



11 November 2022

Auckland Council  
Private Bag 92300  
**Auckland 1142**

Attention: John Duguid  
Manager, Plans and Places

Dear John

**Decision by the Minister of Education on a Requirement to Designate Land at 2 Waka Moana Drive, Hobsonville, Auckland for the Purpose of “Educational Purposes – Primary School (Years 0-8) and Early Childhood Education (Pre-School)”.**

The Minister of Education (“the Minister”) served a Notice of Requirement on Auckland Council to designate land at 2 Waka Moana Drive, Hobsonville, Auckland for “*Educational Purposes – Primary School (Years 0-8) and Early Childhood Education (Pre-School)*”. The lodgement date recorded in the s42A report was the 1 December 2021, and the NoR was publicly notified on 24 February 2022.

The matter was considered by Commissioners Karyn Kurzeja (Chairperson) and Vaughan Smith “on the papers” on the basis that the submitters confirmed they did not wish to be heard. The recommendation of the Commissioners acting under delegated authority from Auckland Council was received by the Minister’s agent on 30 September 2022. Auckland Council has recommended that the designation be confirmed, subject to conditions as set out in Attachment 2 to the Recommendation Report.

In accordance with section 172(1) of the Resource Management Act 1991 (the Act), the Minister accepts in part the Council’s recommendation. In accordance with section 172(3) of the Act, the Minister rejects in part modifications made to condition 6 and rejects in full conditions 10-16 of the Commissioners’ decision. Reasons for the modifications and rejection of conditions are detailed in the attached table (Attachment A). A consolidated set of conditions is contained within attachment B to this letter.

The designation conditions shall be included in the Auckland Unitary Plan as set out in Attachment B of this decision.

Please notify this decision to all submitters in accordance with s173 of the Act.

Yours sincerely



**Clive Huggins** | National Manager Land Investment and Planning  
Te Puna Hanganga, Matihiko | Infrastructure & Digital, Te Tāhuhu o te Mātauranga, Ministry of Education  
*Under delegated authority from the Minister of Education*  
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CC: Jo Hart, Policy Planner, Auckland Council  
Enc.

Attachment A – Reasons for modification and rejection of conditions.

Attachment B – Consolidated set of designation conditions to be inserted into the Auckland Unitary Plan  
(Operative in Part)



**Attachment A**

**Decision by the Minister of Education on a Requirement to Designate Land at 2 Waka Moana Drive, Hobsonville, Auckland for the Purpose of “Educational Purposes – Primary School (Years 0-8) and Early Childhood Education (Pre-School)”.**

**Reasons for the Modification and rejection of recommended conditions**

Condition agreed with Auckland Council prior to Commissioners Recommendation	Conditions included in Commissioners Recommendation	Minister of Education’s decision on recommendation														
<p><b>1. Building height in relation to boundary</b></p> <p>There shall be no height in relation to boundary controls for this designation.</p>	<p><b>1. Building height in relation to boundary</b></p> <p><del>There shall be no height in relation to boundary controls for this designation.</del></p> <p><u>Any new building or building extension (excluding goal posts or similar structures) shall comply with the height in relation to boundary control from the southern boundary of 4m high at the boundary and a 60 degree recession plane</u></p>	<p><b>Accepted</b></p> <p>The Minister has already agreed to the amendments to this condition as part of the response to the commissioners questions.</p>														
<p><b>2. Noise</b></p> <p>The noise (rating) level arising from the operation of the school and pre-school must comply with the following noise levels when measured at the boundary of any residentially zoned site, or within the notional boundary of any site in a rural zone:</p> <table border="1" data-bbox="192 1375 727 1816"> <thead> <tr> <th>DAY/TIME</th> <th>NOISE LEVEL</th> </tr> </thead> <tbody> <tr> <td>Mon – Sat, 7.00am – 10.00pm (0700 - 2200)</td> <td rowspan="2">55 dB <math>L_{Aeq}</math></td> </tr> <tr> <td>Sunday 9am to 6pm</td> </tr> <tr> <td>All other times</td> <td>45 dB <math>L_{Aeq}</math> 75 dB <math>L_{AFmax}</math></td> </tr> </tbody> </table>	DAY/TIME	NOISE LEVEL	Mon – Sat, 7.00am – 10.00pm (0700 - 2200)	55 dB $L_{Aeq}$	Sunday 9am to 6pm	All other times	45 dB $L_{Aeq}$ 75 dB $L_{AFmax}$	<p><b>2. Noise</b></p> <p>The noise (rating) level arising from the operation of the school and pre-school must comply with the following noise levels when measured at the boundary of any residentially zoned site <del>or within the notional boundary of any site in a rural zone:</del></p> <table border="1" data-bbox="836 1354 1371 1795"> <thead> <tr> <th>DAY/TIME</th> <th>NOISE LEVEL</th> </tr> </thead> <tbody> <tr> <td>Mon – Sat, 7.00am – 10.00pm (0700 - 2200)</td> <td rowspan="2">55 dB <math>L_{Aeq}</math></td> </tr> <tr> <td>Sunday 9am to 6pm</td> </tr> <tr> <td>All other times</td> <td>45 dB <math>L_{Aeq}</math> 75 dB <math>L_{AFmax}</math></td> </tr> </tbody> </table>	DAY/TIME	NOISE LEVEL	Mon – Sat, 7.00am – 10.00pm (0700 - 2200)	55 dB $L_{Aeq}$	Sunday 9am to 6pm	All other times	45 dB $L_{Aeq}$ 75 dB $L_{AFmax}$	<p><b>Accepted</b></p> <p>The Minister agrees to the amendments to this condition included in the commissioners recommendation.</p>
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<p>These noise limits do not apply to noise from normal school sports and school recreational activities occurring between 8am and 6pm Monday to Saturday.</p> <p>Noise levels shall be measured and assessed in accordance with NZS 6801: 2008 "Measurement of Environmental Sound" and NZS 6802:2008 "Environmental Noise".</p> <p>Noise from construction shall not exceed the limits recommended in, and shall be measured in accordance with, New Zealand Standard NZS 6803:1999 "Acoustics – Construction Noise".</p>	<p>These noise limits do not apply to noise from normal school sports and school recreational activities occurring between 8am and 6pm Monday to Saturday.</p> <p>Noise levels shall be measured and assessed in accordance with NZS 6801: 2008 "Measurement of Environmental Sound" and NZS 6802:2008 "Environmental Noise".</p> <p>Noise from construction shall not exceed the limits recommended in, and shall be measured in accordance with, New Zealand Standard NZS 6803:1999 "Acoustics – Construction Noise".</p>	
<p><b>3. On-Site Car Parking - Schools</b></p> <p>Additional on-site car parking shall be provided at the rate of one carpark per new classroom or classroom equivalent, except where the council accepts, on the basis of a specifically commissioned parking study by an appropriately qualified engineer and/or transportation planner, that a lesser level is appropriate.</p> <p>For the avoidance of doubt, this condition shall only apply where there is a net increase in the number of classrooms or classroom equivalents.</p>	<p><b>3. On-Site Car Parking – Schools</b></p> <p><del>Additional</del> On-site car parking shall be provided at the rate of one carpark per new classroom or classroom equivalent, except where the council accepts, on the basis of a specifically commissioned parking study by an appropriately qualified engineer and/or transportation planner, that a lesser level is appropriate.</p> <p><del>For the avoidance of doubt, this condition shall only apply where there is a net increase in the number of classrooms or classroom equivalents.</del></p>	<p><b>Accepted</b></p> <p>The Minister agrees to the amendments to this condition included in the commissioners recommendation.</p>
<p><b>4. On-Site Car Parking – Early Childhood Education (Pre-school)</b></p> <p>In addition to any car parking required for the school, on-site car parking for early childhood education (preschool) shall be provided at the rate of one car park per every 10 children the facility is licensed or designed to accommodate, plus one per each full time equivalent staff member required for the license or design capacity of the centre, except where the Council accepts, on the basis of a specifically commissioned parking study by an appropriately qualified engineer and/or transportation planner, that a lesser level is appropriate.</p>	<p><b>On-Site Car Parking – Early Childhood Education (Pre-school)</b></p> <p>In addition to any car parking required for the school, on-site car parking for the early childhood education (preschool) shall be provided at the rate of one car park per every 10 children the facility is licensed or designed to accommodate, plus one per each full time equivalent staff member required for the license or design capacity of the centre, except where the Council accepts, on the basis of a specifically commissioned parking study by an appropriately qualified engineer and/or transportation planner, that a lesser level is appropriate.</p>	<p><b>Accepted</b></p>
<p><b>5. Establishment Outline Plan of Works</b></p> <p>The Requiring Authority shall, in accordance with the requirements of s176A of the Resource Management Act 1991, submit an Outline Plan of Works for the construction and development of the school and Early Childhood Education Centre (ECE) which shall include the following further information:</p> <p>a) A Design Concept Plan for the site including:</p>	<p><b>Establishment Outline Plan of Works</b></p> <p>The Requiring Authority shall, in accordance with the requirements of s176A of the Resource Management Act 1991, submit an Outline Plan of Works for the construction and development of the school and Early Childhood Education Centre (ECE) which shall include the following further information:</p> <p>a) A Design Concept Plan for the site including:</p>	<p><b>Accepted</b></p> <p>The Minister agrees to the amendments to this condition included in the commissioners recommendation.</p>



<p>i. The general location of access points for vehicles, cyclists, scooters and pedestrians, on-site parking areas (including cars, cycle and scooter parks), and on-site pick up and drop off areas;</p> <p>ii. Measures and treatments at all access points to manage conflict between pedestrians, cyclists, scooter users and vehicles;</p> <p>iii. General location of building platforms, areas for proposed buildings and open space (such as playgrounds and sports fields); and</p> <p>iv. “Indicative” areas accommodating future education purpose growth on this site, including building platforms, car parking areas, vehicular access, maneuvering and circulation areas.</p> <p>v. Measures and treatments for landscaping, roofing, cladding materials, and lighting which reduces glare, reflectivity, and risk of bird strikes (for New Zealand Defence Force pilot safety).</p> <p>Advice notes: Approval from, and/or consultation with, the New Zealand Defence Force, as required by Conditions 1 and 2 of Designation 4311 – Whenuapai Airfield approach and Departure Path Protection, may also be required.</p>	<p>i. The general location of access points for vehicles, cyclists, scooters and pedestrians, on-site parking areas (including cars, cycle and scooter parks), and on-site pick up and drop off areas;</p> <p>ii. Measures and treatments at all access points to manage conflict between pedestrians, cyclists, scooter users and vehicles;</p> <p>iii. General location of building platforms, areas for proposed buildings and open space (such as playgrounds and sports fields);</p> <p>iv. “Indicative” areas accommodating future education purpose growth on this site, including building platforms, car parking areas, vehicular access, maneuvering and circulation areas; <u>and</u></p> <p>v. Measures and treatments for landscaping, roofing, cladding materials, and lighting which reduces glare, reflectivity, and risk of bird strikes (for New Zealand Defence Force pilot safety).</p> <p>Advice notes: Approval from, and/or consultation with, the New Zealand Defence Force, as required by Conditions 1 and 2 of Designation 4311 – Whenuapai Airfield approach and Departure Path Protection, may also be required.</p>	
<p>b) A Transport Assessment prepared by a suitably qualified traffic engineer/transportation planner which, taking into account the Integrated Transport Assessment (ITA) prepared by Jacobs Limited dated 10<sup>th</sup> November 2021, addresses safety, efficiency and the following specific matters:</p> <p>i. Safe access for pedestrians, cyclists and vehicles (including buses, rubbish trucks and for ground and building maintenance) and appropriate measures and treatments to minimise conflicts between all transport modes;</p> <p>ii. On-site staff and visitor car parking, cycle and scooter parking, and loading spaces to facilitate deliveries and rubbish removal;</p> <p>iii. On-site pick-up and drop-off area(s) specifically designed to accommodate predicted demand including vehicular access, circulation, maneuvering for cars and buses (if required). The following matters shall specifically be addressed as they relate to the school and ECE:</p>	<p>b) A Transport Assessment prepared by a suitably qualified traffic engineer/transportation planner which, taking into account the Integrated Transport Assessment (ITA) prepared by Jacobs Limited dated 29<sup>th</sup> November 2021, addresses safety, efficiency and the following specific matters:</p> <p>i. Safe access for pedestrians, cyclists and vehicles (including buses, rubbish trucks and for ground and building maintenance) and appropriate measures and treatments to minimise conflicts between all transport modes;</p> <p>ii. On-site staff and visitor car parking, cycle and scooter parking, and loading spaces to facilitate deliveries and rubbish removal;</p> <p>iii. On-site pick-up and drop-off area(s) specifically designed to accommodate predicted demand including vehicular access, circulation, maneuvering for cars and buses (if required). The following matters shall specifically be addressed as they relate to the school and ECE:</p>	<p><b>Conditions reformatted/renumbered - Accepted</b></p>



<p>a) Potential effects on the safe and efficient operation of the surrounding transport network and the internal school circulation;</p> <p>b) Providing for the continuity of cycle and pedestrian facilities;</p> <p>c) Providing safe separated access points to the school for those who walk or cycle on either side of the pick-up and drop off access; and</p> <p>iv. Traffic generation and any means of mitigating adverse effects on the efficiency and safety of the surrounding transport network;</p> <p>v. The effects of the location and design of the access on the safe and efficient operation of the adjacent transport network having regard to:</p> <ul style="list-style-type: none"> <li>• visibility and safe sight distances;</li> <li>• existing and future traffic conditions including speed, volume,</li> <li>• type, current accident rate, and the need for safe maneuvering;</li> <li>• proximity to and operation of intersections;</li> <li>• existing community or public infrastructure located in the adjoining road, such as bus stops, bus lanes and cycleways.</li> </ul>	<ul style="list-style-type: none"> <li>• Potential effects on the safe and efficient operation of the surrounding transport network and the internal school circulation;</li> <li>• Providing for the continuity of cycle and pedestrian facilities;</li> <li>• Providing safe separated access points to the school for those who walk or cycle on either side of the pick-up and drop off access.</li> <li>•Traffic generation and any means of mitigating adverse effects on the efficiency and safety of the surrounding transport network.</li> </ul> <p>iv. The effects of the location and design of the access on the safe and efficient operation of the adjacent transport network having regard to:</p> <ul style="list-style-type: none"> <li>• visibility and safe sight distances;</li> <li>• existing and future traffic conditions including speed, volume,</li> <li>type, current accident rate, and the need for safe maneuvering;</li> <li>• proximity to and operation of intersections;</li> <li>• existing community or public infrastructure located in the adjoining road, such as bus stops, bus lanes and cycleways.</li> </ul>	
<p>c) Unless already delivered by others or otherwise agreed with Auckland Transport, the Ministry of Education will be responsible for the funding and delivery of the following on-road interventions prior to the opening of the school and ECE:</p> <p>a) The signalization of the existing pedestrian crossing facility on Hobsonville Point Road;</p> <p>b) A Zebra Crossing located opposite any proposed pedestrian/cyclist accessway to the site on Wallace Road;</p> <p>c) New or upgraded pedestrian crossings on roads directly adjoining the site;</p> <p>d) The implementation of variable speed limit along the road frontage to the site during school start and finish times.</p>	<p>c) Unless already delivered by others or otherwise agreed with Auckland Transport, the Ministry of Education will be responsible for the funding and delivery of the following on-road interventions prior to the opening of the school and ECE:</p> <p>i. The signalization of the existing pedestrian crossing facility on Hobsonville Point Road;</p> <p>ii. A Zebra Crossing located opposite any proposed pedestrian/cyclist accessway to the site on Wallace Road;</p> <p>iii. New or upgraded pedestrian crossings on roads directly adjoining the site;</p> <p>iv. The implementation of a variable speed limit along the road frontage to the site during school start and finish times.</p>	<p><b>Conditions reformatted/renumbered - Accepted</b></p>
<p>d) A summary of the consultation and engagement with Auckland Transport recording agreements reached on the transport matters described below, and effects associated with the school and the ECE on the</p>	<p>d) A summary of the consultation and engagement with Auckland Transport recording agreements reached on the transport matters described below, and effects associated with the school and the ECE on the</p>	<p><b>Accepted</b></p>



<p>surrounding existing and future roading network. A copy of the draft Design Concept Plan and draft Traffic Assessment prepared to support the Establishment Outline Plan shall be provided to Auckland Transport for the purposes of this consultation and engagement.</p> <p>The specific transport matters that will be considered and discussed include:</p> <ul style="list-style-type: none"> <li>i. Measures and treatments to ensure safe access is provided to the school and ECE for all transport modes, including implementation timeframes;</li> <li>ii. Measures and treatments to the surrounding road network as they relate to the school and ECE, such as those included in Auckland Transport's Transport Design Manual (TDM) or updated equivalent Auckland Transport design standards which apply at the time of the preparation of the Establishment Outline Plan; and</li> <li>iii. Bus access (if any) and the location of bus stops and shelter along the school and ECE road frontages.</li> <li>iv. Any agreement reached with Auckland Transport on mitigation measures recommended in the Integrated Transport Assessment (ITA), prepared by Jacobs (dated 10<sup>th</sup> November 2021) and/or any subsequent transportation assessment, their funding, the authority responsible for their implementation, and the timing for implementation.</li> </ul>	<p>surrounding existing and future roading network. A copy of the draft Design Concept Plan and draft Traffic Assessment prepared to support the Establishment Outline Plan shall be provided to Auckland Transport for the purposes of this consultation and engagement.</p> <p>The specific transport matters that will be considered and discussed include:</p> <ul style="list-style-type: none"> <li>i. Measures and treatments to ensure safe access is provided to the school and ECE for all transport modes, including implementation timeframes;</li> <li>ii. Measures and treatments to the surrounding road network as they relate to the school and ECE, such as those included in Auckland Transport's Transport Design Manual (TDM) or updated equivalent Auckland Transport design standards which apply at the time of the preparation of the Establishment Outline Plan; and</li> <li>iii. Bus access (if any) and the location of bus stops and shelter along the school and ECE road frontages.</li> <li>iv. Any agreement reached with Auckland Transport on mitigation measures recommended in the Integrated Transport Assessment (ITA), prepared by Jacobs (dated 29<sup>th</sup> November 2021) and/or any subsequent transportation assessment, their funding, the authority responsible for their implementation, and the timing for implementation.</li> </ul>	
<p><b>6. School Travel Plan</b></p> <p>a) Prior to the opening of the school, the requiring authority shall either directly or through the School Board of Trustees, develop a School Travel Plan.</p> <p>b) The purpose of the School Travel Plan is to provide specifically for measures to reduce vehicle dependence, including walking school buses, carpooling, the encouragement of the use of public transport, the use of remote pick up/drop off locations if appropriate, and the encouragement of walking and cycling. This Travel Plan shall also specifically address the following matters:</p> <ul style="list-style-type: none"> <li>i. Safe access to the entry points to the school. Features such as Kea Crossings or Zebra Crossings should be specifically considered;</li> <li>ii. Consistency with or use of Auckland Transport's TravelWise programme, or any equivalent programme adopted;</li> </ul>	<p><b>6. School Travel Plan</b></p> <p>a) Prior to the opening of the school, the requiring authority shall either directly or through the School Board of Trustees, develop a School Travel Plan.</p> <p>b) The purpose of the School Travel Plan is to <u>ensure the safety of students travelling to and from school and to provide specifically for measures to reduce vehicle dependence, including walking school buses, carpooling, the encouragement of the use of public transport, the use of remote pick up/drop off locations if appropriate, and the encouragement of walking and cycling. This Travel Plan shall also specifically address the following matters:</u></p> <ul style="list-style-type: none"> <li>i. Safe access to the entry points to the school. Features such as Kea Crossings or Zebra Crossings should be specifically considered;</li> <li>ii. Consistency with or use of Auckland Transport's TravelWise programme, or any equivalent programme adopted;</li> </ul>	<p><b>Partially accepted / partially rejected</b></p> <p>The Minister accepts the recommended changes to part b) of the condition.</p> <p>The Minister rejects the recommended changes to part c) of the condition and we instead adopt the agreed position between Council officers and MoE which did not impose this condition. The Minister includes the following wording as part of its decision:</p> <p>c) The School Travel Plan shall be developed in consultation with <del>Auckland Council and</del> Auckland Transport and shall include a monitoring <del>and review</del> programme <del>for a period of at least three years following the opening of the school.</del> The School Travel Plan shall be updated at the time of submitting each subsequent Outline Plan of Works relating to <u>works to accommodate</u> increased student numbers.</p> <p>A school travel plan is a live document that will be used by the school and updated over time with changes to programs or travel arrangements. Schools may implement walking school buses, shuttle buses or other changes to how the school operates, and these changes won't be limited to three years after the school opens.</p> <p>Referring to a three year period in the condition implies that after the initial three years, the travel plan no longer needs to be reviewed or monitored, and the Minister does not consider that this would provide the best outcome for the school and the school's travel plan. This is particularly relevant as the area surrounding the school is still being developed, and as transport interventions are installed and modified by others, the school travel plan may need to be modified to reflect these. This includes infrastructure such as crossing points, lights or new multi-unit driveways.</p>



<p>iii. Measures to separate vehicle entry and pedestrian/cyclist entries; and iv. Location and provision on site of any scooter and cycle parking required.</p> <p>c) The School Travel Plan shall be developed in consultation with Auckland Transport and shall include a monitoring programme. The School Travel Plan shall be reviewed at the time of submitting each subsequent Outline Plan of Works relating to increased student numbers.</p> <p>d) A joint Travel Plan for the school and ECE on the site may be developed.</p>	<p>iii. Measures to separate vehicle entry and pedestrian/cyclist entries; and iv. Location and provision on site of any scooter and cycle parking required.</p> <p>c) The School Travel Plan shall be developed in consultation with <u>Auckland Council and</u> Auckland Transport and shall include a monitoring <u>and review programme for a period of at least three years following the opening of the school.</u> The School Travel Plan shall be updated at the time of submitting each subsequent Outline Plan of Works relating to <u>works to accommodate</u> increased student numbers.</p> <p>d) A joint Travel Plan for the school and ECE on the site may be developed.</p>	<p>The Minister also considers that Auckland Transport is the appropriate entity to consult with in the preparation of the school travel plan and are deleting the reference to Auckland Council. Auckland Council will have the opportunity to review the travel plan each time an OPW is lodged.</p> <p>In a review of 15 of the travel plan conditions within Designations that the Minister holds that are included in the Auckland Unitary Plan, 13 of those referred solely to consultation with Auckland Transport, rather than both Auckland Transport and Auckland Council. This includes Scott Point Primary School, Designation 4662 located at 11 Scott Road, Hobsonville. The Minister's most recent designation at Trig Road requires consultation with Auckland Transport only.</p>
<p><b>7. On-site pick up and drop off</b></p> <p>a) Vehicular on-site pick-up and drop-off areas for the school shall be provided. The number of pick-up and drop-off bays shall be determined by an assessment of the predicted demand for vehicles entering and exiting the site. This assessment will be undertaken, and the results submitted, as part of any outline plans where there is an increase in teaching spaces.</p> <p>Bays may be provided on a staged basis consistent with each stage of school development.</p> <p>b) An assessment of the need for a bus pick-up and drop-off facility for the school shall be submitted as part of any outline plan to increase teaching spaces. Bus facilities may be provided on a staged basis consistent with each stage of school development.</p>	<p><b>7. On-site pick up and drop off</b></p> <p>a) Vehicular on-site pick-up and drop-off areas for the school shall be provided. The number of pick-up and drop-off bays shall be determined by an assessment of the predicted demand for vehicles entering and exiting the site. This assessment shall be undertaken, and the results submitted, as part of the <u>Establishment Outline Plan of Works and</u> any subsequent Outline Plans of Works where an increase in teaching spaces is proposed.</p> <p>Bays may be provided on a staged basis consistent with each stage of school development.</p> <p>b) An assessment of the need for a bus pick-up and drop-off facility for the school shall be submitted as part of <del>any</del> <u>the Establishment Outline Plan of Works and any subsequent Outline Plans of Works where an increase in teaching spaces is proposed.</u> Bus facilities may be provided on a staged basis consistent with each stage of school development.</p>	<p><b>Accepted</b></p> <p>The Minister agrees to the amendments to this condition included in the commissioners recommendation.</p>
<p><b>8. Construction</b></p> <p>A construction management plan shall be prepared and submitted with any outline plan or works for major site works.</p>	<p><b>8. Construction</b></p> <p>a) A Construction Management Plan (CMP) shall be prepared and submitted <u>to the Council</u> with every Outline Plan of Works <del>or works for major site works.</del></p> <p>b) The purpose of the CMP is to set out the practices and procedures to be adopted during the construction of the school (including site works) in order to manage adverse effects on residents and the users of adjacent public areas.</p> <p>c)The matters to be addressed by the CMP include (but are not limited to):</p>	<p><b>Accepted</b></p> <p>The Minister agrees to the amendments to this condition included in the commissioners recommendation.</p>



	<ul style="list-style-type: none"> <li>•Hours of operation;</li> <li>•Contractor contact details for any incidents associated with construction;</li> <li>•Construction traffic management measures;</li> <li>•The location of parking for contractors and their employees;</li> <li>•Measures such as wheel washes to avoid tracking soil onto roads; and</li> <li>•The management of noise and vibration effects.</li> </ul>	
<p><b>9. Dotterel Management</b></p> <p>Between the months of August to March, and no less than 7 days Immediately prior to the first construction phase, a suitably qualified person ecologist shall check the site for the presence of dotterels within the designation footprint. If evidence of dotterels is found during the preconstruction check, a dotterel management plan shall be submitted to the council for certification, for the protection of dotterels during the first construction phase. Once certified, the Plan shall be implemented for the protection of the dotterels during the first construction phase.</p>	<p><b>9. Dotterel Management</b></p> <p>a) Between the months of August to March, and no less than 7 days prior to the first construction phase, a suitably qualified ecologist shall check the site for the presence of dotterels within the designation footprint. If evidence of dotterels is found during the preconstruction check, a Dotterel Management Plan shall be submitted to the council for certification, for the protection of dotterels during the first construction phase.</p> <p>b) <u>The Dotterel Management Plan shall include the following matters:</u></p> <ul style="list-style-type: none"> <li>• <u>Site characteristics (including the location of any dotterel nest, if present)</u></li> <li>• <u>Deterrence measure(s) to be employed (if possible)</u></li> <li>• <u>Contingency measures (if required)</u></li> <li>• <u>Exclusion area where works are precluded to protect nesting sites (if required)</u></li> </ul> <p>c) <u>Once certified, the Plan shall be implemented prior to the commencement of construction works on the site.</u></p>	<p><b>Accepted</b></p> <p>The Minister agrees to the amendments to this condition included in the commissioners recommendation.</p>
<p>-</p>	<p><b><u>Integration with surrounding residential environment</u></b></p> <p><u>10. The maximum height of buildings and structures (excluding goal posts and other similar structures) shall be 12m.</u></p>	<p><b>Rejected</b></p> <p>The Minister rejects this condition and does not include it in its decision.</p> <p>The commissioners reasoning for the inclusion of this condition in the recommendation was “12m is consistent with the existing maximum height standard (including roof allowance) for the Residential - Mixed Housing Urban zone which applies to the majority of the site.”</p> <p>The feasibility drawing supplied with the application laid out one option that included a height of 13m, allowing for a 20m setback from the southern boundary. A condition limiting the height to 12m would prevent the Ministry from utilising the feasibility layout which clearly demonstrated how any potential effects of the feasibility study height would be mitigated, and therefore it is not considered to be appropriate or necessary to include conditions requiring compliance with the underlying zone height standard.</p>





		<p>Designation conditions are enduring and all development on designated sites needs to comply with the conditions, so even a minor infringement of the 12m height would not be possible on the site without an alteration to a designation. This is in contrast to other developments on surrounding sites that are able to exceed the zone height limit through the resource consent process, where the effects of an increase can be considered and addressed within the existing consenting framework. In addition, some of the adjacent land to the south is in the Terrace Housing and Apartment (THAB) Zone which provides for six storey development.</p> <p>The Minister considers that it is appropriate to remove the height limit condition and allow any proposed building height on the site be assessed through an Outline Plan of Works application. In this application the Ministry would comment on how the height of the development impacts on the surrounding residential sites and would be able to address any adverse effects through the design and setback of the buildings. It is also noted that the Ministry site is surrounded by roads on three sides, with the fourth side being subject to the HIRB condition (1) which will ensure that any effects from building height on the southern neighbours is suitably mitigated.</p> <p>It should also be noted that there are currently no schools in the country that are more than three storeys tall. This existing development pattern of schools should be considered in the assessment of risk and need to use a condition to limit development height on designated school sites. While in the future schools may need to be taller to accommodate increased densities within surrounding neighbourhoods or areas such as metropolitan centres, current building design and development of school sites are not excessively tall. Over time, schools may be accommodated within larger, multi-storey buildings but these are likely to be developed in conjunction with the surrounding residential areas and are likely to reflect development patterns of the surrounding areas.</p>
-	<p><u>11. Development shall comply with the following standards:</u></p> <p><u>a) Maximum building coverage: 35%</u></p> <p><u>b) Maximum impermeable surface coverage: 40%</u></p>	<p><b>Rejected</b></p> <p>The Minister rejects this condition and does not include it in its decision.</p> <p>Schools typically offer more open space and less impermeable surfaces than other uses of the land such as medium density residential. This is due to the nature of school sites which need to include open areas for children to play, particularly for primary schools. However, as this site is within a medium density neighbourhood and is smaller than the usual site for a primary school (1.5 ha compared to the standard 4ha) there may be a need to intensify the build form and impervious surfaces beyond what is specified in the condition. What is currently proposed is more restrictive than the Medium Density Residential Standards (MDRS).</p> <p>The commissioners reasons for including this condition was:</p> <p><i>“The percentages for maximum building coverage and maximum impermeable surface coverage are substantially less than those applying in that residential zone; but this recognises the large size of the site, while at the same time the percentages and height are consistent with those standards applying to two other designations for educational purposes in the Hobsonville area (being 4635 Hobsonville Point Primary School and 4644 Hobsonville Point Secondary School).”</i></p> <p>In addition, they state that <i>“Given the lack of information provided by the Requiring Authority that the Hearings Panel could rely on in an assessment of the potential adverse visual and amenity effects of the NoR, we concluded that additional conditions should also be imposed on the designation to ensure that the future school and ECE buildings would be well integrated into the surrounding residential environment at an appropriate scale.”</i></p> <p>The conditions referred to are from designations that were consented over 15 years ago and in the Minister’s view do not represent best practice conditions for schools. They may inappropriately limit the opportunity for schools to respond to growth which is driven by national and local planning policies and directions that must be responded to. A new school is required as the existing Hobsonville Point Primary School, which is the subject of a quite directive condition based on a particular design concept when designated, is already at capacity.</p> <p>The initial feasibility study provided sufficient information to assess the potential effects of the development of the site for educational activities. The feasibility study was based on a conservative master plan roll of 1,000 students. This plan included 1,100m<sup>2</sup> of space for outdoor learning and 2,700m<sup>2</sup> of sports fields as well as other areas of</p>



		<p>open space. Based on the feasibility study provided with the Notice, impervious areas would start at around 42 per cent, and may be higher as paths and walkways are added to the site. Limiting the levels of impervious surfaces and building coverage on the site will impact on the ability for the Minister to deliver the education requirements to the surrounding community in appropriate property, and is not consistent with the feasibility study, which is likely to be similar to how the site is developed in the future.</p> <p>In addition, as the designation will endure over decades it may be difficult to have exhaustive digital records of all impervious surfaces as additions such as path and hard landscaping/courts are added gradually to the site. This will make it increasingly difficult over time to demonstrate exact coverages to show compliance with any coverage conditions, which is a different scenario to delivering a single project in a one stage under the zone provisions. Given that the underlying zone allows a high percentage of impervious surfaces, it is unclear why by virtue of holding a single large site, that applying a threshold well below the underlying zone manages or mitigates any potential effects.</p> <p>The Minister considers that this condition is not necessary to manage the potential effects that could arise through the development of the school site. The school will have a high level of open space and permeable surfaces that would be expected to be below the limits for the proposed MDRS standards for the underlying zone, and having a condition limiting impervious surfaces as proposed and may have unintended negative consequences.</p>
-	<p><u>12. The Requiring Authority shall submit with the Establishment Outline Plan of Works application a Landscape Concept Plan. This plan shall be developed in consultation with [the appropriate Council officer] and must include the following:</u></p> <p><u>a) The location of existing and proposed buildings within the site;</u></p> <p><u>b) The surrounding street context - the adjacent streets and footpaths, the location of any pedestrian crossings, and bus stops. Any landscape works proposed in the landscape plan must complement and be well integrated within the street context;</u></p> <p><u>c) Framework tree planting (species, grades and locations), and the location and planting (planting plans) for any garden areas and hedges. The species and layout must complement and be well integrated with the landscape works (existing and proposed) for the surrounding streetscapes;</u></p> <p><u>d) The articulation and identification of outdoor space, and outdoor play areas (both hard surfaces and grassed areas);</u></p> <p><u>Note: Outdoor space may be defined by a combination of buildings, trees, landform, fences/hedges or other features;</u></p> <p><u>e) Vehicle access and parking areas including cycle parks; and</u></p>	<p><b>Rejected</b></p> <p>The Minister rejects this condition and does not include it in its decision.</p> <p>Section 176A of the RMA requires the requiring authority to show the proposed landscaping on any Outline Plan of Work. This condition repeats these requirements and does not add or address any potential effect of the designation.</p> <p>Recent landscape plans for new schools are detailed and comprehensive documents that address the whole site landscaping and include the level of detail listed in condition 12 as is appropriate for a master planned site development of significant infrastructure such as a school. When preparing Masterplans for new schools, the design team includes a landscape architect that feeds into the master planning process and prepares their own report.</p> <p>Adding a condition containing this level of detail when it already repeats a requirement laid out in the RMA is in the Minister's view unnecessary. In addition, as the condition only relates to the first OPW, it will become redundant after that OPW is granted, but will remain on the designation until it is altered either by the Minister or through a plan review process. The Minister considers that conditions on designations should be user friendly and easy for the requiring authority, the council and the public to understand. The Minister does not consider that this condition achieves this.</p>



	f) Entrances for cyclists and pedestrians.	
-	<p>13. The Requiring Authority shall with each Outline Plan of Works for school development:</p> <p>a) Provide a landscape plan(s) which demonstrates how the development and/or additions continue to contribute to the matters identified in Condition (12) above; and</p> <p>b) Implement the approved landscape plan(s) provided in response to Condition 13(a) as it relates to each Outline Plan of Works within the site.</p>	<p><b>Rejected</b></p> <p>The Minister rejects this condition and does not include it in its decision.</p> <p>As noted above, the landscaping will be submitted in the OPW as required by Section 176A(3)(e) and implemented on the site. It is unnecessary to repeat the RMA requirement. It should also be noted that OPW by their nature are implemented on site.</p>
-	<p>14. The Requiring Authority shall submit with the Establishment Outline Plan of Works a school Design Concept Plan detailing staging and the manner in which it is anticipated that the school development will change over time as it accommodates increasing student numbers.</p>	<p><b>Rejected</b></p> <p>The Minister rejects this condition and does not include it in its decision.</p> <p>This condition repeats the same detail contained in condition 5(a)(iv). On the basis that this condition is already in the designation, the Minister considers that condition 14 is not necessary.</p>
-	<p>15. Each Outline Plan of Works shall be accompanied by an urban design report detailing the way in which the design of the development has been developed in response to the context of the site and the consistency of the proposal with recognised urban design principles. In particular, this report shall address how potential adverse effects of the proposed development on the amenity of residential properties to the south of the site (including shading effects, dominance and privacy) have been avoided or mitigated.</p>	<p><b>Rejected</b></p> <p>The Minister rejects this condition and does not include it in its decision.</p> <p>The Minister considers that this condition is an effective way of managing any adverse design effects of the future development of the site.</p> <p>Commissioner reasons for including this condition are “we recommend that each OPW should be accompanied by an urban design report which assesses the design of the development in response to the context of the site and the consistency of the proposal with recognised urban design principles.”</p> <p>It is noted that like the condition on impervious surfaces above which is on the designations for Hobsonville Point Primary School and Hobsonville Point Secondary School, the urban design condition reflects a condition placed on those two designations, rather than responding to the potential effects the development of this site might induce. Urban design review conditions are not typical of school designations.</p> <p>The Ministry has an extensive design process in regard to school design to ensure schools both meet proper education outcomes and integrate well with their surrounding neighbourhoods. Is it therefore considered that urban design matters are adequately addressed. The proposed condition would also be triggered for very minor works where an OPW is required that may have no urban design implications.</p> <p>This condition also includes particular comment on the properties to the south, which is already addressed by the HIRB condition which is being accepted by the Minister.</p>
-	<p>16. Fences</p> <p>(a) Fences adjacent to the road boundaries shall be no greater than 1.6m in height and shall be transparent to support high-quality oversight and visual connection.</p> <p>(b) A solid fence shall be provided along the southern boundary of the site which shall be no greater than 2m in height.</p>	<p><b>Rejected</b></p> <p>The Minister rejects this condition and does not include it in its decision.</p> <p>As stated in the Minister’s response to the commissioners questions, the Ministry has internal guidelines that specify how boundary treatments are applied to sites. This includes minimum fence heights and visual permeability. This information is available on the <a href="#">Education NZ website</a>.</p> <p>The Minister may need to vary the type of fences used on each of the boundaries, depending on the layout of the site and the directly adjacent activities, such as hardcourts (which may need nets) or pedestrian entrances, where visual permeability is required to ensure student safety. Rigid specification of the fencing treatment on the</p>



		southern boundary is not required to manage and mitigate any potential effects of the designation. It could also be contrary to urban design principals if site design includes a road along this boundary.
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**Attachment B:**

**Consolidated set of designation conditions to be inserted into the Auckland Unitary Plan (Operative in Part)**

Designation Number	
Requiring Authority	Minister of Education
Location	2 Waka Moana Drive, Hobsonville
Rollover Designation	NA
Lapse Date	The designation shall lapse on the expiry of 10 years from the date on which it is included in the district plan if it has not been given effect to before the end of that period.

**Purpose**

Educational purposes - primary school (years 0 - 8) and Early Childhood Education (Preschool).

**Conditions**

The standard conditions for all Minister of Education designations apply to this designation, except that where any standard condition conflicts with a site-specific condition below, the site-specific condition shall take precedence.

**1. Building height in relation to boundary**

Any new building or building extension (excluding goal posts or similar structures) shall comply with the height in relation to boundary control from the southern boundary of 4m high at the boundary and a 60 degree recession plane.

**2. Noise**

The noise (rating) level arising from the operation of the school and preschool must comply with the following noise levels when measured at the boundary of any residentially zoned site:

<b>DAY/TIME</b>	<b>NOISE LEVEL</b>
<i>Mon – Sat, 7.00am – 10.00pm (0700 -2200)</i>	<i>55 dB LAeq</i>
<i>Sunday 9am to 6pm</i>	
<i>All other times</i>	<i>45 dB LAeq</i> <i>75 dB LAFmax</i>

These noise limits do not apply to noise from normal school sports and school recreational activities occurring between 8am and 6pm Monday to Saturday.

Noise levels shall be measured and assessed in accordance with NZS 6801: 2008 “Measurement of Environmental

Sound” and NZS 6802:2008 “Environmental Noise”.

Noise from construction shall not exceed the limits recommended in, and shall be measured in accordance with, New Zealand Standard NZS 6803:1999 “Acoustics – Construction Noise”.

### **3. On-Site Car Parking – Schools**

On-site car parking shall be provided at the rate of one carpark per new classroom or classroom equivalent, except where the council accepts, on the basis of a specifically commissioned parking study by an appropriately qualified engineer and/or transportation planner, that a lesser level is appropriate.

### **4. On-Site Car Parking – Early Childhood Education (Preschool)**

In addition to any car parking required for the school, on-site car parking for the early childhood education (preschool) shall be provided at the rate of one car park per every 10 children the facility is licensed or designed to accommodate, plus one per each full time equivalent staff member required for the license or design capacity of the centre, except where the Council accepts, on the basis of a specifically commissioned parking study by an appropriately qualified engineer and/or transportation planner, that a lesser level is appropriate.

### **5. Establishment Outline Plan of Works**

The Requiring Authority shall, in accordance with the requirements of s176A of the Resource Management Act 1991, submit an Outline Plan of Works for the construction and development of the school and Early Childhood Education Centre (preschool) which shall include the following further information:

- (a) A Design Concept Plan for the site including:
  - i. The general location of access points for vehicles, cyclists, scooters and pedestrians, on-site parking areas (including cars, cycle and scooter parks), and on-site pick up and drop off areas;
  - ii. Measures and treatments at all access points to manage conflict between pedestrians, cyclists, scooter users and vehicles;
  - iii. General location of building platforms, areas for proposed buildings and open space (such as playgrounds and sports fields);
  - iv. “Indicative” areas accommodating future education purpose growth on this site, including building platforms, car parking areas, vehicular access, maneuvering and circulation areas; and
  - v. Measures and treatments for landscaping, roofing, cladding materials, and lighting which reduces glare, reflectivity, and risk of bird strikes (for New Zealand Defence Force pilot safety).

#### **Advice Note**

Approval from, and/or consultation with, the New Zealand Defence Force, as required by Conditions 1 and 2 of Designation 4311 – Whenuapai Airfield approach and Departure Path Protection, may also be required.

- (b) A Transport Assessment prepared by a suitably qualified traffic engineer/transportation planner which, taking into account the Integrated Transport Assessment (ITA) prepared by Jacobs Limited dated 29 November 2021, addresses safety, efficiency and the following specific matters:
  - i. Safe access for pedestrians, cyclists and vehicles (including buses, rubbish trucks and for ground and building maintenance) and appropriate measures and treatments to minimise conflicts between all transport modes;
  - ii. On-site staff and visitor car parking, cycle and scooter parking, and loading spaces to facilitate deliveries and rubbish removal;
  - iii. On-site pick-up and drop-off area(s) specifically designed to accommodate predicted demand including vehicular access, circulation, maneuvering for cars and buses (if required). The following matters shall specifically be addressed as they relate to the school and ECE:
    - Potential effects on the safe and efficient operation of the surrounding transport

- network and the internal school circulation;
  - Providing for the continuity of cycle and pedestrian facilities;
  - Providing safe separated access points to the school for those who walk or cycle on either side of the pick-up and drop off access;
  - Traffic generation and any means of mitigating adverse effects on the efficiency and safety of the surrounding transport network.
- iv. The effects of the location and design of the access on the safe and efficient operation of the adjacent transport network having regard to:
- visibility and safe sight distances;
  - existing and future traffic conditions including speed, volume, type, current accident rate, and the need for safe maneuvering;
  - proximity to and operation of intersections;
  - existing community or public infrastructure located in the adjoining road, such as bus stops, bus lanes and cycleways.
- (c) Unless already delivered by others or otherwise agreed with Auckland Transport, the Ministry of Education will be responsible for the funding and delivery of the following on-road interventions prior to the opening of the school and ECE:
- i. The signalization of the existing pedestrian crossing facility on Hobsonville Point Road;
  - ii. A Zebra Crossing located opposite any proposed pedestrian/cyclist accessway to the site on Wallace Road
  - iii. New or upgraded pedestrian crossings on roads directly adjoining the site;
  - iv. The implementation of a variable speed limit along the road frontage to the site during school start and finish times.
- (d) A summary of the consultation and engagement with Auckland Transport recording agreements reached on the transport matters described below, and effects associated with the school and the ECE on the surrounding existing and future roading network. A copy of the draft Design Concept Plan and draft Traffic Assessment prepared to support the Establishment Outline Plan shall be provided to Auckland Transport for the purposes of this consultation and engagement.

The specific transport matters that will be considered and discussed include:

- i. Measures and treatments to ensure safe access is provided to the school and ECE for all transport modes, including implementation timeframes;
- ii. Measures and treatments to the surrounding road network as they relate to the school and ECE, such as those included in Auckland Transport's Transport Design Manual (TDM) or updated equivalent Auckland Transport design standards which apply at the time of the preparation of the Establishment Outline Plan;
- iii. Bus access (if any) and the location of bus stops and shelter along the school and ECE road frontages; and
- iv. Any agreement reached with Auckland Transport on mitigation measures recommended in the Integrated Transport Assessment (ITA), prepared by Jacobs (dated 29 November 2021) and/or any subsequent transportation assessment, their funding, the authority responsible for their implementation, and the timing for implementation.

## 6. School Travel Plan

- (a) Prior to the opening of the school, the requiring authority shall either directly or through the School Board of Trustees, develop a School Travel Plan.
- (b) The purpose of the School Travel Plan is to ensure the safety of students travelling to and from school and to provide specifically for measures to reduce vehicle dependence, including walking school buses, carpooling, the encouragement of the use of public transport, the use of remote pick up/drop off locations if appropriate, and the encouragement of walking and cycling. This Travel Plan shall also specifically address the following matters:
  - i. Safe access to the entry points to the school. Features such as Kea Crossings or Zebra Crossings should be specifically considered;
  - ii. Consistency with or use of Auckland Transport's TravelWise programme, or any equivalent programme adopted;
  - iii. Measures to separate vehicle entry and pedestrian/cyclist entries; and iv. Location and provision on site of any scooter and cycle parking required.
- (c) The School Travel Plan shall be developed in consultation with Auckland Transport and shall include a monitoring programme. The School Travel Plan shall be updated at the time of submitting each subsequent Outline Plan of Works relating to works to accommodate increased student numbers.
- (d) A joint Travel Plan for the school and ECE on the site may be developed.

## **7. On-site pick up and drop off**

- (a) Vehicular on-site pick-up and drop-off areas for the school shall be provided. The number of pick-up and drop-off bays shall be determined by an assessment of the predicted demand for vehicles entering and exiting the site. This assessment shall be undertaken, and the results submitted, as part of the Establishment Outline Plan of Works and any subsequent Outline Plans of Works where an increase in teaching spaces is proposed.

Bays may be provided on a staged basis consistent with each stage of school development.

- (b) An assessment of the need for a bus pick-up and drop-off facility for the school shall be submitted as part of any the Establishment Outline Plan of Works and any subsequent Outline Plans of Works where an increase in teaching spaces is proposed. Bus facilities may be provided on a staged basis consistent with each stage of school development.

## **8. Construction**

- (a) A Construction Management Plan (CMP) shall be prepared and submitted to the Council with every Outline Plan of Works.
- (b) The purpose of the CMP is to set out the practices and procedures to be adopted during the construction of the school (including site works) in order to manage adverse effects on residents and the users of adjacent public areas.
- (c) The matters to be addressed by the CMP include (but are not limited to):
  - Hours of operation;
  - Contractor contact details for any incidents associated with construction;
  - Construction traffic management measures;
  - The location of parking for contractors and their employees;
  - Measures such as wheel washes to avoid tracking soil onto roads; and
  - The management of noise and vibration effects.



## 9. Dotterel Management

- (a) Between the months of August to March, and no less than 7 days prior to the first construction phase, a suitably qualified ecologist shall check the site for the presence of dotterels within the designation footprint. If evidence of dotterels is found during the preconstruction check, a Dotterel Management Plan shall be submitted to the council for certification, for the protection of dotterels during the first construction phase.
- (b) The Dotterel Management Plan shall include the following matters:
- Site characteristics (including the location of any dotterel nest, if present)
  - Deterrence measure(s) to be employed (if possible)
  - Contingency measures (if required)
  - Exclusion area where works are precluded to protect nesting sites (if required)
- (c) Once certified, the Plan shall be implemented prior to the commencement of construction works on the site.