potentially required under the NES Soils due to the volume of soil likely required to be moved when preparing the site for build. This is to be confirmed during the outline plan of works phase.

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. This can be addressed as necessary at the time of the first outline plan.

5.7 Overall Summary of Statutory Assessment

The proposal is considered to be consistent with the overall themes contained with the aforementioned statutory documents. The location of the site within an establishing residential development will support the efficient use and development of resources and the transport network, with any adverse effects on the school development able to appropriately be controlled through designation conditions such that they are appropriate in this environment. Overall, the school is necessary to accommodate and respond to the ongoing urban growth pressures in Hobsonville Point and will support the achievement of a consolidated, well designed and sustainable community.

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 Jacobs;
- Ground Contamination, Flood Risk and Infrastructure Capacity Review prepared by Williamson Water and Land Advisory; and
- Dotterel Assessment prepared by Morphum Environmental Limited.

A feasibility plan has also been prepared by Jasmax to confirm the feasibility of accommodating the necessary project components on the site (see Appendix C). 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, consistent with 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.

6.2 Visual and Amenity Effects

The site is currently zoned for residential purposes, with the surrounding land also zoned for this purpose. Educational facilities within both sub-precincts the site is in are treated as a restricted discretionary activity. The Residential – Mixed Housing Urban, and adjacent Residential – Terrace Housing and Apartment Building Zone anticipates built form to a larger scale than traditional single storey dwellings up to three stories, with the Terrace Housing and Apartment Building Zone providing for up to five storey buildings. As such, multi-storey buildings are to be considered to be anticipated in this area.

The proposed school can be well integrated into this visual environment at an appropriate scale. A feasibility plan is attached in Appendix C which demonstrates the site is able to accommodate a primary school and ECE development. Landscaping and urban design treatments for the site layout and buildings will be addressed at the detailed design stage following designation, and the proposed establishment outline plan condition is designed to ensure urban design principles are appropriately taken into account at the project design and implementation phase. Any specific building proposal will be assessed by the Council through the outline plan process at each stage of development. The Minister will not accept a condition that will tie them to implementing the feasibility plan.

The feasibility plan models buildings in the order of three stories up to 13 metres in height. The underlying zoning of the site (Residential – Mixed Housing Urban Zone) provides for 11-metre-high buildings as a permitted activity (or 12 metres with a pitched roof). Within the Sub Precincts C and

D, height and relation to boundary standards do not apply. While the school buildings modelled in the feasibility plan would exceed the underlying zone by 1 metre, the site can be configured to set buildings away from the adjacent boundary to mitigate any adverse effects of daylighting access and building dominance. Additionally, the small portion of the site zoned Residential – Terrace Housing and Apartment Building zone allows buildings up to five stories in height which is taller than the scale of school buildings anticipated.

A sun shading study has also been undertaken by Jasmex and is contained in Appendix I. This study compares the school building in the feasibility plan to a notational complying building of 11m high and setback 6m from the southern boundary. This setback is to provide for an outlook space of 6m x 4m from the principal living room of a dwelling on the directly adjacent piece of land, which is required by the underlying zone. When comparing the school building to the notional compliant building in the sun shading study, the shading from the 13m high school building in the feasibility plan on properties to the south is considered to be less as the notional compliant building at 11m high and setback 6m from the southern boundary. Accordingly, the effects of sun shading and building dominance are considered to be compatible with what is envisaged for the underlying zone/precinct

It is anticipated that the site will provide for a high level of soft and hard landscaping and space around buildings as generally indicated on the feasibility plan.

The sites' location is within an urban residential area which provides for medium and high-density housing within a high amenity area. A large proportion of schools in New Zealand are accommodated within residential areas and are an integral and expected component of such area. The school is to be located on a 1.5ha site with outdoor recreation and sports field spaces. This provides areas of open space for active recreation and to provide visual relief compared to housing development developments which mitigates the effects of any larger buildings and ancillary infrastructure such as parking areas associated with the school.

If a school and ECE were not to be developed on the site, under the AUP zonings the likely alternative use would be suburban housing of varying densities, potentially up to 5 stories within the Residential – Terrace Housing and Apartment zoned portion of the site. Dwellings would 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.

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 and will be compatible with the zoned development opportunities of adjacent land.

Aural amenity for other land is adequately protected by the standard noise condition applied to schools in the AUP, which has been 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 Jacobs 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 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.

Overview of Findings from Jacobs

The school site is well-located within the existing and developing residential catchment to encourage walking and cycling and maximise accessibility of the site by active modes. No part of the student catchment zone is expected to be more than a 1.5km walking distance from the school which is considered an acceptable walking distance for school-aged children. The Hobsonville Point area has been designed to provide a safe, connected network of footpaths for pedestrians and school-aged children on bikes, and to encourage a low-speed traffic environment.

Based on the traffic modelling results for intersections surrounding the site, it is concluded that all intersections will have the spare capacity to accommodate the increased traffic volumes generated by the primary school and ECE at their future masterplan rolls. The traffic impacts resulting from the proposed school and ECE development are considered to be no more than minor.

The proposal is considered to align with the overarching objectives and outcomes sought by local and Auckland-wide transport plans and strategies. It is therefore concluded that there are no significant transportation or traffic effects which would preclude the redevelopment of the site to provide a primary school, ECE and associated facilities.

Transport Recommendations Summary from Jacobs

The following transport recommendations are identified for the subsequent Outline Plan of Works stage of the project:

- it is considered that the site can provide a suitable vehicle access arrangement and it is proposed that vehicle accessways are provided from Wallace Road and/or Hobsonville Point Road
- two dedicated pedestrian/cycle entrances to the school are provided from Wallace Road and Hobsonville Point Road which are separated from the proposed vehicle accessways
- given the high level of accessibility of the site by walking and cycling, reduced vehicle parking rates (relative to the Ministry's standard designation conditions for educational purposes), are considered appropriate
- carparking is provided on-site at a rate of 1 carpark per teaching space for the primary school as a site-specific condition and that the standard Ministry of Education parking designation conditions are applied for the ECE to provide 13 spaces
- a short-stay pick-up and drop-off zone is to be provided within the site and the level of spaces to be investigated during the Outline Plan phase

- further development of the feasibility study concept design plan for the carpark to comply with Auckland Transport's Transport Design Manual - Parking Design Engineering Code guidelines and the AUP(OP) Chapter E27 – Transport.

Transport Mitigation Measures Recommended by Jacobs

It is recommended that the following mitigation measures are considered by the Ministry of Education, Auckland Transport, and the school/ECE at the outline plan of works stage:

- the Ministry of Education to engage with Auckland Transport on implementing a 40km/h variable speed limit along the road frontage to the site during school start and finish times
- consideration of signalling the existing pedestrian crossing facility located on Hobsonville Road opposite a proposed pedestrian/cyclist accessway into the school site
- provision of a zebra crossing located opposite a proposed pedestrian/cyclist accessway to the site on Wallace Road and implementation of a 'Kea crossing' or school patrol
- consideration of installing new pedestrian crossings located on roads adjoining the school. These are considered to be directly linked to the proposed school development and form part of the requirement to provide for safe access for students, staff and visitors. It is considered that new crossing facilities/improvements located further afield from the school will have a benefit to the wider community. However, these may not be reasonably attributed to the school development or the responsibility of the Ministry.
- development of a School Travel Plan to manage travel demand to and from the school and encourage measures such as implementing a Kea Crossing, Walking School Buses, walking and cycling, carpooling and public transport usage. The School Travel Plan is to be developed with Auckland Transport prior to the opening of the school and should align with the Travelwise Programme as a condition of the designation
- it is recommended that a Construction Traffic Management Plan (CTMP) is prepared by the contractors for the Outline Plan stage, as required by Auckland Transport

The implementation of any of these recommendations should involve consultation with Auckland Transport and Auckland Council.

Measures to Address Jacobs Recommendations

The ITA confirms that the site is appropriate for a school development but makes a number of recommendations. Some of these can be addressed directly in designation conditions whilst other matters relate more to the detailed design of the school and/or works to be agreed with Auckland Transport in the road network that are more appropriately left to the outline plan stage of work.

Conditions proposed to directly address the Jacobs recommendations include:

- Conditions on parking and on-site pick up and drop off;
- Specific consideration of the signalisation of existing pedestrian crossing facilities, the installation of a Zebra Crossing located opposite any proposed pedestrian/cyclist accessway to the site on Wallace Road, and the implementation of a variable speed limit along the road frontage to the site during school start and finish times;

- Consideration of pedestrian crossings which are located on roads that directly adjoin the school;
- A requirement to develop a school travel plan in consultation with Auckland Transport;
- An obligation to prepare a construction management plan, within which construction traffic can also be addressed.

An establishment outline plan condition is also proposed to provide guidance on particular matters to be addressed within detailed design that will need to be addressed as part of the initial outline plan. As part of this work, a master plan for the full site development is required (as construction may be staged), and a transport assessment report will be required which can address the various recommended mitigation measures outlined in the ITA, and either how they are achieved or alternative solutions where appropriate.

The parking conditions do not adopt the standard conditions for schools in the AUP, as this would likely result in an oversupply of car parking on the site which is not compatible with the medium to higher density underlying zoning of the site, whereby active modes are considered to be a viable mode choice for the large majority of students travelling to and from school. The location of the proposed site relative to areas of mid-to-high density development in a relatively compact school catchment is advantageous for maximising accessibility of the site for active modes. A higher proportion of carparking supply would also not support travel demand management principles. If a large number of carparking spaces were provided, this would likely further induce the demand for parking spaces and encourage travelling to school via private vehicle. This does not align with the objective of the underlying land zoning and relevant transport plans and strategies. Given the smaller site size, the oversupply of carparking would also compromise available land area for school buildings and outdoor play areas which are imperative for education outcomes and may limit the quality of both the school and ECE facilities that can be delivered on the site.

Accordingly, a parking rate of a minimum of one carpark per new classroom for the school is proposed. For the ECE, a parking rate of one carpark per every 10 children plus one per each full-time equivalent staff member is proposed.

It is therefore concluded that there are no significant transportation or traffic effects which would preclude the redevelopment of the site to provide a primary school, ECE and associated facilities. It should also be noted that in previous consultation with Auckland Transport during the site selection phase of the study, Auckland Transport recommended that the subject site was best suited for an education facility, given that Hobsonville Point Road already has walking and cycling facilities as well as being close to local bus services.

6.4 Effects on Dotterels

A dotterel management assessment prepared by Morphem Environmental is attached in Appendix F.

Following the sale and purchase agreement of the site between Eke Panuku and the Minister, Eke Panuku advised that a pair of dotterel birds had been observed as nesting on the site. At the time this report was published, the presence of dotterel birds on the site was confirmed and their nesting onsite was considered possible. Dotterels are protected under the Wildlife Act 1953. Therefore, it is an offence to disturb dotterel.

Dotterels are found on or near the coast around much of the North Island. Dotterel breed primarily on sandy beaches, sandspits, in sheltered harbours and beaches. In urban areas dotterel are known to breed a short distance inland, on flat sites with no vegetation coverage – short grasses that allow the birds to maintain a visual field to scan for predators. The subject site is currently consistent with in-land breeding sites for dotterel, as the lack of vegetation cover and flat topography allow for a line of site to be maintained across the site.

The dotterel assessment considered that once the site is operational for educational purposes it is considered unlikely that the site would be considered suitable for prospecting dotterel due to the presence of anthropogenic disturbance. While the designation of the site for educational purposes would not disturb dotterel themselves, future construction activity could. As such, a specific designation condition relating to the management of any dotterel found on the site at the time of construction has been included within this notice of requirement. This condition states the following:

'Immediately prior to the first construction phase, a suitably qualified person shall check the site for the presence of dotterels within the designation footprint. If evidence of dotterels is found during the pre-construction check, a dotterel management plan shall be implemented for the protection of the dotterels during the first construction phase.'

If dotterel are to be found present prior to the first construction phase of the school, a dotterel management plan shall be implemented. A dotterel management plan will include a range of potential dotterel management options such as:

- Deterrence – deterring prospecting dotterel from the nesting site using various methods such as human and site activity, false hawk/reflective tape, long grass, silt fences and constructing impervious surfaces;
- Contingency measures such as avoiding any work that could disturb the dotterel, e.g. establishing a physical works exclusion area defined around the nest until any chicks have fledged. This also includes moving or otherwise disturbing features near the nest that could be used by dotterel as visual markers.
- A permit under the Wildlife Act from the Department of Conservation to move the nest a short distance. This is the least preferable course of action, and all other measures of

management will be investigated and exhausted before relocation of any potential nests is considered.

6.5 Infrastructure and Flood Effects

The findings of the Infrastructure, Contamination and Flooding Report by Williamson Water and Land Advisory is contained in Appendix G. This report concluded that there are no fundamental civil infrastructure limitations that would preclude the site from being used for educational purposes.

It is confirmed that all three-waters services are available and have capacity within their networks. As such, detailed conditions in relation to infrastructure design and connections are not necessary. It is also noted the Auckland Council Development Engineer who was present at the pre-application meeting has reviewed this report and it has been accepted in principle. The information in the report has been satisfactory providing confidence that there are no fundamental issues that would not make the site suitable to designate for education purposes.

Flooding

According to Auckland Council Catchments and Hydrology overlays within the GEOMAPS GIS system, an overland flow path crosses the site from south to north, along the eastern side of the property. There is also a flood plain area adjacent to the eastern boundary of the site. Since this data was published, the site itself and the surrounding areas have undergone significant earthworks and a light recontouring in recent years, and therefore the presence of the floodplain and overland flow paths are no longer expected to be accurate. There are no flood prone areas highlighted within the site. Additionally, any overland flow paths will change to flow around buildings once the site is developed. The Williamson Water and Land Advisory Report concludes that the risk of flooding on the site is considered low.



Figure 4: Areas Subject to Flooding and Indicative Overland Flow Paths (Source: Williamson Water and Land Advisory Report 2021)

Stormwater

The Williamson Water and Land Advisory Report considers that connection to the stormwater network to the north-west of the site would be preferred to avoid any pumping requirements. Subsequent discussions have been held with Healthy Waters who do not anticipate any capacity issues within this stormwater network given the young age of the network and development. This connection north-west of the site could potentially be either through the existing private gravity main that connects to the 750mm stormwater main on the northern side of Hobsonville Road, or through construction of a new connection.

The site is also subject to the provisions of the Stormwater Management Area Controls (Flow 1) in the AUP. The retention or detention of stormwater must be provided, either onsite or offsite. Potential options include utilising the connection and existing detention pond to the north on Buckley Avenue/Frances Bryers Road. If this is not possible, the report recommends that onsite detention measures will need to be implemented.

It is intended that detailed stormwater design is addressed as part of later detailed design and any effects can be appropriately managed through the outline plan process and any regional consents (if required).

Wastewater

In 2012, Wastewater Pump Station 3 (WWPS3) was designed and constructed as part of an infrastructure agreement between Auckland Council and the Hobsonville Land Company, now known as Kāinga Ora, to service future residential development within the Marine Precinct area which includes the school site subject to this Notice. As a result of this, an encumbrance was granted in favour of the Council land securing an allocated right to use 61% of WWPS3's capacity. This allocation right represents capacity for peak wet weather flow rate (PWWF) of up to 31.25 (L/s).

The Williamson Water and Land Advisory Report (Appendix GX) confirms there is sufficient wastewater connections to the site and predicts PWWF rate generated by the school at full master plan size to be 1.51 (L/s). As part of the memorandum of agreement between the Crown and Panuku to purchase the site, Panuku are required to ensure ongoing provision of wastewater capacity for school usage of up to 2.32 (L/s). This ongoing provision is greater than the school's predicted usage and is further protected by an encumbrance (10786863.13) that will remain on the title to the school land once a new title is issued by Land Information New Zealand.

As such, it is considered that discharges from the school can be accommodated by the existing wastewater network.

The Ministry has consulted with Panuku, Kainga Ora and Watercare on WWPS3's current capacity and understand that additional wastewater infrastructure (WWPS4) is planned to service future residential development of the Marine Precinct.

Water Supply

Potable water pipes are present on Hobsonville Point Road, Wallace Road and Waka Moana Drive. This allows for connections along any side of the site. Additional assessments part of the detailed design stage will be required to confirm that the minimum flow rates and pressure required for potable water can be met, achieved through actual hydrant tests.

6.6 Geotechnical Effects

A desktop geotechnical assessment of the site undertaken taken by Wentz Pacific Geotechnical Engineers is included in Appendix H. The assessment did not identify any obvious geotechnical constraints that would preclude the development of a typical school, cause development/foundation issues, or incur significant costs to overcome potential constraints. Further investigations can be undertaken at a later date to inform final site layout and detailed foundation designs.

6.7 Soil Contamination Effects

Ground contamination investigations were undertaken as part of the Ground Contamination, Flood Risk and Infrastructure Capacity Review report contained in Appendix G.

Historical information reviewed as part of the report found the following:

- The site was part of the grassed airfield and no structures or specific activities have occurred on the site except for earthworks in around 2010 and 2017, after airbase activities had ceased and the Hobsonville Point area began to be subdivided for residential development. Two sediment retention ponds were located in the northern part of the site during the 2017 works and were subsequently filled. Former airbase operations are considered a HAIL activity (i.e., potentially contaminating).
- Soil contamination testing found that contaminants are below background except in the northern part of the site where former sediment ponds associated with wider masterplanning activities occurred. Low levels of PAH were detected in fill up to 1.9 m deep where settlement ponds had been filled and the site relevelled. No exceedances of NESCS or AUP criteria were reported.
- There are no complete pathways between the source of contamination and potential receptors in both a construction or future use scenario because contaminant concentrations are not at levels that pose a risk to human health or the environment.

As such, it was found that there largely is no ground contamination risk to future site users, with soils being able to be reused on the site where required. Soil contamination testing found that contaminants are below background levels except in the vicinity of the filled sediment ponds where low levels of PAH were detected. Future resource consents may be required under the NES Soils for soil disturbance as earthworks and volumes may unlikely be able to comply with the permitted activity limits. It is not necessary to include any designation condition(s) around this issue as

designating the site for *Educational Purposes* will not preclude any obligations to obtain resource consents for disturbing contaminated soils under the NES Soils or AUP regional rules when future development occurs.

The findings of the review of contaminated land information associated with the site concludes that there have been no fundamental findings that would preclude the proposed land use change to a school from occurring.

6.8 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.

6.9 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 AUP, and no recorded sites in the New Zealand Archaeological Association (NZAA) are shown as affecting this site.

6.10 Cultural Effects

A summary of the consultation with mana whenua and the outcome of that consultation including identification of relevant cultural values and recommendations made is detailed in Section 9 below.

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

Consultation undertaken with mana whenua up to the point of lodgement has not identified and specific adverse cultural effects that cannot be appropriately addressed as part of detailed design and project implementation.

6.11 Positive Effects

The designation of the subject site for future educational purposes is considered to have several positive effects on the Hobsonville Point community. The site has the potential to become a key piece of community infrastructure for the community. The school is also likely to have social benefits for the wider community, such as the infrastructure to be able to hold community events, as well as providing an additional recreation area for the Hobsonville Point area. The works establish the site as a future physical resource, utilised for education purposes, which in turn will enable the community to provide for their wider wellbeing. The site has also been selected

following a comprehensive site selection process, allowing a large catchment of children to be able to travel to the school by walking or cycling, and reducing the number of vehicles travelling to the site during peak times. The designation will also provide employment opportunities to local residents of Hobsonville Point.

6.12 Overall Conclusion

The site has been selected for educational purposes following a rigorous assessment of community needs and site options. The subject site is an appropriate location for the establishment of an educational facility. 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) and will be compatible with the zoned development opportunities of adjacent land. In regard to traffic effects, there are no significant transportation or traffic effects which would preclude the redevelopment of the site to provide a primary school, ECE and associated facilities. Overall, there are no fundamental issues that would preclude this site to be developed as an educational facility.

7.0 Additional Consents Required

In general, no further land-use consents will be required from the Auckland Council in terms of its District Council 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 Detailed Site Investigation that will be undertaken at a later date once the site is designated.

Any potential regional resource consents for bulk earthworks or discharges from disturbing contaminated soil cannot be determined until detailed design has been undertaken. Accordingly, no consent from Auckland Council under the AUP can be 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

A number of potential sites in the Hobsonville Point were evaluated before seeking a designation of the site at 2 Waka Moana Drive. A site evaluation study undertaken in 2020 identified a short list of 5 sites for comparative analysis via a Multi Criteria Analysis (MCA) in the area. The site subject to this notice of requirement was the top ranked site and was also the preference of Auckland Transport from short listed options discussed with them.

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. This process would provide the Minister with less certainty and would be inconsistent with the planning status of similar state facilities in the AUP, and the majority of other state schools nationwide.

9.0 Consultation

Mana Whenua

An information package and proposed designation plan were sent to all 13 mana whenua groups identified by Auckland Council as having an interest in the Upper Harbour Local Board area. None of the site is located within a statutory acknowledgement area.

Initial project information was sent out on the 30th of July 2021, and reminders on the 10th of September 2021. Feedback received was as follows:

- Ngāti Manuhiri – advised that they defer to Maunga Whakahii ki Kaipara.
- Te Kawerau a Maki – advised that they would like full engagement in the designation process. At the time this Notice of Requirement document was lodged, the Ministry of Education has followed up with Te Kawerau a Maki and there has been no further correspondence. However, the Minister’s representatives will continue to engage with interested mana whenua as the planning process progresses.

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 the 30th of July 2021. Feedback from the Board Chair was that it supports the proposed components that the school is made up of in that it recognises the need for further learning spaces for primary school aged children, as well as the ECE provision. The local board has expressed that it is ambitious to provide what is proposed on the site, encouraging that the Minister looks at partnership opportunities with Auckland Council and Eke Panuku to development the adjacent WASP Hangar as a shared recreational facility for the school and wider community.

In regard to transport, the local board has also encouraged that there is no reliance on local roads to provide for parking and that bus routes and appropriate safe crossing areas are considered.

Feedback was also provided in regard to the Minister considering at the detailed design stage the heritage and character area in which the school will be built and asks to consider design elements that complement the art-deco look of surrounding buildings. These comments will be passed onto the design time for further consideration for the outline plan of works/detailed design phase.

Hobsonville Point Community

A project information mail-out was sent to properties within a 750m radius of the site. Postal addresses were identified to the extent practical from publicly available sources including Property Guru and the Companies Register. The only feedback received was from one resident who advised their support for the project.

Healthy Waters

After contacting Watercare initially for preliminary comments, Healthy Waters subsequently provided feedback in regard to three-waters infrastructure within the area. Healthy Waters do not anticipate any capacity issues within the network the site is located in, given the young age of the network and wider Hobsonville Point development.

Auckland Transport

Auckland Transport was involved in the pre-application meeting and provided initial feedback on the proposed location/feasibility plan and the scope of the ITA

A copy of the Draft ITA was provided to Auckland Transport for comment. A summary of how feedback from Auckland Transport was addressed is included in Appendix A to the ITA.

Auckland Transport has also reviewed and provided feedback on the draft designation conditions relevant to transport matters.

Auckland Council

A pre-application meeting was held with Auckland Council Plans and Places along with representatives of Auckland Transport.

10.0 Notification

As per Section 149ZCB(2)(b) of the RMA, the Minister requests this alteration of designation notice is publicly notified.

11.0 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 Hobsonville Point area.

The Minister requests that the Council publicly notifies this Notice of Requirement.

Appendix A

Designation Plan

Appendix B

Approved Title Plan and Underlying Certificate of Title

Appendix C

Feasibility Plan

Appendix D

Standard Designation Conditions for Schools in AUP

Appendix E

Integrated Transport Assessment

Appendix F

Dotterel Assessment

Appendix G

Infrastructure, Contamination and Flooding Desktop Assessment

Appendix H

Geotechnical Assessment

Appendix I

Sun Shading Comparison Study