

# Notice of Requirement

## Assessment of Environmental Effects Report


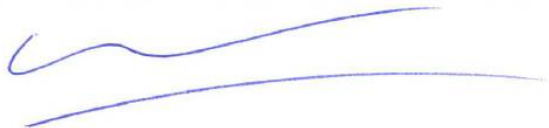
### Minister of Education

47 & 49 Gilbransen Road, Huapai

28 September 2015



## Quality Control

<b>Title</b>	Notice of Requirement – Primary School at 47 & 49 Gilbransen Road, Huapai
<b>Client</b>	Minister of Education
<b>Version</b>	Final
<b>Date</b>	28 September 2015
<b>File Reference</b>	A40051.00
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# Overview

<b>Requiring authority:</b>	The Minister of Education
<b>Objective:</b>	The Minister of Education proposes to establish a primary school catering for school age children from year 0 to year 8, as well as an Early Childhood Education Centre catering for preschool children.
<b>Site address:</b>	47 & 49 Gilbransen Road, Huapai.
<b>Legal description:</b>	Lot 4 DP 330798, held in certificate of title 126501 and Lot 1 DP 137503 held in certificate of title NA81C/125 (refer Appendix B).
<b>Ownership status:</b>	The site is owned by the Crown for ‘education purposes’
<b>Site area:</b>	Approximately 2.5 hectares.
<b>Relevant legislation:</b>	Notice of requirement for a designation under section 168 of the Resource Management Act 1991.
<b>Designation purpose:</b>	To designate the site for “ <i>Educational Purposes – Primary School (years 0 to 8) and Early Childhood Education (preschool)</i> ”.
<b>Operative District Plan:</b>	Current underlying policy zoning is both Medium Intensity Policy and Park Residential Policy within the Huapai North Outline Plan (Special Zone 29) in the Auckland Council District Plan – Operative Rodney Section 2011.
<b>Proposed Unitary Plan:</b>	Proposed underlying zoning is Single House in the Proposed Auckland Unitary Plan. The site is within the Huapai North A and B Sub-precincts.
<b>Special Housing Area:</b>	The site not located within a Special Housing Area.
<b>Additional consents:</b>	No other consents required as part of this notice of requirement. Regional consents and/or consent under the <i>Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011</i> may be required in the future when a school is developed on the site following land designation.

## 1.0 Introduction

The following document and attachments respond to section 171 of the Resource Management Act 1991 ('the Act') in respect of a notice of requirement ('notice') by the Minister of Education ('the Minister') to designate a site for the development of a school and Early Childhood Education Centre (herein referred to as the 'school and ECE') in Huapai. Section 171 of the Act outlines the matters the Auckland Council shall have regard to in considering this requirement and making a recommendation to the requiring authority.

The following assessment addresses those matters in section 171(1), provides background to the requirement, and describes the nature of the designation.

Subject to Part 2 of the Act, this document assesses the actual and potential environmental effects and the proposed mitigation measures, assesses the designation against the relevant provisions of relevant policy statements and plans, and outlines the alternatives considered, why the designation is reasonably necessary, and the consultation undertaken with potentially affected parties.

The purpose of the designation being included in the Auckland Council District Plan – Operative Rodney Section 2011 ('Operative District Plan') and the Proposed Auckland Unitary Plan ('PAUP') is to enable the future development and subsequent use of education facilities on the subject site for primary school early childhood education. This will be required in the future to respond to growth projections for the area.

## 2.0 Site Description

The site is located at 47 & 49 Gilbransen Road and is legally described as Lot 4 DP 330798, held in certificate of title 126501 and Lot 1 DP 137503 held in certificate of title NA81C/125. It is a square shaped site of approximately 2.5 hectares in area which is currently being used for rural living purposes. It is generally flat and the only built structures on the site are two residential dwellings (one on each existing title) and associated buildings. Refer to Figure 1 for an aerial photograph of the site. Both titles have consent to be subdivided for residential sections.

Gilbransen Road lies adjacent to the western boundary of the site. This road is sealed but without kerbing or footpaths. The boundary along the road is lined with both post and wire fencing and trees. The other boundaries have a mixture of post and wire fencing, hedging and trees.

The wider locality is a mix of properties that are either used rural or rural living purposes, or are either residential sections or are under development as residential sections. Land adjoining to the immediate east of the site and along part of the southern boundary is the Huapai Recreation Reserve, which is fully developed as sport fields. Land adjoining to the immediate north of the site is land currently being developed for residential use. Properties across Gilbranson Road to the west and the site adjoining along the balance of the southern boundary are also used for residential purposes with those along Lockyer Road having recently been subdivided.

The site has been purchased by the Crown for "education purposes".





Figure 1: Location of site and surrounds. Source: Auckland Council GIS Viewer.

## 3.0 Background

### 3.1 Huapai North Outline Plan

The site and surrounds are within the Special 29 (Huapai North) Zone and is subject to the Huapai North Policy Area and the Huapai North Outline Plan. These identify the land use strategy and proposed roading layout for the area. The Huapai North area is primarily planned for residential development and is developing as such given the ongoing subdivision and development occurring. While the site itself is subject to two different residential policy areas (Medium Intensity and Park Residential), other policy areas within the Huapai North Outline plan include the Huapai Reserve and Huapai North Local Shops policy areas. The intent of the Huapai North Outline Plan to provide for a residential extension to the Huapai and Kumeu township.

### 3.2 Proposed Auckland Unitary Plan

Within the Proposed Auckland Unitary Plan (PAUP) the site and surrounds are largely within the Single House Zone with some sharing a split zoning with Rural Production and Large Lot Zones. Following discussions with Council, it was noted that the wider surrounding area is earmarked for future urban growth which is shown by the Future Urban zoning in the PAUP. While it is noted that this zoning appears to mainly be south of SH16 effectively severing it from the site, a school on the site is expected to capture a portion of this future growth to the west of the site on the north side of SH16.

### 3.3 Special Housing Areas

Within the wider surrounding area there are two Special Housing Areas (SHAs) that were released as part of Tranches 1 and 3. These are the Huapai Triangle (Tranche 1) and Orahia Road (Tranche 3). The purpose of these areas is to fast track residential development and the status of these areas as SHAs is indicative of future growth to occur in the wider area.

### 3.4 Rapid Response Structure Plan Kumeu-Huapai

The purpose of the rapid response structure plan for Kumeu-Huapai (released in 2014) is to provide an overall policy view on how the area should develop over the next 30 years. This is a non-statutory document that was driven by the Auckland Housing Project Office ('HPO'), intended to enable the HPO to ensure the master planning of the two SHAs will be cognisant of the wider future land use patterns. The proposed school site is within the Single House Zone within the structure plan which aligns with the zoning within the PAUP. The development of this rapid response structure plan (while not formally adopted by Council) is yet another indicator of the future growth to occur in Kumeu-Huapai.

### 3.5 Provision of a Primary School and ECE in Huapai North

The school and ECE are required to service the projected residential population within the Huapai North area, and in addition may also provide school capacity for some of the population in the existing parts of Huapai and Kumeu. The Ministry of Education stated in its site brief to acquire a school in the Huapai North area that *"the north west Waitakere area is anticipated to grow substantially over the next 10 years. The Ministry has considered the impact of the continuing population growth on the existing schooling network and considers that plans for several new primary schools should commence."* This population growth prediction is validated through the PAUP (Auckland Council) and SHA (Central Government) processes to enable urban development for this area. While it is noted there is an existing school in the Kumeu-Huapai area (Huapai District School), located to the south of SH16, it is not well located to accommodate the growth to occur in the Huapai North area given the severance created by SH16.

Given the above, the site is considered appropriate for future development as a school and ECE. Designation of the site for educational purposes will formally confirm the site's use in the Operative District Plan and PAUP, thereby offering the community and the Council a high degree of certainty of what the site will be used for in the future, as well as providing the planning certainty required by the Minister.

## 4.0 Description of Proposal

The estimated likely maximum student roll for the primary school is 750 children and approximately 25 staff. While the actual future roll cannot be predicted with absolute certainty, this is considered to be a reasonable basis on which to assess the effects of developing a school in this location. The ECE will be licensed to accommodate a maximum of 50 children with approximately 10 staff. It is likely that the ECE will operate independently from the school – i.e. in a separate building with its own ancillary facilities within the designated land.



The hours when classes will be held on site are expected to be similar to most other schools. In general, core teaching hours for primary schools in New Zealand are undertaken on weekdays and can start between approximately 8:30am – 9am and end between 3pm – 3:30pm.

The ECE would have the same general operating hours to other Early Childhood Education Centres which could include all day care or part day care on weekdays.

No detailed design of the school and ECE facilities been undertaken at this stage, and as such plans for the development of the site are not included with this notice. This will be addressed at the outline plan of works stage. However, as is typical for any primary school and ECE facilities, some or all of the following are expected to be developed on the site:

- Buildings; including classrooms, hall, library, gymnasium, IT units, administration office space, staff workspace, caretaker's facilities, dental clinic, sick bay, etc.
- Playing fields, hardcourts, playground structures
- Vehicle accessways, parking space for staff and visitors, temporary drop off / pick up parking space, loading bays
- Footpaths, landscaping, fencing
- Servicing; including water, sewer, stormwater, electricity, telecommunications, gas, outdoor lighting

Designation conditions, to assist in mitigating the effects of any school and ECE developed on the site, are proposed below.

While a specific development plan has not been provided, a development concept prepared by Jasmax Architects as part of the due diligence assessment of this site is provided in Appendix F to show at a high level that it is feasible to develop a primary school and ECE on this site. This plan is provided for information purposes only and does not form part of the designation.

## 4.1 Proposed Restrictions

### **Designation Purpose**

*Educational Purposes – Primary School (years 0 to 8) and Early Childhood Education (preschool)*

### **Designation Conditions**

#### **1. Lapse of designation**

*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. Building height**

*Any new building or building extension (excluding goal posts and similar structures) shall comply with the height in relation to boundary control of 2.5m high on the boundary and an angle of 45 degrees from any adjoining land zoned primarily for a residential purpose.*

## 2. **Noise**

*The operation of the school shall comply with the following noise limits at the boundary of any site zoned primarily for a residential purpose, or in the case of a rural zone, at a point 20m from the facade of any dwelling, or the site boundary, whichever is closest to the dwelling:*

<b>DAY/TIME</b>	<b>NOISE LEVEL (<math>L_{eq}</math>) dBA</b>
<i>Mon – Sat, 7.00am – 10.00pm (0700 -2200)</i>	55
<i>Mon – Sun, 10.00pm –7.00am (2200 -0700)</i>	45

$$L_{MAX} = 75\text{dBA}$$

*These noise levels shall not apply to noise from normal school outdoor recreational activities occurring between 0800 and 1800 hours 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. **Car parking - school**

*On-site car parking shall be provided at the rate of two 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. For the avoidance of doubt, this condition shall only apply where there is a net increase in the number of classrooms or classroom equivalents.*

## 4. **Car parking – early childhood education**

*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.*

## 5. **Outline plan of works requirements**

*That an outline plan of works shall not be required for:*

- Any internal building works other than those that result in a net increase in the number of classrooms or classroom equivalents;*
- General building maintenance and repair work including but not limited to re-painting, re-cladding and re-roofing;*

- c) *Installing, modifying and removing playground furniture and sports structures (e.g. goal posts);*
- d) *Amending any internal pedestrian circulation routes/pathways;*
- e) *Installing, maintaining or repairing any in ground infrastructure services such as stormwater, sewerage and water lines and connections, including any ancillary earthworks;*
- f) *Provision of landscaping and gardens, provided that it does not conflict with any designation condition or alter landscaping required as mitigation as part of an outline plan for other works; or*
- g) *General site maintenance and repair work, or boundary fencing otherwise permitted by the District Plan.*

#### **6. 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 Travel Plan which provides specifically for measures to reduce vehicle dependence, including walking school buses, car pooling, 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.*
- b) *This Plan shall be developed in consultation with Auckland Transport Community Transport group and shall be reviewed at the time of submitting each subsequent Outline Plan of Works relating to increased student capacity.*

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

- a) *An on-site pick up and drop off area for the school shall be provided. The number of pick up and drop off bays shall be determined by an assessment of the peak demand for vehicles entering and exiting the site, to be demonstrated by a transport assessment to be submitted as part of any outline plan to increase class room numbers. Bays may be provided on a staged basis consistent with each stage of school development. For the avoidance of doubt, any short term pick up and drop off spaces are part of and not in addition to the minimum number of spaces required by Condition 3.*
- b) *An assessment of the need for a bus pick-up and drop-off facility shall be submitted as part of any outline plan to increase class room numbers. Bus facilities may be provided on a staged basis consistent with each stage of school development.*

#### **8. Construction**

*A construction management plan shall be prepared and submitted with any Outline Plan of Works for major site works.*

## 9. Soil

- a) *A development plan of works prior to the commencement of earthworks shall be provided to Auckland Council.*
- b) *Prior to commencement of construction of the first stage of the school, an updated Detailed Site Investigation to that previously undertaken as part of the residential development proposal for the site shall be undertaken in accordance with the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011, or any updated regulations. The results of the investigation shall be submitted with the first outline plan of works for development of the site.*
- c) *Based on the results of the updated Detailed Site Investigation, a Remedial Action Plan (RAP) shall be developed that details the proposed remedial works required to ensure the site is suitable for development for school use, and the required validation sampling and regulatory reporting. The RAP shall be provided to the Council as with the first outline plan of works for development of the site.*

### **Advice notes**

- a. *If after a review of the updated Detailed Site Investigation the activity is found to require resource consent either under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011, or any regional plan, a resource consent will need to be applied for.*
- b. *If evidence of contamination, which has not been previously identified, is discovered during excavation, the requiring authority shall immediately cease the works and notify Auckland Council and provide a site contamination report and a remediation action plan if necessary to the satisfaction of Council.*
- c. *The requiring authority must ensure that the contamination level of any imported soil complies with Auckland Council's clean fill criteria.*
- d. *The requiring authority shall provide soil test results and evidence of the disposal to the Auckland Council.*
- e. *The requiring authority shall at all times control any dust in accordance with the Good Practice Guide for Assessing and Managing the Environmental Effects of Dust Emissions, Ministry for the Environment (2001).*

Conditions 2 to 5 above are consistent with those being sought by the Minister as 'core conditions' for imposition on all existing school designations that are being rolled over into the PAUP. Standard conditions 5 and 6 as notified in the PAUP for the rollovers relate to scheduled trees and scheduled heritage buildings respectively. Given that there are no scheduled trees or buildings located on the subject site, it is not considered necessary that these standard conditions apply to this designation. In terms of the proposed height to boundary condition, it is proposed that the height to boundary condition for this designation replicates the height to boundary control proposed for the Single House Zone in the PAUP, noting that in the PAUP the control does not apply to Open Space zones where the site exceeds 2000m<sup>2</sup>.

It is the Minister's preference that as far as practicable the wording of conditions relevant and common to all schools remains consistent with those being sought for other schools throughout the Auckland Council area. Additional conditions 6 to 9 are considered appropriate to this site as it is a 'greenfield' development site. Within the scope of these conditions, any specific design proposal will be subject to an outline plan of works, where the Council can comment and if necessary request changes to any detailed development proposals for the site. The extent of residential development around the site at the time the school proceeds will determine what specific scope of infrastructure works the Minister may need to undertake to establish the school, and thus the detail of what is required is more appropriately left to the outline plan of works stage.

### **Purpose Explanation**

The proposed designation will enable the establishment of a school and ECE that is able to cater for primary school students in years 0 to 8, and pre-school children.

The inclusion of "*educational purposes*" in the designation purpose is intended to outline the general nature and scope of activities that can be considered as being within the scope of the designation. However, this is further limited by the specific reference to a year 0-8 school and an ECE (i.e. does not provide for the establishment of a secondary school). "*Educational purposes*", in the absence of any specific conditions to the contrary, shall:

- a. Enable the use of the facilities on the site by and for the educational benefit of any preschool and school age students (i.e. years 0 to 8) regardless of whether they are enrolled at the institution located on the site.
- b. Enable the provision of supervised care and study opportunities for students outside school hours in school facilities.
- c. Enable the provision of community education (e.g. night classes for adults) outside school hours in school facilities.
- d. Include but not be limited to the provision of academic, sporting, social and cultural education including through:
  - Formal and informal recreational, sporting and outdoor activities and competitions whether carried out during or outside school hours;
  - Formal and informal cultural activities and competitions whether carried out during or outside school hours;
  - The provision of specialist hubs and units (including language immersion units and teen parenting units) for children with particular educational requirements or special needs.
- e. Enable the use of facilities for purposes associated with the education of students including school assemblies, functions, fairs and other gatherings whether carried out during or outside school hours.
- f. Enable the provision of associated administrative services; carparking and vehicle manoeuvring; and health, social services and medical services (including dental clinics and sick bays).

- g. Enable housing on site for staff members whose responsibilities require them to live on site (e.g. school caretaker).

## 5.0 Statutory Assessment

The following provides a statutory assessment of the proposed school and ECE in accordance with the Act. The statutory documents of relevance include the Act itself, the Auckland Plan, the Auckland Regional Policy Statement ('the RPS'), the Operative District Plan, the PAUP and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ('the NESCS').

### 5.1 Resource Management Act 1991

The Act provides for the use and development of New Zealand's natural and physical resources through:

- Part 2, which establishes the purpose and principles applying to resource consents and designations;
- Sections 168, which enables a requiring authority to lodge a notice of requirement with the relevant territorial authority;
- Section 171, which prescribes matters to which particular regard must be had in considering a requirement for a designation.

The following sections of the Act are most relevant to this notice.

#### **Section 5 – Purpose**

The purpose of the Act is to promote the sustainable management of natural and physical resources. Sustainable management is defined in section 5(2) as:

*... managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while:*

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The proposed school and ECE reflect the principles of Part 2 of the Act as they enable the community to provide for their social, cultural and economic well-being by providing necessary community infrastructure to service the projected population growth in this part of Huapai. This not only provides for the social well-being of the children and students that attend, but also for the wider community, with the school and ECE likely to become focal points for community interaction (e.g. social interactions with other parents, school sport, fundraising activity etc.). The effects of the designation are evaluated in later this report and demonstrate that any actual and potential adverse effects on the environment will be able to avoided, remedied or mitigated.

#### **Section 6 – Matters of National Importance**

There are no matters of national importance listed in section 6 that are considered to be of relevance to this notice.



### **Section 7 – Other Matters**

This section lists certain matters to which particular regard is to be had in making resource management decisions. The relevant matters are as follows:

- (a) Kaitiakitanga;*
- (aa) The ethic of stewardship;*
- (b) The efficient use and development of natural and physical resources;*
- (c) The maintenance and enhancement of amenity values;*
- (f) Maintenance and enhancement of the quality of the environment;*

Consultation letters were sent to the iwi groups with an interest in the Rodney Local Board area. Ngā Maunga Whakahii o Kaipara Trust and Te Kawerau Iwi Tribal Authority both expressed interest in the proposal and require ongoing engagement through the designation process and ultimately the detailed design phase of the school. This will ensure the kaitiakitanga roles and obligations are upheld and as such the proposal is considered to be in accordance with Section 7 of the RMA. No issues with the designation phase of this process have been raised by either party, although they wish to remain involved in the process.

An assessment of the potential effects in respect of natural/physical resources, amenity values and the quality of the environment follows later in this report.

### **Section 8 – Treaty of Waitangi**

This section requires those exercising powers or functions under the Act to take into account the principles of the Treaty of Waitangi. It is considered that the principles of the Treaty of Waitangi have been taken into account in terms of the consultation undertaken to date with iwi, and any ongoing engagement that may be required with iwi as a result of this designation process

### **Section 168 – Notice of Requirement**

The Minister of Education is a Minister of the Crown. This notice has been lodged with the relevant territorial authority under section 168(1) of the Act.

### **Section 171 – Recommendation by the Territorial Authority**

Under section 171, the territorial authority may recommend to the requiring authority one of the following:

- confirm the designation
- modify the designation
- impose conditions
- withdraw the requirement

This recommendation is based on matters the territorial authority is required to have particular regard to when considering a notice of requirement under section 168. The matters to be considered are set out in section 171(1) of the Act and are as follows:

- (1) When considering a requirement and any submissions received, the territorial authority must, subject to Part 2, consider the effects on the environment of allowing the requirement, having particular regard to—*
  - (a) Any relevant provisions of—*
    - (i) a national policy statement,*

- (ii) *a New Zealand coastal policy statement,*
- (iii) *a regional policy statement, or proposed regional policy statement; and*
- (iv) *a plan or a proposed plan; and*
- (b) *Whether adequate consideration has been given to alternative sites, routes, or methods of undertaking work if—*
  - (i) *the requiring authority does not have an interest in the land sufficient for undertaking the work; or*
  - (ii) *it is likely that the work will have significant adverse effect on the environment; and*
- (c) *Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and*
- (d) *Any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.*

The proposal to designate the site has taken into account the relevant provisions of the relevant planning and statutory documents as listed. There are not considered to be any relevant national policy statements, and nor is the New Zealand Coastal Policy Statement of relevance. An assessment of the Auckland Plan, operative Regional Policy Statement (RPS), operative District Plan and PAUP is provided below.

The RPS, District Plan and PAUP are the key statutory planning documents under the RMA requiring consideration under s171(1)(a).

The selection and subsequent purchase of this site was subject to a comprehensive site selection study and due diligence process. This process is summarised later within this report.

Designation is considered to be the most appropriate method for the efficient delivery of educational services, and for addressing a staged development that may occur over a long time period, and provides for the long term planning certainty that is required by the Minister.

The project and designation are considered reasonably necessary for the provision of educational services by the Minister. The Minister's objectives are discussed further later within this report.

An assessment of the District Plan/PAUP as well as an assessment of environmental effects are included within this report and collectively deal with the matters that are considered reasonably necessary for the Council to make a recommendation on the requirement.

### **Section 176A – Outline Plan**

An outline plan of works is required to undertake future development of the site once a designation is confirmed, so that the territorial authority is able to understand in detail the nature of proposed physical works, and if necessary request any changes prior to development. At this stage no design work for site or building layouts has been undertaken (aside from some conceptual layout work to show at a high level the site is capable of accommodating a primary school and ECE). The current designation process is to ensure that the site is available for development for educational purposes when population demand dictates that it is required.

## **5.2 Auckland Plan**

The Auckland Plan is the key high level strategic planning document outlining the Council's policy aspirations for the expansion and development of Auckland.

Huapai is considered as a 'rural town' under the Auckland Plan, and the surrounding area is identified as a 'future urban residential area (pipeline)' – as per Map D.1. The proposed development of a school and ECE on this site would therefore be consistent with the intent of the Auckland Plan due to the fact that the campus would be located within an area earmarked for future urban use – as per section 124.

The school and ECE are considered as educational community and social infrastructure in accordance with Table 12.1. Strategic Direction 12 of the Auckland Plan identifies the following as a target for such infrastructure:

*Ensure all Auckland children can access a primary school within 30 minutes ... and all schools have facilities suitable to meet the learning needs of their students*

Directive 12.7 also identifies that community infrastructure is to be provided for. The development of a school on this site will clearly work to achieve these directives for the Huapai area. The following is then identified as a priority:

*Protect, enable, align, integrate and provide social and community infrastructure for present and future generations*

It is therefore considered that the development of a school and ECE on the proposed site is consistent with the relevant provisions of the Auckland Plan.

### **5.3 Auckland Regional Policy Statement**

The RPS does not provide a great deal of strategic direction specifically related to the development of new schools. It does however provide more holistic objectives and policies aimed at ensuring that the Auckland Region's growth is accommodated in a manner which gives effect to the Act and promotes the efficient use of natural and physical resources. As identified above, the development of a new school and ECE on the site will accommodate future growth of the Huapai area and it will also be consistent with Part 2 of the Act.

Huapai is considered as a 'town centre and future urban area' under the RPS. While it is noted that Future Urban Areas should not be developed for urban uses until it can be demonstrated that all necessary infrastructure can be provided, it is noted that the land has already been zoned in the operative district plan for urban development and is undergoing rapid subdivision and development. The proposed development of a school and ECE on this site would be consistent with the RPS due to the fact that the campus would be located within an area earmarked for future urban growth.

While Huapai is not within the Metropolitan Urban Limits within the RPS, it is contiguous with an existing rural township and is located inside the Rural-Urban Boundary in the PAUP.

It is therefore considered that the development of a school and ECE on the proposed site is consistent with the relevant provisions of the RPS.

## 5.4 Auckland Council District Plan – Operative Rodney Section 2011

The site is within the Special 29 (Huapai North) Zone under the Operative District Plan. This zone aims to develop a residential neighbourhood that is in keeping with the existing Huapai residential area and rural surrounds. The objectives and policies of relevance are as follows:

### *Objective 12.8.29.1.2.3*

*To promote urban development that is in keeping with accepted urban design principles including:*

- *Clearly defined public and private space.*
- *Creating attractive and safe streets which encourage walking and cycling.*
- *Buildings fronting public open space.*
- *High quality and low impact stormwater design.*
- *Active street frontages.*
- *Reducing visual impact of garages.*
- *Breaking up building mass.*
- *High quality and effective landscape planting*

### *Objective 12.8.29.1.2.6*

*To protect and enhance key natural watercourses, necessary floodplanes and overland flowpaths from inappropriate subdivision and development, and enhance natural riparian areas.*

### *Objective 12.8.29.1.2.8*

*To avoid the adverse effects of stormwater runoff during and post development.*

### *Objective 12.8.29.1.2.10*

*To enhance public and personal safety in public places (including parks and streets) through design of buildings and spaces that reduce opportunities for crime to occur.*

### *Objective 12.8.29.1.2.11*

*To ensure that there is careful integration of land use and transportation infrastructure and ensure that appropriate connections are provided to existing infrastructure.*

### *Policy 12.8.29.1.3.2*

*Development within Huapai North should be generally in accordance with the Outline Plan at Appendix 9 to the Planning Maps and for those identified precincts should be achieved through the Development Concept Plan process to ensure that there are no more than minor adverse effects on the amenity values and character of the area and on ecological values.*

### *Policy 12.8.29.1.3.6*

*Buildings, car parks, public open spaces and road reserves should be sited, designed and managed to ensure that the principles of crime prevention through environmental design have been incorporated, including: (a) natural surveillance of public and semi-public spaces from surrounding activities and buildings; and (b) a clear distinction between public, semi-public and private areas through the use of design techniques.*

### *Policy 12.8.29.1.3.7*

*Subdivision and development design should seek to ensure that public open spaces are bounded and fronted by streets, unless topographical and/or natural constraints prohibit*

*this, to provide a clear sense of public ownership, a high level of amenity for the general public, and a safe environment for users.*

***Policy 12.8.29.1.3.17***

*Land disturbing activities which may result in the generation and discharge of elevated levels of sediment will be required to employ methods which avoid, remedy or mitigate adverse effects on the quality of water in waterbodies.*

***Policy 12.8.29.1.3.18***

*Subdivision and land use activities should be carried out in a manner which avoids the adverse effects of stormwater runoff on receiving environments. This can be achieved through the use of practices such as:*

- (a) The incorporation of a high level of pervious surfaces on sites.*
- (b) The use of inert building materials*
- (c) The use of natural contours (creases in the land) for stormwater discharge.*
- (d) The use of wetland ponds to slow the runoff and beautify the area.*
- (e) The maintenance of a natural flow regime.*
- (f) The use of swales, filter strips, wetlands for stormwater treatment and attenuation.*
- (g) Implementation of an Integrated Catchment Management Plan.*
- (h) The establishment of WAI care programmes and community monitoring groups.*

***Policy 12.8.29.1.3.19***

*Future development should be managed to ensure the on-going sustainable operation and efficiency of State Highway 16 and the provision of the required roading infrastructure to service growth.*

While the design of the school will be addressed at an Outline Plan of Works stage, a conceptual bulk and location plan for the site (attached as Appendix F) has demonstrated the site will be able to adhere to various urban design principles by creating a strong public frontage and implementing a height in relation to boundary control for school buildings. It is noted that the development of the school will respond to the growth occurring within the Huapai North area and as such it is anticipated that the surrounding infrastructural services will be able to readily accommodate a school development. The transport network has been assessed as being able to accommodate any transport movements associated with the school when developed (this is happening in conjunction with the various residential developments currently proposed, underway or completed within Huapai North).

It is considered that the development of a school and ECE on the site would not be contrary to the objectives and policies of the operative District Plan.

## **5.5 The Proposed Auckland Unitary Plan**

The PAUP includes high level regional policy issues, contained within Chapter B: Regional Policy Statement - Kupu Kaupapa ā-Rohe. The following are of relevance to the proposed school and ECE, noting that under the PAUP 'infrastructure' is defined as including "activities, structures, facilities and installations for education".

### ***1 Issues of regional significance - Ngā take matua ā-rohe»1.1 Enabling quality urban growth***

### **Unitary Plan Issue**

*Our growing population increases demand for housing, employment, business, infrastructure, and services. This means we must manage our growth in a way that:*

- *enhances quality of life for individuals and communities*
- *optimises the efficient use of our existing urban area*
- *optimises the efficient use of existing and new infrastructure, particularly significant infrastructure*
- *maintains and enhances the quality of our environment, both natural and built*
- *maintains Māori communities, culture and values.*

...

### **Social Well-being**

*Aucklanders' quality of life and their social well-being is influenced by the affordability of housing, access to quality public open space and access to social and community infrastructure.*

...

*Social and community infrastructure relates to public and private facilities and networks, which provide for Aucklanders' quality of life and socio-economic outcomes. Social and community infrastructure is an important asset to society as it provides:*

- *opportunities to learn*

...

The proposed school and ECE will provide an essential education facility that will service a future urban growth area. The facility therefore promotes the social well-being of the community.

Given the definition of the facility as 'infrastructure', the following Auckland-wide objectives and policies (Chapter C) are relevant:

## **1 Infrastructure, 1.1 Infrastructure**

### **Objectives**

1. *The benefits of infrastructure are recognised.*
2. *The adverse effects of infrastructure are managed.*
3. *Safe, efficient and secure development, operation and upgrading of infrastructure is enabled, to service the needs of existing and planned use and development*
4. *The resilience of Auckland's infrastructure is improved.*
5. *Auckland's significant infrastructure is protected from reverse sensitivity effects and incompatible subdivision, use and development.*

### **Policies**

#### **Benefits of infrastructure**

1. *Recognise the positive social, economic, environmental and cultural effects that infrastructure provide, including:*
  - a. *enabling enhancement of the quality of life/standard of living for people and communities*
  - b. *protecting public health and safety*
  - c. *enabling the functioning of businesses*
  - d. *enabling economic growth*
  - e. *protecting the environment*
  - f. *enabling the transportation of freight, goods, people*
  - g. *enabling interaction and communication*



The proposed school and ECE will provide a facility that will benefit the community, not only in terms of the educational benefits for children, but also in terms of employment opportunities and the provision of a facility that will act as a community focal point for social interaction. The potential adverse effects of the facility can be appropriately managed through the imposition of conditions (as proposed) on the designation.

The site is zoned Single House in the Proposed Auckland Unitary Plan and is located within the Huapai North A and B Sub-precincts.

In terms of the proposed zoning of the site, the following objectives and policies under Chapter D are relevant:

**Objectives**

- 1. Development is of a height, bulk and form that maintains and positively responds to the site and the neighbourhood's low density suburban residential character.*
- 2. Development provides high-quality on-site amenity for residents and maintains the amenity of adjoining sites.*

**Policies**

- 1. Manage the height, bulk, form and appearance of development and require sufficient setbacks, landscaped areas and open space to maintain the low density suburban residential character of one to two storey, detached dwellings within a generally spacious setting.*
- 2. Require development to be of a height and bulk that maintains a reasonable level of sunlight access and privacy to immediate neighbours.*
- 3. Require dwellings to be designed to have useable and accessible outdoor living space of a size consistent with the spacious qualities of the zone.*
- 4. Require fences to be sufficiently low to allow passive surveillance of the street.*

A designation condition is proposed which will require any new buildings to comply with the height in relation to boundary control from any adjoining land zoned primarily for residential or outdoor recreation purposes. This will ensure any development on the site will respond positively to the Huapai North's residential character and maintain the amenity of adjoining sites. While specific height limit is not proposed to provide a consistent approach with the rollover notices, built form on a flat site of this nature would likely be primarily single storied, although two storied development may be necessary depending on roll pressure, which in combination with a height in relation to boundary control should avoid unreasonable dominance of the local environment and adjoining sites.

In terms of the proposed Huapai North precinct, the following objectives and policies under Chapter F are relevant:

**Objectives**

- 1. Subdivision and development within Huapai North is designed and implemented in a comprehensive, efficient and integrated way.*
- 2. The density and pattern of subdivision and development is compatible with the semi-rural character of the older parts of Huapai township.*
- 3. Higher density subdivision and development is enabled around areas of public open space within easy walking distance of the Huapai town centre.*

4. *Public wastewater systems retain sufficient capacity to cater for subdivision and development (as indicated by site size controls) within the precinct and the other future urban areas existing in Huapai, Kumeu and Riverhead at 30 October 2012.*
5. *Land use and transportation planning are integrated.*
6. *Subdivision and development achieves a high standard of urban design in accordance with Appendix 1 that respects the character of the older parts of the Huapai township.*

#### **Policies**

1. *Encourage the preparation of framework plans to guide subdivision and development within Framework Plan Areas 1 to 4 in precinct plan 2.*
2. *Encourage consultation with any other owners of land within a Framework Plan Area shown on Precinct Plan 2 when preparing a framework plan.*
3. *Require the framework plan to demonstrate the interrelationship and future integration with:*
  - a. *other land within the Framework Plan Area, where a framework plan can only be prepared for part of the Framework Plan Area*
  - b. *any neighbouring land within the precinct.*
4. *Require roads and open space to be integrated and adhere to the indicative road and proposed reserve layouts in the Huapai North precinct plan.*
5. *Require a percentage of public open space to be fronted by public streets to provide a clear sense of public ownership, a high level of amenity for the public and a safe environment for users.*
- ...
8. *Require waterways and riparian areas to maintain and enhance the character, environmental values and amenity of the area.*
9. *All new sites in Huapai North sub-precincts A, B and C must be connected to a public reticulated wastewater system.*
10. *Require buildings and structures to be sited and designed in general accordance with the Huapai North Urban Design Guidelines in Appendix 11.5.3.*

It is noted that the proposed school development does not adhere to any approved development concept plans for the Huapai North areas. However, the use of the site for a school is not expected to detrimentally affect the surrounding residential developments. This is particularly so because the school would cater to the resulting population growth in the area. While the design of the school will be addressed at an Outline Plan of Works stage, a conceptual bulk and location plan for the site (attached as Appendix F) has demonstrated the site will be able to adhere to various urban design principles by creating a strong public frontage and implementing a height in relation to boundary control for school buildings. It is noted that one of the proposed roads shown in the Huapai North precinct plan (running along the eastern boundary of the site) will most likely terminate at the school boundary and not be constructed along the boundary with the adjacent reserve. This would not affect the functionality of the surrounding road network. The purpose of this indicative road would be to serve residential properties on the site, but given that the site is now proposed to accommodate a school, this road is no longer required. It is also noted that the development of the school will respond to the growth occurring within the Huapai North area and as such it is anticipated that the surrounding infrastructural services will be able to readily accommodate a school development.

It is considered that the development of a school and ECE on the site would not be contrary to the objectives and policies of the PAUP.

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

As part of the due diligence process undertaken for the site, a DSI prepared by Geosciences Limited for Cabra Developments Limited's application for the subdivision of the site at 47 & 49 Gilbransen Road has been peer reviewed by Jacobs. It was concluded by Geosciences Limited that the soil samples tested were below NES soil guideline standards with the exception of one area which would require remediation. Jacobs has also recommended further investigation prior to the development of the site for a primary school. Proposed designation conditions to address further soil testing and remediation are included as part of the requirement.

## **6.0 The Minister's Objectives**

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 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 required to provide opportunities for students to undertake their studies as provided for under the Education Act 1989. Accordingly, establishment of a primary school catering for school age children from years 0-8, as well as an ECE catering for preschool children, is reasonably necessary in achieving the objective of the Minister of Education in providing state schooling.

Designation is considered to be the appropriate mechanism to provide for the establishment and on-going operation of the school and ECE for its proposed purpose. The Minister requires ongoing 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 and pre-school on the site, while also identifying the use of the site to the general public.

Most other State schools within Auckland Council's jurisdiction and within New Zealand are designated.

## 7.0 Assessment of Environmental Effects

### 7.1 Approach to Environment Effects Assessment

The Ministry commissioned a number of technical reports as part of due diligence investigations of this site to confirm it was suitable for development for a school and ECE. These are attached in Appendix E and are relied upon for the assessment of environmental effects. The various specialist reports prepared for Cabra Developments Limited's (Cabra) application for the subdivision of the site at 47 & 49 Gilbransen Road have been peer reviewed where necessary for the purpose of the due diligence assessment.

### 7.2 Visual and Amenity Effects

The site and surrounding area is currently zoned for residential purposes under the Operative District Plan as well as under the PAUP. It is envisaged that the proposed school and ECE will be compatible with the amenity values of the surrounding future residential area. Given the site's location within the Rural Urban Boundary and the residential zoning of the surrounding area, it is inevitable that visual change to the environment will occur. This is particularly so given the residential subdivision ongoing within the Huapai North area. A large proportion of schools in New Zealand are accommodated within suburban residential areas, and are an integral and expected component of such areas. They are large sites that provide the opportunity for large areas of open space for active recreation which also mitigates the effects of any larger buildings and ancillary infrastructure such as parking areas associated with schools.

Most school designations do not contain detailed bulk and location controls (including all of those in the operative District Plan), with the form and locations of buildings generally being left to the outline plan process. A height in relation to boundary control condition is proposed in this instance to avoid unreasonable dominance or overshadowing of any adjoining residential and recreational zoned land. Any specific building proposal can be assessed by the Council through the outline plan process at each stage of development. A bulk and location concept prepared by Jasmax is attached as Appendix F which demonstrates that the site is able to accommodate a primary school and ECE development while adhering to the proposed height in relation to boundary control condition. It should be noted that the detailed design of the school will differ from what is shown and this bulk and location concept has only been provided to demonstrate that the site is able to adequately accommodate a primary school and ECE development. The Minister will not accept a condition that will tie them to implementing the bulk and location concept appended to this NOR.

If a school and ECE were not to be developed on the site, under the operative District Plan and PAUP zoning it would instead likely be developed as a mix of medium density residential housing. Dwellings would be located across the majority of the site, with little of the visual relief that is offered by playing fields and other open spaces in educational facilities.

Further, there will be ample opportunities available for landscaping within the site. Any detailed landscaping proposals will be addressed through the outline plan process for each particular development stage for the site.

As such, it is considered that the visual effects of any future school and ECE developed on the site can be appropriately managed without detailed controls being included in the designation conditions (excluding the proposed height to boundary control).

### 7.3 Transport and Traffic Effects

A Transport and Traffic Assessment was prepared by Jacobs as part of the due diligence for this site and is attached as Appendix E.

A number of specific design recommendations are made which would be addressed as appropriate at the outline plan of works stage. These include:

- Appropriate manoeuvring space being provided within the proposed school car park to ensure that no vehicle is required to reverse either onto or off the site.
- Bicycle parks to be provided on site – there will be ample room on-site to provide for such.
- Main vehicle access to the school to be provided on Gilbransen Road – to be designed in accordance with Auckland Transport guidelines.
- Provide a formal area for buses to stop. This area could be configured as short term parking and used for both pick-ups/drop offs and buses as required.
- Once the location and design of the school access points has been confirmed, the school request safe designated crossing points around the school. Where possible, crossings should be located on the main pedestrian desire line. This may include pedestrian refuges and/or a kea crossing that operates at the start and end of the school day.
- At least two pedestrian/cycle accesses are provided around the perimeter of the school to improve cycle and pedestrian connectivity from adjacent areas.
- Appropriate traffic calming measures such as school zone speed limits and speed bumps should be implemented on all road frontages of the school.
- A school bus service may be necessary.
- The school should develop a comprehensive travel plan tailored to the needs of students and staff. Some components of this travel plan are likely to include:
  - Students living in similar areas should be encouraged to share car journeys. A staff car-pooling system could also be encouraged for staff living in the same area.
  - School bus services should be introduced. Incentives should be provided through the travel plan for students to use school bus services.
  - Due to the close proximity of the residential development to the school, walking school buses should be encouraged as part of the school travel plan.

In respect of the proposed designation conditions, the number of vehicle parking spaces to be made available will be required through the two parking conditions which would require:

- For the school – two car parks per new classroom;
- For the ECE – 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 designed capacity of the centre.

These conditions are consistent with those being sought for most other schools in the region as part of the PAUP designation roll overs. At full build out, based on 34 classrooms and 50 ECE children, the above mentioned conditions would equate to 68 car parks for the school and 12 car parks for the ECE. These provide more spaces than required under the relevant PAUP and District Plan standards and as such these proposed conditions will provide sufficient on-site parking.

Proposed in accordance with the recommendation of the transport and traffic assessment is a designation condition requiring the establishment of a comprehensive travel plan. The travel plan can consider matters such as the functioning of the on-site pick up and drop off area as well as

other detailed design matters such as the locations of pedestrian accessways, zebra crossings/kear crossings. The travel plan would be submitted at the outline plan of works stage for any development stage involving new classrooms for the school, and further specific design details relating to all aspects of traffic and transport-related matters (including confirming compliance with the two parking conditions) will likewise be included in the outline plan. Matters such as the adequacy of on-site pick up /drop off facilities and parking constraint (if appropriate) can be addressed at the outline plan stage and as part of the travel plan.

Also proposed in accordance with the recommendation of the transport and traffic assessment is a designation condition requiring an on-site pick up and drop off area which shall be determined by the peak demand for vehicles entering and exiting the site. Short term pick up and drop of spaces would form part of the minimum car parking requirement.

Data from the New Zealand Trips and Parking Database 2011 (NZTPD) was used by Jacobs to estimate the potential traffic generation associated with the proposed primary school. From the NZTPD data, the average trip generation of a primary school of a similar size is typically in the range of 0.61-0.64 vehicle movements per student which equates to 488-512 two-way vehicles trips during each peak hour (based on a primary school of 750 students and an ECC roll of 50 children). This would mean that around the start and finish of the school day there will be a peak flow of around 244-256 vehicles movements per hour to the school and a similar number away from the school.

Jacobs has assumed that the majority of the peak hour school car-trips will use the Gilbransen Road/Matua Road intersection to access the site. Gilbransen Road has been identified as a collector road in the Huapai North Roding Hierarchy Plan. Such roads generally carry up to 10,000 vehicles per day.

Jacobs has noted that as the proposed school is expected to service the new residential development in Huapai North, the residential development is likely to precede the school. This means that the majority of these school trips would already exist on the network by the time the school opens in the future (as children would be travelling to neighbouring schools prior to the opening of this proposed school). Therefore the traffic associated with the future school would have minimal impact on the network.

The imposition of any further traffic design-related conditions on the designation is considered inappropriate given that the design of the school and ECE facilities will be dependent on a number of variables, most notably the staging of the development of the surrounding roading network (which will dictate the available vehicle and pedestrian crossings to the site), and the demand for student places at the school and ECE at the time when it is proposed to be built (which will dictate what capacity the facilities will be designed to cater for at each stage of construction). It is noted in the assessment prepared by Jacobs that it was assumed the local road running along the eastern boundary of the site would be formed. Given the site is proposed to accommodate a primary school development it is unlikely this road will be formed and instead would terminate at the school boundary as a secondary access This will not affect the functionality of the road network as the indicate road in question was included to serve the residential blocks now proposed for school development.

Given the above, and the recommended design measures, it is concluded by Jacobs that the proposed school site will have limited effects on the road network external to the site. The proposed school site is positioned well within the future network, school traffic will not adversely



affect the safety and efficiency of the roading network, including State Highway 16. It is therefore concluded by Jacobs that the transportation effects associated with the proposed primary school and ECE are not expected to be more than minor. It is concluded by Jacobs that there are no transportation related reasons to preclude the development of the school facilities.

Gilbransen is being progressively upgraded as residential blocks are developed. The current formation adjacent to the school site is likely to require some upgrading prior to opening of the school. The Minister prefers to leave these details to be considered at an Outline Plan of Works phase rather than codifying this matter through a designation condition.

## **7.4 Civil Infrastructure Effects**

An Infrastructure Assessment addressing the servicing requirements for the school and ECE has been undertaken by Jacobs and is attached in Appendix E. A summary of the findings of this assessment in relation to the key infrastructure services follows below.

### **Water Supply**

No water supply connections are shown to either 47 or 49 Gilbransen Road and as such, extensions to the reticulated system will be required. A 150mm connection to the public water main, branching into a 150mm fire sprinkler line and a 100mm potable water line at the site boundary is expected to be sufficient for the proposed primary school's demands.

Watercare has indicated that a rider main will be required along the property boundary. This would likely be in the form of a 100-150mm diameter pipe. The rider main would connect to the 180mm diameter PE pipe on the opposite side of Gilbransen Road.

### **Fire Supply**

Two existing fire hydrants are shown on Auckland Council GIS and Watercare as-built drawings on the opposite side of Gilbransen Road to the property. A third hydrant is located approximately 60m further up Gilbransen Road. These are fed off a single water supply line. Flow testing is required and if flow and pressure in the reticulated system is not suitable for a sprinkler system, storage and a pump may be required on-site to ensure there is adequate supply to protect the school.

### **Wastewater Drainage**

Auckland Council GIS and Watercare as-built drawings demonstrate that the area around the proposed school site is serviced by a low pressure wastewater system. The site is shown to currently have no connection to the public network. The school would likely need to connect into the 110 diameter PE pipe near the northern boundary of the site.

Watercare has indicated that, due to the public wastewater system in the area being pressurised, a wet well and pump station would be required on site. Watercare noted that only certain pumps are allowed to connect to the system, and there are generally limited to 1L/s peak discharge. This would imply that the wet well will need to attenuate peak flows, and may also be required to contain 24 hours' worth of discharge in case of pump failure (approximately 34,000 litres). Additional pumps and connections may be an alternative to large on-site storage; however this will require specific design.

### **Stormwater Drainage**

No public stormwater features are identified within the site or the adjoining road reserve of Gilbransen Road. The playing fields and park area to the east of the proposed site are drained to detention ponds on the park land. The site currently slopes towards the north where stormwater currently appears to flow overland across the corner of 27 Gilbransen Road towards Gilbransen Road, along Madden Avenue and eventually to the stream in the west.

The development of new buildings and pavements will result in a large increase of the impermeable site which will require stormwater attenuation on site to match existing runoff with all parking areas and roads also requiring stormwater quality treatment.

The approved subdivision development plans for the site show stormwater discharging into a reticulated network within the adjoining proposed subdivision at 27 Gilbransen Road however further discussions with Council and Cabra (the developers of 27 Gilbransen Road) are required to ensure additional stormwater generated on site by the development of a school can be accommodated in the proposed connection to the neighbouring subdivision. This is a matter that will be addressed at the Outline Plan of Works stage.

As there is currently no existing reticulated stormwater system or appropriate discharge locations at the property boundary, depending on the timing of the development relative to the neighbouring subdivision, the school may require additional infrastructure to convey stormwater to an appropriate location. Attenuation of stormwater will also be required on-site to ensure runoff during 2, 10 and possibly 100 year ARI rainfall events does not exceed predevelopment rates. Secondary flow above any design solutions will likely be conveyed within the road reserve to the nearby watercourses.

Should the school need to be developed prior to the subdivision at 27 Gilbransen Road, possible discharge locations from the site could be either:

- The stream to the west of Lockyer Road
- Detention pond to the east of 27 Gilbransen Road

These options will need to be investigated and discussed with Auckland Council to confirm suitability. This is a matter that will be addressed at the Outline Plan of Works stage.

All carpark and vehicular trafficked areas will require quality treatment to meet Auckland Council standards which can be achieved through measures such as vegetated swales, wetlands, ponds or proprietary treatment devices.

### **Power**

Power is currently available to the site and as the demand of the school is developed through the design process, the required upgrade works to supply the required capacity can be confirmed. It has been assumed by Jacobs that the local transformer will need to be replaced.

### **Telecommunications**

Broadband is currently available to the site. Nearby areas have fibre planned for after 2016, which may be extended to supply the school which is considered a priority for Chorus.

## **Gas**

If the design of the school required reticulated gas supply, a connection would have to be made to the main on Matua Road. Gas may be planned to extend down Gilbransen Road to supply the nearby subdivisions, therefore depending on the timing of school development there may be a closer connection point.

## **Summary**

The intention is to develop the school only once demand has been created in the area following the planned residential developments. However, there are options available regardless of the timing of development of the school, and therefore there is no reason when considering the civil infrastructure services noted in Jacobs' assessment, that the site cannot be designated for development as a school and ECE.

## **7.5 Vegetation and Ecosystems Effects**

The site is currently used for rural residential purposes. The site is bordered by trees along the eastern boundary and part of the western boundary. As such, there is no significant vegetation or ecosystems of particular special value on the site, nor does the Operative District Plan or PAUP identify any scheduled vegetation or ecosystems on the site.

Blasche & Rutherford has peer reviewed the report prepared on the terrestrial ecology of the site by Bioresearchers Ltd (dated July 2014) which was prepared for Cabra for the subdivision of the site.

Blasche & Rutherford have agreed with the conclusions reached by Bioresearchers Ltd in that there are no significant botanical features on the site. The vegetation present provides generally low quality bird habitat and there is little likelihood of visits by threatened or endangered bird species, even intermittently. It has been concluded that there is no potential lizard habitat on the site.

Given the above, it is apparent that there are no significant ecological risks associated with the proposed development of the site.

## **7.6 Geotechnical Effects**

A site specific geotechnical investigation, involving 37 hand augers with shear vane tests, and scala penetrometers in the bottom of two hand augers, was undertaken by Hutchinson Consulting Engineers for Cabra.

This investigation identified alluvial deposits of the Tauranga Group, comprising clayey silt and silty clay, overlying weathered Waitemata Group sandstone and mudstone. The clayey silt and silty clay units have been identified as moderately to highly expansive soils based on field observations.

The hand augers identified peat or organic clay and silts in the northwest quarter of the site. The groundwater across the site varies from 0.7 mbgl to 3.0mbgl. The shallower ground levels tend to be associated with the peat and organic material.

The geotechnical report prepared by Hutchinson Consulting Engineers recommended foundation types for residential properties which would also be suitable for light timber frame school buildings.

For more significant buildings such as school halls or gymnasiums, specific foundation engineering will be required during the detailed design phase. It has been recommended by Jacobs that development of the site should be restricted to the areas not underlain by peaty or organic soils. This area would be best suited as playing or sports fields.

These items will be suitably addressed at such time a contract is let for detailed design.

## 7.7 Soil Contamination Effects

The site has previously been investigated by Geosciences Limited for Cabra in 2014 as part of the proposed land use change from agricultural to residential. A detailed site investigation was undertaken which has been reviewed by Jacobs.

The site has been identified as potentially contaminated as information from the landowners suggests that the entire property was under orchard during the 1940s and 1950s. Soil samples were tested by Geosciences Limited. All tested contaminants were below NES soil guidelines standards with the exception of one area with elevated arsenic values. Geosciences defined an area of approximately 100m<sup>2</sup> in this regards which would require remediation of approximately 30m<sup>3</sup> of soil material.

Nine of the sixteen samples had  $\Sigma$ DDT (DDT and its isomers, including DDE and DDD) that exceeded environmental discharge criteria for land that is being redeveloped under the Regional Air Land and Water Plan. All sixteen samples were below the discharge criteria that applied when redevelopment has been completed.

Jacobs has recommended further investigation which includes:

- Analysis of organonitrogen and organophosphorous pesticides.
- Analysis of acidic herbicides.
- Sampling of the site for a more extensive range of metals.
- Testing of existing samples from Geosciences Limited if available. If these are not available a further detailed site investigation is recommended.
- Investigations of the presence and constituents of the former offal pit.

The following recommendations have been made by Jacobs for the future development of the site:

- The remediation of the arsenic hotspot identified in the Geosciences Limited Detail Site Investigation
- Application of a short term resource consent for any earthworks due to the presences of DDT above the Regional Air Land and Water Plan guideline concentrations.
- The development of a Remedial Action Plan.

These recommendations will be addressed prior to the development of the site for a primary school and a condition has been proposed to this effect.

Given the site was approved for a residential subdivision, there does not appear to be any issues which would prevent the site being developed as a school site from the soil contamination point of view provided the necessary remediation is undertaken.

## **7.8 Hazardous Substances Effects**

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

## **7.9 Historic Heritage Effects**

There are no known objects or sites of historic or archaeological significance affecting this site.

Consultation letters were sent to the iwi groups with an interest in the Rodney Local Board area. Ngā Maunga Whakahii o Kaipara Trust and Te Kawerau Iwi Tribal Authority both expressed interest in the proposal and require ongoing engagement through the designation process and ultimately the detailed design phase of the school given their role as kaitiaki. No issues with the designation phase of this process have been raised by either party, although they wish to remain involved in the process.

## **7.10 Timing of Works**

It is difficult to anticipate timings around the physical development of the school and ECE as these will be determined by a number of factors including timing and sequencing of the subdivision and development of the surrounding properties, and the subsequent uptake of the developed properties in the marketplace (i.e. the timing and staging of population growth in the area). It is possible that the school and ECE may be developed in stages in accordance with the growth of the area. However, this remains to be determined.

# **8.0 Additional Consents Required**

In general, no further land-use consents will be required from the Auckland Council in terms of its District Council consent functions once the site is designated. The one exception may be if a land use consent is required in regard to contaminated soil under the NESCS which prevails over a designation where the designation was made after the NESCS came into force.

Any potential regional resource consents for stormwater discharges, earthworks or contaminated site remediation from the site cannot be determined until detailed design has been undertaken. Accordingly, no consent from Council under the operative Regional Plans or PAUP (if indeed required) can be applied for at this stage. Stormwater drainage design will be addressed at the outline plan of works stage, and the solution will be dependent on what infrastructure is planned or is in place at the time, with any necessary regional consents applied for in parallel.

# **9.0 Alternative Locations and Methods**

The school and ECE are required to service the projected residential population within the Huapai North area as well as the population in the existing parts of Huapai and Kumeu.

In light of the above, it is clear that a “do nothing” approach is not appropriate. Experience in the past is that the Ministry of Education as agent for the Minister can be criticised for leaving it too

late to acquire suitable sites for school development in areas where growth is anticipated. As such, in August 2014 the Ministry commissioned a site selection study to identify properties in the Huapai North area that could be used for development of an educational facility.

The site selection study initially identified 20 possible options, which was subsequently reduced to a shortlist of eight sites in accordance with the Ministry's prescribed 'Methodology for Site Evaluation'. The shortlisted sites were then assessed and ranked under this methodology, with the site subject to this notice being ranked second equal (the first ranked site being the same option with additional adjacent Cabra Developments Ltd land which is now already under residential development). Contributing to its high ranking was the fact that the site is of an appropriate size, shape and topography, is within its anticipated future school catchment and backs onto Huapai Reserve which presents an opportunity to share facilities with the reserve.

Designation of the site is now proposed as this is the mechanism used widely by the Minister as part of a national strategy for establishing, maintaining and operating school sites.

Part 8 of the Act provides for requiring authorities to seek provision for designations in District Plans. The primary reasons for adopting this technique are:

- a. The Minister has a national strategy to designate all state schools.
- b. Designations provide greater certainty in terms of future management options for a site, because it allows the Minister to carry out development of the site in accordance with the designated purpose indefinitely.
- c. Designation recognises the long-term commitment to the particular site, as well as identifying the site on the District Plan maps.

In addition, designating land allows for the setting aside of land for a future work, in this case for educational purposes, with certainty as to its ability to be used for that purpose irrespective of any changes to the District Plan in the meantime. In the case of Huapai North, the wider area is undergoing subdivision and residential developments under a number of different property developers with many lots already sold. This is reflective of the future need for housing within the area given the expectant population growth.

As such, it is considered that the use of the designation procedure, as specifically provided for in the Act, is appropriate. The principal alternative method would be to seek resource consent for the establishment of the school and ECE at the time either of these facilities is ready to proceed. This would be inconsistent with the planning status of the similar state facilities in the operative District Plan and PAUP, and the majority of other state schools nationwide. Further, by designating the site now, any future purchasers of land in the area will be well aware of the future use of the site for educational purposes.



## 10.0 Consultation

Consultation letters were sent to the various iwi groups within an interest in the Rodney Local Board Area (as informed by the Kaitiaki contacts list on the Auckland Council website) on the 12<sup>th</sup> August 2015. The following provides a summary of responses received from these groups:

Iwi group	Response
Ngāti Wai Trust Board	No response received
Ngāti Manuhiri Settlement Trust	Confirmed no further consultation or CIA required
Te Rūnanga o Ngāti Whātua	Deferred interests to Ngati Whatua o Kaipara
Te Uri o Hau, Environs Holdings Ltd	Stated proposal was outside of Te Uri o Hau estates and territory - statutory area of interest
Ngā Maunga Whakahii o Kaipara Trust	Confirmed interest in proposal. Met onsite to discuss proposal on 2 <sup>nd</sup> September and 11 <sup>th</sup> September 2015. Are happy with the proposal in principle and have provided a letter stating such. Will require further engagement going forward and during detailed design phase.
Ngāti Whātua Ōrākei Trust	Deferred interests to Ngati Whatua o Kaipara and Te Runanga o Ngāti Whātua
Ngāi Tai Ki Tāmaki Tribal Trust	Will rely upon local haukainga iwi to engage
Te Kawerau Iwi Tribal Authority	Confirmed interest in proposal. Further information was provided. Will require further engagement going forward and during detailed design phase.
Te Akitai Waiohūa Iwi Authority	No response received
Te Ara Rangatu o Te Iwi o Ngāti Te Ata Waiohūa	Confirmed no engagement required
Ngāti Paoa Iwi Trust	Deferred interests to other iwi with an interest in the area
Ngāti Maru Rūnanga Incorporated	Confirmed no further consultation or CIA required
Ngāti Whanaunga Incorporated	No response received
Ngāti Tamaterā	Confirmed no further consultation or CIA required

## 11.0 Conclusion

The requiring authority has assessed the relevant matters as set out in s171(1) of the Act and concludes that is appropriate for the designation to be confirmed subject to conditions. The proposed designation will enable the delivery of community infrastructure in a location necessary and appropriate to serve residential growth in Huapai North and the surrounding area.

The Minister requests that Council proceed to process this notice of requirement pursuant to section 169 of the Act, and anticipates Council's recommendation in due course as per section 171(2) and (3). The Minister requests public notification of this requirement.