



**Te Tāhuhu o
te Mātauranga**
Ministry of Education

Hamilton City Council
260 Anglesea St
Hamilton, 3204

3 November 2023

Attn: Hearing Commissioners for Plan Change 9

Sent via email to steve@riceres.co.nz

Ministry of Education - Letter to be Tabled at PPC9 Hearing

The Ministry of Education (the Ministry) lodged a further submission on proposed Plan Change 9 (PPC9) to the Hamilton District Plan. The Ministry have read the statements of evidence prepared by Laura Jane Galt dated 1 September 2023 and Elsie Natalie Caddigan dated 24 August 2023. This letter is to confirm that if the matters outlined below are adopted, we consider the Ministry's submission points to be adequately resolved. Subsequently, the Ministry do not wish to attend the hearing and request that this letter be tabled for the Hearing Commissioners' consideration instead.

The Ministry's further submission opposed both Waikato Heritage Group (Submitter 427) and the Kellaway Family Trust (Submitter 322) who requested that various buildings on the following school sites be included into Schedule 8A – Built Heritage of the District Plan:

- Deanwell School
- Hamilton North School
- Melville High School
- Forest Lake School
- Melville Primary School
- Frankton School

In addition to the above, the submitters sought to retain some of the open spaces on school sites as part of the heritage listing as well as the buildings. Waikato Heritage Group also sought to schedule a tree within the designation of Whitiara School in Appendix 8 - Notable Trees. Our submission opposed the inclusion of any scheduled heritage item or tree within the Ministry's designations.

All of the schools listed above are designated for 'Education Purposes'. The Ministry has a requirement to develop these school sites in accordance with the designated purpose to provide education spaces that can respond to changes in the surrounding student populations, including intensifying sites where there are increases in the school's roll. Designated school sites enable the Minister to respond to these changes in demand appropriately. The inclusion of scheduled trees, buildings and the spaces around the buildings in a heritage schedule would not recognise that schools need to change over time to ensure education spaces are fit for purpose and school property must meet the needs of the ever-changing learning communities.

Furthermore, as these sites are designated, the requirements under section 9(3) of the RMA (which include heritage matters) do not apply. Although the Ministry may speak to heritage matters as part of an Outline Plan, the Ministry considers that scheduling any new heritage items on a school site would unreasonably raise the expectations of the school community and the wider public that the building would be protected under the District Plan.

While we acknowledge the heritage values these submitters have highlighted, we do not support the listing of them on the heritage schedule in the District Plan. Furthermore, the Ministry considers that the District Plan should only manage the aspects of which they have control, items within a designation are not one of them.

Please contact the undersigned if you have any questions or require further clarification.

Sincerely,

Gemma Hayes

Ministry of Education

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