From: Kate Graham

Sent: Sun, 20 Nov 2022 18:38:32 +0000

To: District Plan

Cc: 4280696 - RMA Monitoring +2 year extension; Sara Hodgson; Lydia Shirley

Subject: Mackenzie District Plan Change 2 1 Submission - Ministry of Education

Attachments: Mackenzie District Council - Proposed Plan Change 21 - Form 5 Submission.pdf

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Mōrena,

Please see attached submission on the Proposed Plan Change 21 prepared on behalf of the Ministry of Education.

If you could confirm receipt of this that would be much appreciated.

Thanks,

### Kate Graham

Senior Planner

Beca

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### Sensitivity: General

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Sensitivity: General





## **Submission on Proposed Plan Change 21**

To: Mackenzie District Council

Name of submitter: Ministry of Education Te Tāhuhu o Te Mātauranga ('the Ministry')

Address for service: C/- Beca Ltd

PO Box 13960 Christchurch 8141

Attention: Kate Graham

Phone: (03) 966 9136

Email: kate.graham@beca.com

This is a submission on Proposed Plan Change 21 of the Mackenzie District Plan.

#### Introduction/Background

Thank you for the opportunity to submit on the Proposed Plan Change 21. The Ministry of Education (the Ministry) is the Government's lead advisor on the New Zealand education system, shaping direction for education agencies and providers and contributing to the Government's goals for education. The Ministry assesses population changes, school roll fluctuations and other trends and challenges impacting on education provision at all levels of the education network to identify changing needs within the network so the Ministry can respond effectively.

The Ministry has responsibility not only for all State schools owned by the Crown, but also those State schools that are not owned by the Crown, such as designated character schools and State integrated schools. For the Crown owned State school this involves managing the existing property portfolio, upgrading and improving the portfolio, purchasing and constructing new property to meet increased demand, identifying and disposing of surplus State school sector property and managing teacher and caretaker housing.

The Ministry is therefore a considerable stakeholder in terms of activities that may impact on existing and future educational facilities and assets in the Mackenzie District.

The specific parts of the plan change that the Ministry's submission relates to are the proposed definitions and provisions that either directly or indirectly have the potential to impact on the Ministry's interests and ability to achieve its purpose within the Mackenzie District.

## The Ministry's submission is:

The Ministry has a particular interest in the parts of the proposed plan change that, either directly or indirectly, have the potential to impact on the Ministry's interests such as the management and operation of existing educational facilities and the establishment of new educational facilities.

The provisions that most directly impact on the Ministry are the provisions regarding educational facilities throughout the various zones.

The specific amendments, additions or retentions to the draft District Plan sought by the Ministry are listed in Appendix 1 to this feedback. In addition to the details in **Appendix 1**, the following general comments have been made on zoning changes:

### 1. Zoning Changes, Urban Growth and Definitions

The Ministry notes that various changes are proposed to the zoning of land throughout the district. Changes in zoning have the potential to result in changes in development and in the size and demographic of residents throughout the district, which can consequently impact on the capacity of educational facilities. The Ministry acknowledges the changing nature of zoning and development within a district as part of the district plan process, however requests that schools and educational facilities are enabled as part of urban growth and development and are considered in any zoning changes made.

Council has an obligation under the National Policy Statement for Urban Development to ensure sufficient additional infrastructure (which includes schools) is provided in urban growth and development (see Policy 10 and 3.5 of Subpart 1 of Part 3: Implementation, in particular).

Ministry seeks enabling provisions for educational facilities to achieve this outcome. The operative and proposed Plan currently lacks definition for educational facilities; therefore, the Ministry seeks inclusion of the definition consistent with the National Planning Standards.

The provision for educational facilities within residential zones is relatively restrictive, with onerous permitted standards applying in terms of numbers of students and occupation of existing residential units.

# The Ministry seeks the following from the Mackenzie District Council:

That the requested amendments, additions, or retentions to the proposed plan changes, as set out in **Appendix 1**, be considered prior to the proposed District Plan being notified. The relief sought is shown in <u>red underscore</u> and <u>strikethrough</u>.

Kate Graham

(Signature of person authorised to sign on behalf of the Ministry of Education)

Date:21/11/2022

Apper	ndix 1				
ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/ New Provision	Reason for Submission	Relief Sought
Part 3 –	- Area Specific Ma	tters			
Definition	ons				
01		-	New provision	The Ministry seeks the inclusion of the Educational Facilities definition as it is consistent with the National Planning Standard.	Educational Facility  means land or buildings used for teaching or training by childcare services, schools, or tertiary education services, including any ancillary activities.
02		-	New provision	The Ministry seeks the inclusion of the operational need definition.  In some cases, the Ministry has an operational need to establish educational facilities in areas prone to natural hazards or other environmental risks to provide social infrastructure for existing communities.	Operational need  means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints.
Part 3 –	- Area Specific Ma	tters			
Resider	ntial Zones				
Large L	ot Residential Zon	ne			
03	LLRZ-O1	Zone Purpose  The Large Lot Residential Zone provides primarily for residential living opportunities, and other small scale non-residential activities which are ancillary to residential activity.	Support in part	The Ministry supports this objective in principle, acknowleding the intended use of the zone however seeks an amendment to the wording 'small scale'  Educational facilities fall within the scope of non-residential activitiys however provide the necessary social infrastructure for the surrounding facilities and are unlikely to be considered small scale.	Amend as follows:  Zone Purpose  The Large Lot Residential Zone provides primarily for residential living opportunities, and other compatible small scale non-residential activities which are ancillary to residential activity that support and are consistent with the character and amenity values of the zone.

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04	LLRZ-R8	Education facilities  Activity Status: PER  Where:  1. The education activity is undertaken within a residential building and is ancillary to a residential activity; and  2. The maximum number of children in attendance at any one time is six, excluding any children who live on site.  Activity status when compliance is not achieved with R8.1 and R8.2: RDIS  Matters of discretion are restricted to: a. The location, design and appearance of buildings on the site. b. The traffic impacts including the provision of adequate onsite parking. c. Effects on amenity values of adjoining residential sites including noise. d. The adequacy of any mitigation measures	Support in part	The Ministry supports these rules in part to manage the operation of educational facilities in the Large Lot Residential zone  However, the Ministry considers that educational facilities should be provided for where there is a potential for a population to support them including in the Large Lot Residential Zone. This will support active modes of transport and reduce trip lengths and times. They should be enabled in this zone as educational facilities are considerd essential social infrastructure.  The Ministry also request that the maximum number of people on site is removed as this provides unreasonable restrictions on educational facilities.	Amend as follows:  Education facilities  Activity Status: PER  Where:  1. The education activity is undertaken within a residential building compliant with LLRZ-S2 — LLRZ-S5 and is ancillary to a residential activity; and  2. The maximum number of children in attendance at any one time is six, excluding any children who-live on site.  Activity status when compliance is not achieved with R8.1 and R8.2: RDIS  Matters of discretion are restricted to: a. The location, design and appearance of buildings on the site. b. The traffic impacts including the provision of adequate onsite parking. c. Effects on amenity values of adjoining residential sites including noise. d. The adequacy of any mitigation measures
Low Den	sity Residential z	zone		1	
05	LRZ-01	Zone Purpose  The Low Density Residential Zone provides primarily for residential living opportunities, and other compatible activities that support and are consistent with the character and amenity values of the zone.	Support	The Ministry supports this objective as it enables other compatible activities that support the character and amenity values of the zones, which is considered to encompass educational facilities.	Retain as proposed.
06	LRZ-P1	Compatible Activities  Provide for activities other than residential activities, where:  1. they are ancillary to a residential activity or are consistent with the character, amenity values and purpose of the zone; 2. they service the local community and do not detract from the character, amenity values or purpose of the Neighbourhood Centre or Town Centre Zones; and 3. the effects of the activity, including its scale, hours of operation, parking and vehicle manoeuvring are compatible with the amenity values of adjoining sites  Education Facilities	Support in part  Support in part	The Ministry acknowledges the primary purpose of Low Density zone is to provide for residential activities  However, the Ministry considers that explicity provision for activities where there is a functional or operational need is provided for.  The Ministry may have an operational need to establish educational facilities in the zone to provide social infrastructure for existing and future communities.  The Ministry supports these	Amend as follows:  Compatible Activities  Provide for activities other than residential activities, where:  1. they are ancillary to a residential activity or are consistent with the character, amenity values and purpose of the zone;  2. they service the local community and do not detract from the character, amenity values or purpose of the Neighbourhood Centre or Town Centre Zones; and  3. the effects of the activity, including its scale, hours of operation, parking and vehicle manoeuvring are compatible with the amenity values of adjoining sites; and  4. there is a functional need or operational need to establish in the zone.  Amend as follows:
		Activity Status: PER  Where:		rules in part to manage the operation of educational facilities in the Low Density Zone.	Education Facilities

		1. The activity is an expansion to an existing activity; or 2. The education activity is undertaken within a residential building and is ancillary to a residential activity; and 3. The maximum number of children in attendance at any one time is six, excluding any children who live on site.  Activity status when compliance is not achieved with R8.1, R8.2 and R8.3: RDIS  Matters of discretion are restricted to: a. The location, design and appearance of buildings on the site. b. The traffic impacts including the provision of adequate onsite parking. c. Effects on amenity values of adjoining residential sites including noise. d. The adequacy of any mitigation measures.		However, the Ministry considers that educational facilities should be provided for where there is a potential for a population to support them including in the Low Density Zone. This will support active modes of transport and reduce trip lengths and times. They should be enabled in this zone as educational facilities are considerd essential social infrastructure.  The Ministry also request that	Activity Status: PER  Where:  1. The activity is an expansion to an existing activity; or  2. The education activity is undertaken within a residential building and is ancillary to a residential activity; and that complies with LRZ-S2 to LRZ-S5  3. The maximum number of children in attendance at any one time is six, excluding any children who live on site.  Activity status when compliance is not achieved with R8.1, R8.2 and R8.3: RDIS  Matters of discretion are restricted to: a. The location, design and appearance of buildings on the site. b. The traffic impacts including the provision of adequate onsite parking. c. Effects on amenity values of adjoining residential sites including noise. d. The adequacy of any mitigation measures.
				the maximum number of people on site is removed as this provides unreasonable restrictions on educational facilities.	a. The desquary of any maganon measures.
Medium	Density Reside	ntial Zone	•	•	
08	MRZ-O1	Zone Purpose  The Medium Density Residential Zone provides primarily for higher density residential living opportunities, and other compatible activities that support and are consistent with the character and amenity values of the zone.	Support	The Ministry supports this objective as it enables other compatible activities that support the character and amenity values of the zones, which is considered to encompass educational facilities.	Retain as proposed.
09	MRZ-P2	Compatible Activities  Provide for activities other than residential activities, where:  1. they are ancillary to a residential activity or are consistent with the character, amenity values and purpose of the zone;  2. they service the local community and do not detract from the character, amenity values or purpose of the Neighbourhood Centre and Town Centre Zones; and  3. the effects of the activity, including its scale, hours of operation, parking and vehicle manoeuvring are compatible with the amenity values of adjoining sites.	Support in part	The Ministry acknowledges the primary purpose of Medium Density zone is to provide for residential activities  However, the Ministry considers that explicity provision for activities where there is a functional or operational need is provided for.  The Ministry may have an operational need to establish educational facilities in the zone to provide social infrastructure for existing and future communities.	Amend as follows:  Compatible Activities  Provide for activities other than residential activities, where:  1. they are ancillary to a residential activity or are consistent with the character, amenity values and purpose of the zone;  2. they service the local community and do not detract from the character, amenity values or purpose of the Neighbourhood Centre and Town Centre Zones; and  3. the effects of the activity, including its scale, hours of operation, parking and vehicle manoeuvring are compatible with the amenity values of adjoining sites; and  4. there is a functional need or operational need to establish in the zone.
10	MRZ-R7	Education Facilities  Activity Status: PER  Where:  1. The activity is an expansion to an existing activity; or  2. The education activity is undertaken within a residential building and is ancillary to a residential activity; and  3. The maximum number of children in attendance at any one time is six, excluding any children who live on site.	Support in part	The Ministry supports these rules in part to manage the operation of educational facilities in the Medium Density Zone.  However, the Ministry considers that educational facilities should be provided for where there is a potential for a population to support them	Amend as follows:  Education Facilities  Activity Status: PER  Where:  1. The activity is an expansion to an existing activity; or  2. The education activity is undertaken within a residential building and is ancillary to a residential activity; and that complies with MRZ-S2, MRZ-S3. MRZ-S4, MRZ-S5, MRZ-S6, and MRZ-S10

		Activity status when compliance is not achieved with R8.1, R8.2 and R8.3: RDIS  Matters of discretion are restricted to: a. The location, design and appearance of buildings on the site. b. The traffic impacts including the provision of adequate onsite parking. c. Effects on amenity values of adjoining residential sites including noise. d. The adequacy of any mitigation measures.		including in the Medium Density Zone. This will support active modes of transport and reduce trip lengths and times. They should be enabled in this zone as educational facilities are considerd essential social infrastructure.  The Ministry also request that the maximum number of people on site is removed as this provides unreasonable restrictions on educational facilities.	3. The maximum number of children in attendance at any one time is six, excluding any children who live on site.  Activity status when compliance is not achieved with R8.1, R8.2 and R8.3: RDIS  Matters of discretion are restricted to: a. The location, design and appearance of buildings on the site. b. The traffic impacts including the provision of adequate onsite parking. c. Effects on amenity values of adjoining residential sites including noise.
Mixed Us	se Zones			1	
Large Fo	ormat Retail Zone				
11	LRFZ-P2	Other activities  Avoid the establishment of activities that are not enabled by LFRZ-P1 within the Large Format Retail Zone unless they:  1. are not retail activities that are more suited to a location within the Town Centre Zone; 2. will not detract from the character, amenity values or purpose of the Town Centre Zone; and 3. will not result in reverse sensitivity effects with activities that are anticipated in the zone.	Support in part	The Ministry acknowledges the primary purpose of Large Format retail zone is to provide for large scale retail activities.  However, the Ministry considers that explicity provision for activities where there is a functional or operational need is provided for.  However, the Ministry considers that educational facilities, particularly training facilities, should be provided for in the Large Format Retail zone to meet the operational need	Amend as follows:  Other activities  Avoid the establishment of activities that are not enabled by LFRZ-P1 within the Large Format Retail Zone unless they:  1. are not retail activities that are more suited to a location within the Town Centre Zone; 2. will not detract from the character, amenity values or purpose of the Town Centre Zone; and 3. will not result in reverse sensitivity effects with activities that are anticipated in the zone; and 4. there is a functional need or operational need to establish in the zone.
12	LRFZ-R9	Education Facilities Activity Status: NC	Oppose	The Ministry requests that educational facilities are provided for in the Large Format Retail Zone.  The Ministry considers that educational facilities should be provided for in this zone as educational facilities are considered essential social infrastructure that may need to be located within industrial areas, particularly training facilities.  Notwithstanding this, the Ministry acknowledges the potential effects and reverse sensitivity issues to be considered.	Amend as follows:  Education Facilities  Activity Status: NG DIS

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				The Ministry therefore request	
				an activity status of	
				Discretionary for educational	
				facilities in this zone. This	
				provides flexibility without	
				unreasonable restrictions for	
				education facilities that may be	
				best placed within the large	
				format retail zones to serve the	
				education needs of industrial	
				areas.	
Mixed Us	se Zone				
	MUZ-O1	Zone Purpose	Support in part	The Ministry supports this	Amend as follows:
13	WOZ OT	Zone i urpose	Cupport in part	objective in principle,	Attioned at follows.
		The Mixed Use Zone contains residential activities, along with a range of primarily small-		acknowleding the intended use	Zone Purpose
		scale commercial and community activities that serve the convenience needs of the		of the zone however seek the	Zone r urpose
		•			The Mixed Lies Zone contains residential activities along with a range of primarily small cools
		surrounding residential and rural neighbourhood or visitors.		explicit inclusion of educational	The Mixed Use Zone contains residential activities, along with a range of primarily small-scale
				facilities and an amendment to	commercial, education and community activities that serve the convenience needs of the surrounding
				the wording 'small scale'	residential and rural neighbourhood or visitors.
				Educational facilities fall within	
				the scope of non-residential	
				activitiys however provide the	
				necessary social infrastructure	
				for the surrounding facilities	
				and are unlikely to be	
				considered small scale.	
14	MUZ-P1	Commercial, Community and Residential Activities	Support in part	The Ministry requests that	Amend as follows;
14				explicit provision is given to	
		Enable a wide range of small-scale commercial activities, community facilities and		educational facilities	Commercial, Community, Education and Residential Activities
		residential activities to establish and operate within the Mixed Use Zone.		throughout the district in urban	
				development, to manage the	Enable a wide range of small-scale commercial activities, community facilities, education facilities and
				impacts of development on	residential activities to establish and operate within the Mixed Use Zone.
				educational facilities, in	·
				particular impacts on school	
				capacity.	
				Supusity.	
				Council has an obligation	
				under the National Policy	
				Statement for Urban	
				Development (NPS-UD) to	
				ensure sufficient additional	
				infrastructure (which includes	
				schools) is provided in urban	
				growth and development (see	
				Policy 10 and 3.5 of Subpart 1	
				of Part 3: Implementation, in	
				particular).	
	1417.50			T. M	
15	MUZ-R8	Education Facilities	Support	The Ministry supports this rule	Retain as proposed
				to enable the operation of	
		Activity Status: PER		educational facilities within the	
				Mixed Use Zone.	
	<u> </u>				
Neighbou	urhood Centre Zo	ne			
46	NCZ-P1	Commercial and Community Activities	Support in part	The Ministry requests that	Amend as follows:
16		, and the second		explicit provision is given to	
				educational facilities	Commercial, Education and Community Activities
1	1		•		

		Enable a wide range of small-scale commercial activities and community facilities to establish and operate within the Neighbourhood Centre Zone.		throughout the district in urban development, to manage the impacts of development on educational facilities, in particular impacts on school capacity.  Council has an obligation under the National Policy Statement for Urban Development (NPS-UD) to ensure sufficient additional infrastructure (which includes schools) is provided in urban	Enable a wide range of small-scale commercial activities, education and community facilities to establish and operate within the Neighbourhood Centre Zone.
				growth and development (see Policy 10 and 3.5 of Subpart 1 of Part 3: Implementation, in particular).	
17	NCZ-R4	Education Facilities  Activity Status: PER	Support	The Ministry supports this rule to enable the operation of educational facilities within the Neighbourhood Centre Zone.	Retain as proposed
General I	Industrial zone			I .	
18	GIZ-P2	Other Activities  Avoid the establishment of activities that are not enabled by GIZ-P1 within the General Industrial Zone, unless they will not result in reverse sensitivity effects with activities enabled by GIZ-P1, and they:  1. have a functional need or operational need to establish in the zone; or 2. are commercial activities which support the needs of workers within the zone and will not detract from the character, amenity values or purpose of the Town Centre Zone.	Support	The Ministry considers that there may be a functional need for educational facilities to be located within industrial zones, and this policy supports that.	Retain as proposed
19	GIZ-R9	Education Facilities Activity Status: NC	Oppose	The Ministry requests that educational facilities are provided for in the General Industrial Zone.  The Ministry considers that educational facilities should be provided for in this zone as educational facilities are considered essential social infrastructure that may need to be located within industrial areas, particularly training facilities.  Notwithstanding this, the Ministry acknowledges the potential effects and reverse sensitivity issues to be considered.  The Ministry therefore request an activity status of Discretionary for educational facilities in this zone. This provides flexibility without unreasonable restrictions for	Amend as follows:  Education Facilities  Activity Status: NG DIS

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				education facilities that may be				
				best placed within industrial				
				zones to serve the education				
				needs of industrial areas.				
Developm	Development Areas							
Takapō /	Lake Tekapo We	est Future Development Area						
20	DEV1-O1	Comprehensive Development	Support in part	The Ministry requests that explicit provision is given to	Amend as follows:			
		The Takapō / Lake Tekapo West Development Area is developed to provide residential living opportunities and other compatible activities in a comprehensive manner, which maintains a high level of open space character, is appropriate to its landscape setting, protects important ecological values and is integrated with infrastructure.		educational facilities throughout the district in urban development, to manage the impacts of development on educational facilities, in particular impacts on school capacity.  Council has an obligation under the National Policy Statement for Urban Development (NPS-UD) to ensure sufficient additional infrastructure (which includes schools) is provided in urban growth and development (see Policy 10 and 3.5 of Subpart 1 of Part 3: Implementation, in particular).	Comprehensive Development  The Takapō / Lake Tekapo West Development Area is developed to provide residential living opportunities and other compatible activities in a comprehensive manner, which maintains a high level of open space character, is appropriate to its landscape setting, protects important ecological values and is integrated with infrastructure, including social infrastructure.			
21	DEV1-P4	Infrastructure  Ensure that any development in the Takapō / Lake Tekapo West Future Development Area is able to be serviced by reticulated water and wastewater.	Support in part	The Ministry requests that explicit provision is given to educational facilities throughout the district in urban development, to manage the impacts of development on educational facilities, in particular impacts on school capacity.  Council has an obligation under the National Policy Statement for Urban Development (NPS-UD) to ensure sufficient additional infrastructure (which includes schools) is provided in urban growth and development (see Policy 10 and 3.5 of Subpart 1 of Part 3: Implementation, in particular).	Amend as follows:  Infrastructure  Ensure that any development in the Takapō / Lake Tekapo West Future Development Area is able to be serviced by reticulated water, and-wastewater, and social infrastructure.			
	1	rth-West Future Development Area			Amend as follows:			
22	DEV2-O1	Comprehensive Development  The Takapō/ Lake Tekapo North-West Future Development Area is developed for residential activities in a comprehensive manner, providing for a range of housing options and densities and other supporting activities, that is appropriate to its landscape setting, protects important ecological values and is integrated with infrastructure.	Support in part	The Ministry requests that explicit provision is given to educational facilities throughout the district in urban development, to manage the impacts of development on educational facilities, in	Comprehensive Development  The Takapō/ Lake Tekapo North-West Future Development Area is developed for residential activities in a comprehensive manner, providing for a range of housing options and densities and other supporting activities, that is appropriate to its landscape setting, protects important ecological values and is integrated with infrastructure, including social infrastructure.			

23	DEV2-P4	Infrastructure  Ensure that any development in the Takapō / Lake Tekapo North-West Future Development Area is able to be serviced by reticulated water and wastewater.	Support in part	particular impacts on school capacity.  Council has an obligation under the National Policy Statement for Urban Development (NPS-UD) to ensure sufficient additional infrastructure (which includes schools) is provided in urban growth and development (see Policy 10 and 3.5 of Subpart 1 of Part 3: Implementation, in particular).  The Ministry requests that explicit provision is given to educational facilities throughout the district in urban development, to manage the impacts of development on educational facilities, in particular impacts on school capacity.  Council has an obligation under the National Policy Statement for Urban Development (NPS-UD) to ensure sufficient additional infrastructure (which includes schools) is provided in urban growth and development (see Policy 10 and 3.5 of Subpart 1 of Part 3: Implementation, in particular).	Amend as follows:  Infrastructure  Ensure that any development in the Takapō / Lake Tekapo North-West Future Development Area is able to be serviced by reticulated water-and-wastewater, and social infrastructure.
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