

Notice of Requirement

Albany Senior High School
(Years 11 - 13)

536 - 546 Albany Highway
North Shore City

FORM 18

**Notice of Requirement by Minister, local authority, or requiring authority
for designation or alteration of designation**

To: North Shore City Council

The Minister of Education ("the Minister") gives Notice of Requirement for an alteration of designation for a public work. The alteration includes a change of the existing designation notation (purpose) and a minor alternation to the existing designation boundaries.

The site to which the Requirement applies is as follows:

A plan showing the location of the site and properties directly affected by this Notice is included in Annexure A.

The site is located at 536-546 Albany Highway, North Shore City, and is legally described as follows:

536 Albany Highway

Pt Allot 482, Paremoremo Parish, Blk III Waitemata Survey District, Gazette 1959, 76/1877, Pt Allot 94, Paremoremo Parish, Blk III, Waitemata Survey District, Gazette 1914, p3506.

546 Albany Highway

Pt Allot 482, Paremoremo Parish, Blk III Waitemata Survey District, Gazette 1960, p1976.

The gazette notices are attached in Annexure B.

The nature of the proposed public work is:

Overview

The Minister proposes to establish a Senior High School at the site to cater for students from Years 11– 13 living in the Albany catchment. To this end, the Minister proposes to designate the site for the following purpose:

"Albany Senior High School (Years 11-13)".

Proposed designation conditions are set out later in this Notice.

Background

The Albany area, located in the northern part of North Shore City, is experiencing rapid population growth which is forecast to increase if new rural and rural-residential subdivisions accompanied by expanded infrastructure provisions occur over the next fifteen years. The wider Albany area has long been recognised in the Auckland Regional Growth Strategy (ARGS) as an area where significant population growth will need to occur. Additional school capacity will be required to serve this population growth. As a result of continued population growth, the number of children attending secondary schools serving the greater Albany area has grown existing school rolls to near full capacity. A demographic report prepared by the Ministry of Education in March 2004 concluded that projected growth facing the area meant that a new senior high school (years 11 to 13) serving the Albany area was needed within the next 3 to 5 years. A copy of this report is attached in Annexure C. The Minister wishes to open a senior high school in the area in 2009. This school will complement an existing junior high school (Years 7-10), recently established at Appleby Road within the same general student catchment.

Currently the main State secondary schools serving the Albany area for Year 11-13 Students are Long Bay College, Rangitoto College, and Glenfield College. However these schools are not centrally located to Albany and the expanding residential areas to the north, and have not been designed to cater for the growth in students from these areas. Year 7-10 Students are served in this area by the junior high school at Appleby Road. It is envisaged that after completing Year 10, students staying within the same catchment would then generally move onto the proposed new senior high school.

The Ministry of Education has estimated that a senior high school in the Albany area would need to accommodate a maximum roll of approximately 1500 students (the roll provides for a growth factor above current predictions for future proofing). For this school, the Minister initially preferred a site of at least 8ha in area. However, given the difficulties in acquiring a suitable site of this size within the required catchment, the Minister proposes to use existing crown land of approximately half this size, which will require an innovative design and likely joint use of off-site recreational facilities, and promotion of transport demand management measures reducing reliance on private motor vehicle trips to accommodate this roll. It is also expected that students attending the senior high school will have different requirements for passive recreational space than schools incorporating lower years.

The Ministry of Education on behalf of the Minister has investigated an extensive number of potentially suitable sites within the Albany area for a senior high school. This is outlined in more detail later in this Notice. The Minister has now made a decision to proceed with an amendment to the existing designation for the site at 536-546 Albany Highway.

Site Description

The site comprises of existing Crown land originally acquired for education purposes. This includes the land at 536 Albany Highway that was formally the original Albany School and is now designated by the Minister of Education for "*Albany Outdoor Education Centre*". The total area of this land holding is approximately 4.1885ha. The balance of the land at 546 Albany Highway is a former teacher's residence, and comprises an allotment of approximately 1000m² that contains a single dwelling. This parcel of land is not currently designated. Full legal descriptions of these land holdings are included on the gazette notices in Annexure B. The purposes of this Notice, both land holdings are collectively referred to as "the Site".

The site is of an irregular wedge shape that generally rises away from Albany Highway. Approximately two thirds of the site is covered in regenerating indigenous vegetation intermixed with some good individual indigenous tree specimens and exotic tree species such as wattles and pines. There are two relatively level areas on the site, being an area adjacent to the front of the site where an existing car park and buildings associated with the outdoor education centre are located, and a grassed terrace area set further back on the site adjacent to the northern boundary (developed for use as playing fields). With the exception of these areas, the overall topography of the site can be described as undulating. A small unnamed ephemeral watercourse is also located on the site which discharges to the Oteha Stream to the west of the site.

Buildings located on the site include the former Albany school building which is listed as a Category 1 building of heritage value in the North Shore City District Plan (this includes some more recent additions to the building which are not part of the listing), and assorted small scale accessory structures. A state school was originally established on this site in 1876, and operated in that capacity until 1975. The site has more recently operated as an outdoor education centre, with the majority of the land subject to the current notice already being designated by the Minister of Education for that purpose. The Outdoor Education Centre will close on 23 August 2007 when the lease expires. Accordingly, there is a long history of educational use of this site.

There are mixes of land uses in the area. To the immediate north is the Millennium Village student accommodation. The next site north is a vacant development site on which a retirement home will be constructed. Opposite the site (effectively south and east) are the Massey University Albany Campus, Albany Domain, the Albany Presbyterian Church/centre and a cemetery. To the west is a well vegetated reserve (that is an extension of the stand of vegetation on the school site) and Oteha Stream which is a tributary of Lucas Creek. The reserve land comprises unformed road reserve (zoned Reserve 1 in the District Plan) immediately adjacent to the site, a narrow strip of sea bed administered by the Department of Conservation (the stream is tidal), and Council administered esplanade reserve. The unformed legal road is identified as "*road to be closed*" in the District Plan. Council administered recreation reserve is located on the opposed side of Oteha Stream, with "*The Landing*" residential area beyond that.

The North Shore City Council proposes to construct a new road link through the Massey University campus terminating at Albany Highway immediately opposite to the site (Coliseum Drive Extension). The Minister understands that construction of this link and is proposed for completion in 2009 when the school is required. However, given the uncertainty over the final design and timing of this link, the Ministry has investigated suitable access and intersection arrangements that allow the school to operate with and without this extension being completed. The future intersection arrangements also take into account long term plans for the Council to 'four-lane' Albany Highway along this section. Recommended intersection treatments for the school and adjacent road network (existing and proposed) are outlined later in this Notice.

General Proposal Description

An indicative concept development plan showing the current extent of design and site planning that has been completed is attached in Annexure D. The purpose of these plans is to demonstrate that it is possible to establish a school of the required size on this site in a manner that can adequately mitigate the environmental effects of the school in such as managing traffic, minimisation of vegetation clearance, protection of important features such as the heritage trees and memorial plinth etc. **These plans should not be considered to be the final design**, and are indicative only. The plans have been provided to assist the Council and community in understanding and assessing the likely effects of a school on this site, and demonstrate at the land designation stage that there are no fundamental impediments to being able to establish a school on this site.

Detailed design will be undertaken in consultation with Council staff including their urban design advisors and roading engineers once a designation is in place as part of any outline plan(s) of works. However, designation conditions have been proposed that will provide several overall limits within which the detailed design of the school will need to be undertaken. Detailed design will continue to advance in parallel with the designation process. Accordingly, it is likely additional limitations to be implemented through conditions will be able to be offered prior to this matter advancing to Council's hearings (i.e. when more detailed positioning of building platforms and the external building envelopes are more certain)

In general terms, the proposed school is expected to include a multi level school building on the lower part of the site adjacent to Albany Highway, with a full size sports field and netball/tennis courts are located on the upper terrace area. Car parking is generally provided within and under the buildings, with bus bays provided between the Albany Highway and the buildings. A maximum of 300 car parks are proposed (including short term parking/loading spaces). A heritage precinct will be provided (shown at the rear of the main school building) including the restored heritage building, heritage trees and memorial plinth. The memorial gate posts may also be located within this precinct.

Various intersection options have been investigated by Opus International consultants. These options provide for access to the school that can integrate with the proposed extension of Coliseum Drive and a new link road into Massey

University, as well as four-laning of Albany Highway (see Opus report in Annexure K). The preferred option would involve two signalised intersections providing access to the site. This solution allows for the school to operate with and without future roading works on the wider network over which the Minister has no control on timing and final alignment. North Shore City Council roading staff consulted have indicated general agreement in principle to this intersection solution, in terms of this integrating with their long term plans for roading in the area. The North Shore City Council will need to designate and acquire additional land when they proceed with four-laning of the Albany Highway in the future.

The general extent of vegetation removal is shown on the concept plans. The total area of bush within the site boundaries (noting that this is part of a larger bush area that runs onto adjacent reserve land) is approximately 27,000m². Based on the indicative concept development plan submitted with this Notice, up to approximately 16,000m² of existing bush may need to be removed to facilitate school construction. Clearance can be minimised within the school boundaries with use of multi level school buildings, provision of a minimum number of sports fields and courts, and provision of a minimum number of car parks provided generally within the building footprints. School development would likely require diversion, infilling or culverting of the existing ephemeral watercourse within the site.

The maximum school roll for the Year 11-13 students is 1500 students. This will require up to 110 teaching staff and a further provision of approximately 40 car parking spaces for administration staff and visitors. The Minister would like the school to open at the start of the school year in 2009. In the first year of opening, the maximum roll is unlikely to exceed 350 students, so the school would only need to be partially constructed to accommodate students for the first year. The usual school curriculum is generally undertaken between 8.30am and 3.30pm although course preparation and administrative work as well as extra curricula academic and sporting activities are likely to be undertaken outside of these hours as is standard at all State schools. It is possible that some courses could have a staggered start (i.e. starting and finishing later). Any such decisions would need to be made by the Board of Trustees and as such can not be committed to as part of the designation process.

The nature of the proposed restrictions that would apply are:

Designation Purpose:

"Albany Senior High School (Years 11-13)"

Designation Conditions:

1. 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.
 2. The student roll of the school shall not exceed 1500 students.
 3. All buildings and structures shall comply with following development controls:
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- Height in relation to boundary: no part of any building shall infringe a height in relation to boundary control from any adjacent land zoned residential of 2.5m plus the shortest horizontal distance between that part of the building and any site boundary.
- The height of all buildings (excluding any goal posts associated with sporting activities), shall not exceed 8m in Area A and 26m in Area B as shown on the Height Controls Plan attached to this designation. The calculation of height for any building may use the methodology of the Natural Ground Level Method or Mean Ground Level Method as defined in the North Shore District Plan as at 1 June 2007.

Advice Note to Condition 3 – Building Heights:

The definition of Mean Ground Level Method in the District Plan as at 1 June 2007 does not allow the use of this method in Residential Zones where any part of the building exceeds 10m above ground level calculated in accordance with the Natural Ground Level Method. This limitation will not apply to this designation.

- Minimum building set backs: From the Albany Highway boundary as at 1 June 2007 – 5m; Side and Rear boundaries – 1.2m (includes unformed road on southwest boundary)
 - Maximum building coverage: 35%
 - Minimum permeable area: 30%
4. The scheduled notable trees identified in the District Plan as Tree Number 94 at 1 June 2007 shall not be removed or any excavation undertaken within the branch spread of these trees as part of any school development and use of the site (excluding any reasonable pruning in accordance with good arboricultural practice). These include one each of a Kauri, Rimu and Totara, and are identified as trees 22, 23 and 24 of the arborist's report submitted with the Notice of Requirement.
 5. The war memorial plinth located between the trees identified in Condition 4 above shall be retained in its existing position as at 1 June 2007.
 6. The Old Albany School Building scheduled as a building of heritage significance in the District Plan as at 1 June 2007 may be relocated within the designation as part of any school development, but may not be demolished or removed from the site (except that it may be temporarily removed from the site during construction of the school for the purposes of protection from construction activity and/restoration). The details of how this building will be reinstated shall be detailed in any outline plan of works involving relocation of this building. This condition shall only apply to the pre-1900 core of the building, and not the more recent additions.

7. A minimum of one parking space for every 10 pupils aged 16 or over, plus one for every employee shall be provided on-site, to a maximum of 300 spaces. For the avoidance of doubt, these parking spaces shall include temporary spaces for drop off and pick up of students.
8. The Minister of Education and the School Establishment Board shall (i) monitor school related traffic in the vicinity of the school, and (ii) resource, develop, review and action a Travel Plan for the School to mitigate real and potential adverse traffic effects as an when the school becomes operational.

Advice note to condition 8

The travel plan would be expected to address the following issues:

- Start and finish times and whether there is a need to stagger these to alleviate demands on parking, particularly at pick up times;
- The outcome of any discussions with the Auckland Regional Transportation Authority over the provision of bus services;
- Provision for bus loading either on-site or on-street clear of the traffic lanes consistent with growth in use of this transport mode;
- Identification of safe access across the roads to the school;
- Identification of safe pedestrian and cyclist routes required to and from the school relative to the school catchment;
- Measures for managing and allocating on site car parks, identification of suitable off-site car parking locations, and policies for use of off-site car parking locations by students
- Provision of on site facilities for bicycles.

The Minister of Education shall only be responsible for those works on the street frontages of the school site or within the school site that are identified as necessary by the Travel Plan.

9. That all activities taking place at the School shall comply with the following noise levels measured at the boundary of properties zoned for residential purposes:

Monday to Saturday	(0700hrs-2000hrs)	50dBA L ₁₀
Monday to Saturday	(2000hrs-2300hrs)	45dBA L ₁₀
Sunday and Public Holidays	(0700hrs-2400hs)	45dBA L ₁₀
Sunday and Public Holidays	(2400hrs-0700hs)	40dBA L ₁₀

This provision shall not apply in respect of the noise generated from student's voices outside between 0800hrs and 1800hrs (excluding Sundays and public holidays).

Sound levels shall be measured in accordance with the requirements of NZS 6801: 1991 Measurement of Sound and assessed in accordance with the requirements of NZS 6802:1991 Assessment of Environmental Sound.

10. Outline Plans of works shall include, among other things:
- An explanation of any significant changes in the location of the buildings and/or layout of the site compared with the indicative concept development plan submitted with the notice of requirement.
 - A statement from a suitably qualified and experienced urban design professional on how the design implements good urban design principles, including how the design achieves a good interface relationship with the Albany Highway.
 - Details of how the design minimises the adverse effects of visibility of structures from "The Landing" residential area.
 - A stormwater management plan detailing the volume of stormwater likely to be generated from the site including proposals for stormwater containment and discharge.
 - Detailed layout of parking, loading and manoeuvring areas, bus bays, and access and ingress to the site, including a supporting statement from an appropriately qualified and experienced traffic engineer.
 - A site management plan to manage construction effects including (but not limited to) sediment control and traffic management measures.

General Advice Note

This designation provides for use of the site as a senior high school. Community use of the school for other activities unrelated to secondary schooling will be required to comply with the rules in the District Plan for the underlying zone, or a separate resource consent for that activity will need to be obtained.

An Assessment of the Proposal against Part 2 of the Resource Management Act 1991, and any Relevant Policy Statements and Plans:

Part 2 of the Resource Management Act 1991

Section 5 - Purpose

The proposal is consistent with the Purpose of the Act in that it will enable people and communities to provide for their social and economic and cultural wellbeing (provision of secondary school education), while avoiding, remedying, or mitigating any adverse effects of the activity on the environment. An assessment of the effects of the proposed activity on the environment is provided below.

Section 6 – Matters of National Importance

Section 6 sets out matters of national importance which all persons exercising functions and powers under the Act shall recognise and provide for.

Whilst the site contains a mixed stand of indigenous and exotic vegetation, the proposal is not considered to be contrary to section 6(c) as the indigenous vegetation and associated habitat on the site is not identified as being, and is not, of national or regional significance. The Minister acknowledges the local significance of this

vegetation. Accordingly, the school will be designed to minimise vegetation and habitat removal as far as practicable.

In terms of section 6(f), historic heritage will be protected by retention and re-use of the Old Albany School building on site. An authority under the Historic Places Act will also be obtained for works associated with relocating this building and re-developing the area where it is currently located.

Section 7 – Other Matters

Section 7 contains other matters to which all persons exercising functions and powers under the Act shall have particular regard.

Section 7(b) relates to the efficient use of natural and physical resources. Suitable land for school development is in extremely short supply in the Albany area due to the strong residential and business growth occurring. Accordingly, use of a smaller site with potential joint use of off-site recreational facilities, and promotion of Transport Demand Management measures as an alternative to providing a large on-site car parking supply, makes an efficient use of very scarce land resources in the area.

Sections 7(c) and (f) relate to the maintenance and enhancement of amenity values and the maintenance and enhancement of the quality of the environment respectively. The proposed designation conditions have been designed to minimise the adverse effects on amenity values and the quality of the environment while recognising the site constraints and still achieving the Minister's objective of establishing a senior high school on the site.

Section 7(d) requires regard to be had to the intrinsic value of ecosystems. Effects on ecosystems are considered in the ecological assessment in Annexure E.

Section 8 – Treaty of Waitangi

Establishment of the proposed senior high school will not be in conflict with the principles of the Treaty of Waitangi.

Relevant Policy Statements and Plans

National Policy Statements

There are no relevant National Policy Statements.

Auckland Regional Growth Strategy

Although not a statutory document under the Resource Management Act 1991, the Auckland Regional Growth Strategy (ARGS) sets out the overall vision for growth in the Region to 2050. Fundamental to the ARGs is achieving a compact urban form, where most growth will be achieved within the current Metropolitan Urban Limits (MUL).

More detailed implementation of the ARGs is achieved through sector agreements. The Northern and Western Sector Agreement, September 2001, is a joint agreement

between various councils to manage sub regional growth. The North Shore City Council is a signatory to this agreement. Albany is identified as an area where significant population and employment growth will occur. Schools are essential elements of community infrastructure that are required to support growth.

Accordingly, provision of a school within an identified growth area to service population growth, particularly in a manner that will minimise use of land in an area required for either residential or employment growth to meet the needs of the wider sub region and region, promotes the vision of the ARGS.

Auckland Regional Policy Statement

Relevant provisions in the Regional Policy Statement (RPS) include provisions addressing the interaction between land use and the transport system (including additional provisions proposed by Proposed Change 6), and provisions relating to natural heritage.

Land use and transport integration is addressed in the traffic effects section of the assessment of environmental effects, and the Integrated Transport Assessment attached as Annexure F. The Minister considers that there is sufficient information available to demonstrate that a school can be successfully established on this site with acceptable effects on the transportation network, and safe and suitable site access arrangements. The Auckland Regional Transportation Authority (ARTA) has indicated general support for the Transport Demand Management measures being proposed including provision of limited on-site car parking and promotion of other modes of transport, which will largely include Bus Services. ARTA has indicated that it will work with the School to ensure appropriate bus services are provided as the school roll grows. The proposed access solutions can work with the existing road network and proposed future works including an extension of Coliseum Drive through to Albany Highway, and possible four-laning of Albany Highway adjacent to the school. The site can be integrated with existing and proposed pedestrian and cycle routes.

The RPS advocates for the control of use and development of resources in manner that preserves or protects the values of heritage resources of international, national or regional significance from significant adverse effects. This includes avoiding the fragmentation of significant connections of indigenous vegetation between significant ecosystems. The ecological assessment attached in Annexure E has not identified the vegetation and associated ecosystem affected by this proposal as being of international, national or regional significance. Given that the adjacent Council and Crown owned reserve land is heavily vegetated, the ecological linkages along Oteha Stream will be maintained adjacent to the development site.

No other provisions in the Regional Policy Statement are considered to be directly relevant to this proposal.

Operative Auckland Regional Plan: Sediment Control

An earthworks consent will be obtained from the Auckland Regional Council once detailed design has been completed.

Proposed Auckland Regional Plan: Air, Land and Water

A discharge permit will be obtained from the Auckland Regional Council for stormwater discharges from the site once detailed design has been completed.

North Shore City District Plan

The site is zoned Residential 5 (New Development) in the District Plan. The overall objective of this zone is:

To control the development of new residential areas and manage existing areas in order that the resulting neighbourhoods:

- i) Have a sense of identity and place.*
- ii) Respect and reflect the existing natural environment.*
- iii) Are safe and convenient places to live.*

Accordingly, in the absence of school use of the site, some form of residential development is a realistic alternative development scenario of the site. Given the zoning of this site and its location within the MUL, residential development of this site would be wholly consistent with the ARGS in the absence of school development. There are no minimum lot sizes specified for this zone. The form of any alternative residential development is difficult to predict, but could include higher intensity living in tall buildings on the flatter parts of the site to reduce impacts on the vegetation. New schools are provided for as discretionary activities in the zone rules.

The Residential 5 zone policies require consideration of important natural values including stream margins and native vegetation. The school design will pay particular attention to these elements, and adverse effects (particularly on native vegetation and associated ecosystems) will be minimised as far as practicable.

Section 5 of the District Plan outlines the issues and goals of North Shore City. Issue 5.4 - Fostering and strengthening our community wellbeing, states that:

"Increasing population and intensity of land use must be carefully managed to ensure that the community continue to have an ease of access to community facilities for recreation, the arts, health, education and housing for the needy".

The proposed Albany Senior High will assist in achieving this goal through promoting ease of access for the growing Albany community to high quality educational facilities.

Other relevant objectives and policies relate to the transportation network, natural environment and historic heritage. These matters have all been addressed in relevant sections of the assessment of Environmental Effects.

An 8m wide building line restriction is shown affecting the Albany Highway frontage. The Minister understands that this has been included in the District Plan to protect the area for future four-laning for Albany highway. The land has not been designated for road widening in the District Plan. The North Shore City Council has indicated that it

will require a 30m wide road reserve in the future for four-laning and provision of suitable cycle ways and services corridors. This will require Council to designate and purchase land along the road reserve of approximately 10 metres in depth. The Council will need to negotiate with the Minister, Massey University and other land holders in the area to determine exactly where this land would be located and who is would be purchased from.

The preferred option for the school is that all or most of this land is taken from the Massey University side for the section of road between the two proposed signalised intersections, as this would allow room for the bus bays and buildings anticipated for the school site while minimising effects on a number of large tree specimens identified on the site (see arborist report in Annexure G). This is quite feasible from an engineering perspective (i.e. there is not need to take any land from the school side between the two proposed intersections to provide a future 30m wide road reserve for Albany Highway should that project occur in the future). Accordingly, the only designation condition proposed in regard to set back of activities from the road is a 5m set back for buildings from the current road reserve boundary of Albany Highway.

The bus bays and buildings could be located further into the site to accommodate road widening on the school side, but this would result in removal of many of the trees that could otherwise be retained. The Minister's representatives will continue to work with Massey University and North Shore City Council with a view to confirming the future road alignment and future land purchase requirements as soon as possible, as this will influence the final position of the main school building and thus the extent of tree specimens that can be retained. This issue does not affect the retention of the three heritage trees.

Section 14.8.1 of the District Plan outlines the information that Council would like to have included with Notices of Requirement under s168 of the RMA. Section 14.8.1(a) simply sets out the information requirements of the RMA, which are set out in the appropriate sections of this notice. Section 14.8.1(b) sets out the additional information required by the Council to be submitted with a Notice of Requirement. These are addressed as follows:

- Provision of a Gazette Notice where the requiring authority is a network utility operator: *NA, requiring authority is a Minister of the Crown.*
- Sufficient information to be able to understand the nature of the proposed work, that information showing the height, shape, bulk of the works, its location on the site, and vehicular access: *Designations provide for the use of sites for particular activities (not necessarily the detailed design of a specific project). Unlike a resource consent application, details of exact positions, heights and set backs of buildings are more appropriately dealt with through the outline plan process as the site is developed once detailed design has been completed. Notwithstanding this, an indicative concept development plan has been provided to demonstrate that the site is feasible for school development. This is one possible design solution for the site. This plan demonstrate that development of a school on this site is feasible, and allows*

an assessment of the general nature and extent of environmental effects that can be expected. However, it is important to note that the final detailed design may not be exactly the same as the indicative information provided. The proposed designation conditions will set a number of design parameters/restrictions within which any detailed design will need to be undertaken. More designation conditions may be offered at the Council hearing as detailed design progresses and more certainly on the form and location of buildings is able to be provided.

- A Statement as to how the work impacts on any relevant provisions of national, coastal and regional policy statements and regional and district plans: *This duplicates the requirements of the RMA, and has been addressed in this Notice.*
- Noise Management Plans for State Highways: *NA.*
- The proposed sequence and timing of the implementation of the work of project shall be provided: *Depending on how quickly a designation can be confirmed for this site, the Minister intends to partially open this school by the first term of 2009. It is likely the majority of school construction would be undertaken in a single stage, with progressive opening of the facilities.*
- Proposals for the use and maintenance of those parts of the land which will not be developed for five or more years: *As already outlined, it is likely the majority of school construction would be undertaken in a single stage. The majority of unutilised land will remain in bush cover.*

No resource consents will be required from the North Shore City Council following designation of the site.

The effects that the public work will have on the environment, and the ways in which any adverse effects will be mitigated are:

Transportation

An Integrated Transport Assessment ("ITA") has been prepared by Flow Transportation Specialists ("Flow"). This report is included in Annexure F. The ITA considers the accessibility of the school for all modes of transport (car, bus, cycle and walking) under both the current and potential future road network. It also sets out Transport Demand Management ("TDM") measures that can be implemented to reduce reliance on private motor vehicles.

The Flow work has been supported by work undertaken by Opus to assess various options for intersection treatments for the adjacent road network that take into account proposed future changes to the roading network (i.e. extension of Coliseum Drive, new private access road for Massey University and possible future four-laning of Albany Highway). An options assessment report prepared by Opus is included in Annexure K. The preferred option involves two signalised intersections adjacent to each of the school accesses, which will allow integration of the school with future

roading projects when they occur. North Shore City Council roading have indicated general support in principle for the preferred solution.

The preferred access and intersection solution can be implemented with the road network as it currently exists, and can also accommodate future road works proposed as and when they occur. This avoids any delay to opening the school should other road projects outside of the Minster's control be delayed.

The Flow report recognises that any new high school in the Albany area is going to attract traffic to the road network regardless of its location. The development of residential accommodation will lead to increased numbers of high school students in the area, and this will necessarily increase the need for students to be transported to the educational facilities that they attend (wherever those facilities are located). Provision of an additional senior high school in this area will not in itself increase traffic on the road network per se, but will bring traffic to the part of the network near that new school while reducing the need for students to travel outside the area to other existing high schools. Implementation of TDM measures will reduce the extent to which the transport of students generates private vehicle movements on the network.

This school will have adverse cumulative effects on the operation of parts of the road network. However, limiting on-site car parking and promoting TDM measures may be beneficial to the wider road network compared with other options that have less site constraints and as such less desire to minimise vehicle trips through the promotion and facilitation of alternative modes of transport. The school has already been accepted by North Shore City Council for inclusion in the TravelWise programme for schools. As part of this programme, travel planners from ARTA will assist the school in identifying issues with travel to and from the school, and will assist the school in coming up with solutions, which would also include TDM measures.

Provision of signalised intersections at the school access points will minimise vehicle conflicts with pedestrians and cyclists, and will provide a safe means for pedestrians crossing Albany Highway, including pedestrians moving between the Millennium Student Village and Massey University.

Provision of bus services has been discussed with ARTA, and they have provided a letter of general intent to work with the stakeholders in this project to provide appropriate bus services as the school roll grows (letter appended to Flow report). As the student catchment is generally the same as that of the existing junior high school at Appleby Road that already has a culture of high bus usage, this should make it easier to establish such a culture at the senior high school. There will also be opportunities to share and supplement bus services already established for the junior high school.

The Minster only proposes to provide a maximum of 300 car parks on the school site. This is driven in part by site constraints, but also provides the opportunity to encourage and implement sustainable travel patterns (i.e. if additional car parks are provide onsite, they will simply be used). This supply exceeds the requirements of the District Plan for car parking for schools. Car parks will need to be pre-allocated

each year under appropriate criteria so it is clear who can and can not park on site (see Flow report). One potential negative effect of the proposed maximum supply of car parks, and which occurs to varying extents around most schools where students are of driving age, is that student parking in the surrounding road network may cause a nuisance for other institutions, businesses and residential areas in the locality. The TDM measures as recommended in the Flow report are designed to minimise this as far as practicable. Other institutions and businesses can manage unauthorised parking on their own sites. On public roads, the most effective method for managing parking is through parking restrictions to make all day parking unrealistic. In business areas, this is a common method used to manage and ration parking.

This may be less desirable to residents in *The Landing* residential area. Without parking restrictions, there may be adverse effects on *The Landing* with students parking in this area causing congestion and potentially blocking narrow streets. Implementation of parking restrictions during the school day is considered to be the most effective means of dealing with this issue, should it arise. Such restrictions can only be implemented by the North Shore City Council, and will require consultation with the community. Observation of houses in *The Landing* indicates that they are generally modern and include internal garaging plus additional driveway space for accommodating visitor parking during the school day. Therefore, while parking restrictions may be inconvenient in some instances, in general they should be effective in stopping most student parking during the school day. Such restrictions would not be necessary in evenings and at weekend/holidays. The Minster will support any initiatives by the North Shore City Council to implement parking restrictions in *the Landing*. The more inconvenient car parking is for students, the more motivated they will be to utilise alternative modes of transport, thus minimising impacts on the road network.

The Flow ITA concludes that, from a transportation planning perspective, the proposal can be achieved in a manner that supports the function, capacity and safety of the adjacent road network. Traffic, cyclist and pedestrian movements to, from and past the site can be readily accommodated by the proposed signalised intersections at the school's driveways. Accordingly, there is no transportation planning reason to preclude acceptance of this designation.

Ecology

An ecological assessment is attached in Annexure E. This assessment considers the vegetation and associated habitat on the site itself, as well as the aquatic biota and potential effects on Oteha Stream which is a tributary of Lucas Creek.

With regard to freshwater resources, the ecological assessment concludes that given the reserve buffer between the development site and the Oteha Stream, there will be no direct effect on freshwater resources provided suitable mitigation measures for erosion and sediment control are implemented during construction. A small ephemeral stream passes through the site which is likely to be affected by construction of the school. The ecological assessment concludes that the habitat of this ephemeral stream is of limited quality and its removal will be of no ecological significance.

Any stormwater discharge to the Oteha Stream will require a discharge permit from the Auckland Regional Council. Usual Auckland Regional Council requirements for stormwater treatment before discharge to waterways will protect the quality of Oteha Stream.

The vegetation to be removed has not been identified in the District Plan as being of any particular significance. No publications reviewed showed this specific area as having any particular national, regional or local significance. However, it does have inherent ecological value. The indicative concept submitted with this Notice would require removal of up to approximately 1.6ha of the existing approximate 2.7ha of bush to be removed. The ecological assessment confirms that this will have a significant effect in terms of the site itself, but a minor effect when considered in the wider context of the Albany North Area. The design of the school seeks to minimise bush removal as far as practicable to mitigate the adverse effects of its removal. Furthermore, the ecological corridor along Oteha Stream will be retained, as the bush on site is contiguous with a larger area on Council and Crown reserve zoned land that is effectively protected from any development.

An assessment of the site by an arborist has also been undertaken (see report in Annexure G). In addition to the overall stand of bush that is subject to general tree controls in the District Plan, there are three specifically identified heritage trees forming part of a war memorial that are located generally adjacent to the rear of the Old Albany School building. A designation condition is proposed to protect these trees. The arborist report also identifies several specific large tree specimens within the wider bush stand, which although not specifically listed in the District Plan, can be considered to be significant trees. Removal of these particular tree specimens will have adverse effects due to the inherent value of large mature tree specimens in good health. The school will be designed to avoid these trees as far as practicable. An exact building footprint and thus confirmation of which trees can be retained can not occur until the alignment of the road reserve to accommodate future four-laning of Albany Highway is confirmed.

In summary, adverse effects on ecology will be mitigated by the following measures:

- Sediment control and stormwater management measures to avoid adverse impacts on Oteha Stream;
- Compact design of buildings and car parking areas to minimise bush removal;
- Retention of ecological/wildlife corridor on adjacent reserve land and unaffected parts of school site contiguous with the reserve; and
- Retention of specified heritage trees, and where practicable the additional specifically identified significant tree specimens.

Amenity

The Objectives and Policies for the Residential 5 Zone require new development to take account of the existing natural environment. The school will be designed to minimise removal of existing vegetation on the site both due to its inherent ecological value, and positive visual attributes it provides. To achieve this, it is necessary to erect buildings that are taller than would normally be undertaken in a Residential 5 zone (i.e. to minimise the required building footprint on the site and associated

earthworks and vegetation removal). General amenity effects including visual impact, dominance of buildings and daylighting will be mitigated by the following:

- The separation provided to residential areas across Oteha Stream by distance, topography and retention of vegetation on the higher parts of the site.
- Height limits that will limit taller buildings to the area closer to Albany Highway and the University land opposite, and will limit the height of buildings on other parts of the site to that provided for in the underlying Residential 5 Zone.
- The school is generally on the south side of the student village and will be designed and constructed to comply with existing District Plan height in relation to boundary controls from that property to minimise and impacts on outlook and day lighting.
- The proposed designation conditions will ensure that the amount of permeable areas and maximum building coverage will be consistent with that allowed by the underlying Residential 5 Zone.
- The school is located in close proximity to a very large university campus with large institutional buildings which is a defining characteristic of the general amenity values of the locality.
- Significant opportunities will be available for undertaking further landscaping of the site.
- There will be a strong emphasis on urban design in the detailed design of the buildings, with particular emphasis on the interface between the buildings and Albany Highway.

Based on the indicative concept development plans attached to this notice, with the main buildings shown on the lower land towards Albany Highway, most of the school would not be visible from *The Landing*. Any built form visible from *The Landing* would be seen in the context of the lighting towers from North Harbour Stadium that already rise above the bush line when viewed from parts of *The Landing*. Furthermore, unlike the residential subdivisions on the hill slopes to the north, a generous vegetative buffer will be retained within the Reserve zoned land on the eastern side of the Oteha Stream, creating an attractive foreground view and vegetative screen.

Given that the site is located within a fast growing urban area and has a Residential 5 zoning, it is considered to be unrealistic for the community to expect no visual change on this site. In recognition of potential visual impact on *The Landing*, a designation condition is proposed that would require specific consideration of the visibility of buildings from *The Landing* in any outline plan of works submitted to Council. This will be a specific consideration in the final design. A designation condition is also proposed that will require the current District Plan height to boundary control to be met from the common boundary with the Millennium Village student accommodation. This is designed to mitigate potential impacts on daylighting and dominance by tall buildings. It is also located on the south side of the Millennium Village where any impacts on daylight will be at their least. Height limits are also provided that would limit taller buildings to that part of the site closest to the Albany Highway.

The Minister is also aware of the strong emphasis the Council places on urban design. The buildings will be most visible from Albany Highway, the Presbyterian Church and Massey University campus on the opposite side of Albany Highway, and the adjacent Millennium Village. The concept development plan provided with this Notice is indicative only for the purposes of demonstrating it is feasible to establish a school of the required size on this site. However, given the nature of the site constraints, the general layout of the site is likely to be the same or similar to the conceptual information provided. The proposed height limits will also limit the way in which the site can practically be developed. The Minister/school will consult with Council urban design advisors on the detailed design of the school prior to any outline plan of works being submitted for the substantive stage(s) of the project. A designation condition is proposed requiring any outline plan to describe how the design takes account of good urban design principles, with particular attention required to the interface between the buildings and Albany Highway.

Noise effects are assessed separately. However, schools are typically located on sites adjacent to residential areas. Residential neighbours of this site are limited to a student village on one boundary reducing the overall potential for noise nuisance. There will be no significant noise sources at night when noise nuisance is most likely to occur.

Infrastructure

An infrastructure assessment for the site has been undertaken which is attached as Annexure H. That assessment confirms that it is feasible to provide all necessary utility services to the site, while normal sediment control measures can ensure erosion and sediment mobilisation can be suitably controlled during construction. Detailed sediment control measures will be required as part of any future consent application to the Auckland Regional Council for bulk earthworks.

The site is not served by a piped stormwater system, so will require on-site treatment before discharge to the Oteha Stream. This will require a discharge permit from the Auckland Regional Council which will ensure appropriate detention and treatment is incorporated into the stormwater system design.

Three options were identified for connecting the site to the Council's reticulated wastewater system. The final solution will be dependent on further discussion with North Shore City Council utilities engineers and negotiation of access agreements where required. The existing reticulated system has sufficient capacity for all of the connection options.

All other services are available at or can easily be extended to the site boundary.

Historic Heritage

There are a number of historic features on or in close proximity to the site. The Albany Cemetery and adjacent church are located on the opposite side of Albany Highway. The cemetery itself is listed as a place of heritage significance in the District Plan. The cemetery and church will not be directly affected by the development of the school site. The proposed extension of Coliseum Drive generally

adjacent to the church, and future four-laning of Albany Highway, are projects to be undertaken by the North Shore City Council and are not directly related to the school project.

The Old Albany School building is identified in the District Plan as a Category A building of heritage value. A school was originally established on the site in 1876. However, this was destroyed by fire and the core of the current listed building was established in 1897. A school continued to operate on the site with various additions and modifications to the buildings up until 1975. The site and old school building has more recently been used as an outdoor education centre. Retaining the building in its current location would have a significant impact on the ability to develop a school on the site within the proposed development restrictions. However, the Minister recognises the historic significance of this building and its relationship with the site. Accordingly, it is proposed that this building (excluding the more recent additions) be relocated within the site for reuse, possibly as a museum. Specialist architectural advice will be sought as part of any detailed proposal to relocate this building. A designation condition is proposed that would allow relocation of the building within the site, but not its demolition or complete removal (apart from temporary removal during school construction for protection and/or restoration of the building)).

The Minister understands that the three scheduled trees identified in the District Plan were planted as a war memorial to ex pupils of the Old Albany School killed in the Boer War and WW1. A small war memorial plaque (not listed in the District Plan) is also located within these trees. Designation conditions are proposed to protect these features. The Minister also understands that the existing school gate pillars were erected by the local community as a memorial to ex pupils killed in WWII. These gate pillars will be incorporated into the new school design.

An archaeological assessment of the site has been undertaken, which is attached as Annexure I. The assessment concluded that the school grounds and regenerating bush areas do not have any archaeological issues. The old school buildings and curtilage area constitutes an archaeological site recorded under the NZ Archaeological Association site recording scheme as R10/1135. Accordingly, an authority under the Historic Places Act 1993 will be required to move the building (including associated earthworks). The Minister's representatives have undertaken preliminary consultation with the Regional Archaeologist for the Historic Places Trust who has given provisional advice that there is unlikely to be any reason why such authority will not be granted when an application is made. Conditions are likely to focus on adequate site supervision and recording of any artefacts unearthed during site works, and means for protecting and restoring the building. As an authority from the NZ Historic Places Trust for this work is required by other legislation, no designation condition regarding this issue is necessary.

Noise

The school is located on residentially zoned land. The only noise sensitive property in the immediate vicinity is the Millennium Village student accommodation on the site to the immediate north. Urban schools are typically located in residential areas throughout New Zealand. The majority of noise generating activity will be undertaken on week days during and just outside normal school hours. Significant

noise generating activity will not occur at night time when noise nuisance and sleep disturbance is most likely to occur. There are well established designation conditions for operational school noise in North Shore City.

The noise assessment report in Annexure L recommends suitable noise controls for this site, and concludes that the noise effects on residential neighbours will be no more than minor.

Hazardous Substances

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

Natural Hazards and Development Suitability

The Minister is not aware of any specific natural hazards affecting this site. Suitable geotechnical investigations will be undertaken as part of the detailed design process. The Council's GIS database did not identify any specific natural hazards or site contamination issues.

Alternative sites, routes, and methods have been considered to the following extent:

The Minister initiated a search for a suitable site for a senior high school to serve the Albany area in March 2003 when it commenced discussions with Massey University over the possibility of siting a school on the university campus. Negotiations were undertaken over an approximate 18 month period but ultimately an agreement was unable to be reached between the University and Ministry of Education for establishing a school on this land.

In 2005 a site selection study of Northern Albany was commissioned by the Ministry of Education to identify other suitable sites for development as a Senior High School (years 11-13) and a Junior High School (Years 7-10). The Study Area was generally limited to the area bounded by the Northern Motorway, Upper Harbour Highway, Albany Highway, and Oteha Valley Road, as this area best aligns with the student catchment to be served.

The study was undertaken on the basis of the Ministry of Education's two stage site selection criteria. This study together with Massey University and other sites that were later brought to the Ministry's attention resulted in a total of 20 sites being considered. The Minister has since decided that an additional junior high school for the North Albany Area is not currently required. However, the sites identified for that school were subsequently considered for the senior high school.

The short listed sites for the senior high school included Rosedale Park, and two privately owned development sites on which the owners proposed major housing developments. The owners of the development sites declined to enter into land negotiations with the Minister. The Minister obtained approval in principle from the North Shore City Council to investigate the feasibility of establishing the senior school

on Rosedale Park. This was investigated and discussed with Council officers at some length. The proposal required relocation of existing recreational users and revocation of the reserve status under the Reserves Act 1977. Consultation with a local residents group, local business group and the Pinehurst School met with a strong negative reaction to siting the school at the corner of Rosedale Road and Bush Road, which is the only part of the Park not affected by an odour buffer for the sewerage treatment plant. The Council's wastewater department did not favour removal of the odour buffer to allow an alternative location within Rosedale Park. Given the numerous issues to resolve with a Rosedale Park option, the community concerns raised, and the time frame within which to obtain designation and construct and open a school. The Minister resolved to progress with a designation for the Outdoor Education Site, a site already in Crown ownership and designated for an educational use by the Minister of Education.

The Outdoor Education Site was initially a short listed option for the junior high school. Given the limited feasible options available and the key factor that the land is already in Crown ownership for educational use, it was decided that, with an innovative design and use of off-site facilities for some recreation and sports activities, this site was the most feasible of the options available to achieve the objective of the Minister to open a senior high school by 2009, or as close to this date as possible.

A plan showing the locations of all sites investigated and a summary of why they were not selected are included in Annexure J.

The public work and designation are reasonably necessary for achieving the objectives of the requiring authority because:

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

The Education Act 1989 empowers the Minister of Education to designate schools. Those elected to the Board of Trustees are legally responsible for the management of their school, in the same manner as applies to all other State schools.

The project is reasonably necessary in achieving the Minister's objective, which is to develop a senior high school to provide state schooling education for existing and future expected year 11–13 students in the Albany area by 2009 or as soon thereafter as is possible. In implementing that objective, the Minister has accepted that there is a limited number and range of possible sites in the area; that a smaller and more constrained site than is normally sought may therefore be needed; and that an original and innovative design for the school may therefore be required, notwithstanding any additional costs and challenges that are inherent in that approach.

Designation is considered to be the appropriate mechanism to provide for the establishment and on-going operation of the school for its proposed purpose. The

Minister requires on-going certainty that the site can be developed and used for this purpose. Designation provides the necessary long-term certainty and flexibility for operation of a school on the site, while also identifying the use of the site for the general public.

All other state secondary schools in North Shore City are designated.

The following resource consents are needed for the proposed activity and have been applied for:

No consents are required from the North Shore City Council once the site is designated.

Necessary resource consents from the Auckland Regional Council for stormwater discharge, earthworks and works in a watercourse (in ephemeral stream within site if required) will be applied for once detailed design has been undertaken.

The following consultation has been undertaken with parties that are likely to be affected:

Consultation for the Albany Senior High School has been undertaken for both the Rosedale Park and Outdoor Education Options.

Discussions with the Council over potential purchase and designation of part of Rosedale Park was largely undertaken via a joint working group involving both Ministry of Education representatives and representatives of the Council's Parks and Property departments. Additional discussions were also undertaken with representatives of the Council Water and Wastes, and Strategy and Policy Sections. External consultation was also undertaken by the Ministry of Education with the Albany Basin Business Association (ABBA), Pinehurst School and representatives of a residents group from the adjacent residential area. For the reasons outlined under the assessment of alternatives section of this Notice, it was decided there were too many risks associated with pursuing a designation at Rosedale Park given the preferred opening date for the school.

The following organisations (in addition to departments of North Shore City Council) have been consulted by the Ministry of Education and/or their agents to date with regard to the Outdoor Education Centre site:

- Massey University
- Auckland Regional Transportation Authority
- Secretary of Body Corporate, Millennium Village
- Friends of Lucas Creek
- Albany Energy Group Inc
- Albany Village Community Coordinator
- Albany Presbyterian Church
- Albany Historic Society
- Settlers Albany (proposed retirement home at 550 Albany Highway)

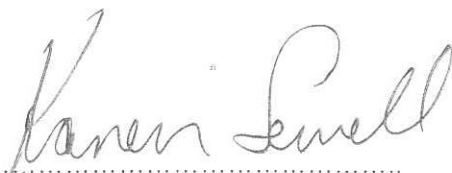
- New Zealand Historic Places Trust
- Ngati Whatua
- Auckland Regional Transportation Authority (ARTA)
- *The Landing* residents group
- Albany Outdoor Education Trust
- Browns Bay RSA
- North Shore Forest and Bird Committee
- Various individuals with knowledge of the history of the site

The Minister's representatives will continue consultations with affected organisations as appropriate in parallel with the formal statutory designation process.

The Minister of Education attaches the following information required to be included in this Notice by the district plan, regional plan or any regulations made under the Resource Management Act 1991:

- **Annexure A: Designation Plan**
- **Annexure B: Gazette Notices**
- **Annexure C: Demographic Report**
- **Annexure D: Concept Development Plan and Height Controls Plan**
- **Annexure E: Ecological Assessment**
- **Annexure F: Integrated Transport Assessment**
- **Annexure G: Arborist Report**
- **Annexure H: Infrastructure Report**
- **Annexure I: Archaeological Assessment**
- **Annexure J: Sites Investigated**
- **Annexure K: Intersection Options Assessment**
- **Annexure L: Noise Assessment**

Signed by:



Karen Sewell

Secretary for Education

(pursuant to an Instrument of Delegated Authority dated 12 July 1996)

10 June 2007

Date

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