



Ministry of Education - Submission on the Proposed Porirua District Plan

To: Porirua City Council

Name of submitter: Ministry of Education ('the Ministry')

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This is a submission on the Proposed Porirua District Plan (the Plan).

The specific parts of the Plan 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.

Background:

The Ministry is the Government's lead advisor on the education system, shaping direction for education agencies and providers and contributing to the Government's goals for education. The Ministry's overall purpose is:

'Lifting aspiration and raising education achievement for every New Zealander'

Amongst other educational matters, the Ministry has a responsibility for managing all education property owned by the Crown. The Ministry also has a role in ensuring that education providers have the resources and support they need to deliver services to students. The safety of students and teachers is a high priority and as such, the Ministry monitors and responds to land use consent applications and plan changes that may have a potential impact on the operation of a school or the safety of teachers and students.

The Minister of Education is a requiring authority as defined in Section 166 of the Resource Management Act. The Minister typically designates existing and proposed state school sites as an effective way of managing the Government's school network. Within Porirua, there are 28 sites designated for Education Purposes by the Minister of Education, with a further five sites that were provided Notice of Requirements for during the designation confirmation in 2019. These five sites have been recently designated within the Proposed Porirua District Plan.

Outside of the designation process, the Ministry has responsibilities in respect of state integrated schools and other education facilities that are not, or are yet to be, designated. In that sense, the Minister is eager to ensure that Educational Facilities in general are well provided for in the country's planning documents, in a way that recognises and reflects that all Educational Facilities are important community assets and play a vital role within their communities.

Given the Ministry's overall purpose, it has a strong interest in how Educational Facilities are provided for in the Porirua District generally.

Ministry involvement in the Proposed District Plan:

In July 2019, the Minister confirmed the designations to be rolled or with or without modification for inclusion in this Proposed District Plan and included Notices of Requirement for 5 additional schools to be designated.

In September 2019, the Ministry provided early feedback on the draft district plan which outlined to the Council some of the areas of interest to the Ministry. This initial feedback focused on a number of key provisions, being:

- The definition of 'Educational Facility';
- Transport and parking rules for Education Facilities;
- Objectives providing for a safe, efficient, resilient and well-connected transport network; and
- Activity status for Education Facilities in the various zones.

The Ministry largely supported the draft provisions that pertained to the Ministry's interests, though, did highlight a few concerns specifically around the activity status of Education Facilities within the Future Urban and General Rural zones and the activity standards that were applicable (a 4-child cap) to Education Facilities.

The Ministry then attended a meeting with Porirua City Council to discuss our feedback and the then anticipated Plimmerton Farm Plan Change. The Ministry appreciates the early engagement and involvement throughout the Proposed District Plan process and looks forward to continuing to work together throughout the development and implementation of the Plan.

The Ministry's submission is:

The Ministry has particular interest in the parts of the Proposed Plan that, either directly or indirectly, have the potential to impact on the Ministry's interests such as the management and operation of existing schools or establishment of new Educational Facilities. The provisions that most directly impact on the Ministry are the proposed definitions, transport provisions, and the activity statuses of Educational Facilities throughout the various zones. The Ministry's general comment on these provisions are summarised in the below tables. The submission points in full can be found as **Appendix A**.

Table 1 General comment on the proposed definitions that are relative to the Ministry

Proposed definition	Comment
Childcare services	The definition for Educational Facility includes provision for Childcare Services. Nonetheless, the definition for Childcare Services accurately reflects the broad range of activities that may be considered a childcare service. The Plan contains rules and standards that specifically apply to childcare services. The Ministry is supportive of this definition.
Educational Facility	The Ministry is supportive of this definition. The proposed definition for Education Facility is in keeping with that of the National Planning Standards, which the Ministry was involved in developing.
Habitable room	The Ministry is supportive of this definition. The proposed definition for Habitable room is reflective of the National Planning Standards.
Hazard-Sensitive Activities	The Ministry is supportive of the inclusion of childcare services and Educational Facilities as activities that are sensitive to natural hazards.
Noise-sensitive activity	The Ministry is supportive of the inclusion of Educational Facility as part of the definition for 'noise-sensitive activity'

Table 2 General comment on the proposed transport standard applicable to Educational Facilities

Proposed transport standard	Comment
Trip generation thresholds	The Ministry is accepting that Educational Facilities have the potential to be significant generators of traffic. The Ministry

	supports the permitted thresholds outlined for Educational Facilities.
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Table 3 General comment on the proposed activity status of Educational Facilities throughout the zones and accompanying objectives and policies

Zones	Activity Status	Activity status (with a non-compliance)	Comment
Residential Zones Neighbourhood Centre Zone Local Centre Zone Mixed Use Zone Māori Purpose Zone	Permitted	Restricted Discretionary	Educational Facilities tend to be located within urban environments where the density of population growth often leads to subsequent school roll growth. The proposed activity status flow from Permitted to Restricted Discretionary (should the permitted standards not be met) is considered reasonable within these zones. The Ministry is seeking to retain these provisions as proposed (with amendments where/if required for consistency throughout the plan).
General Rural Zone Rural Lifestyle Zone Future Urban Zone	Permitted	Non-Complying	The Ministry is concerned with the proposed activity status flow of Educational Facilities in both Rural Zones and the Future Urban Zone. From Permitted to Non-Complying. It is important to recognise and provide for the provision of social infrastructure (such as schools) in rural environments, and especially areas that are identified as future growth areas. The Ministry's submission points ask that the activity status for Educational Facilities within these zones be Restricted Discretionary.
Settlement Zone	Permitted	Discretionary	The Settlement Zone applies to the Pāuatahanui Village. The plan outlines that there is scope for further residential growth surrounding the village. The Ministry is supportive of the activity status flow from Permitted to Discretionary within this zone.
City Centre Zone	Permitted	-	The City Centre Zone is described in the Proposed Plan as the heart of the City, it is desirable to locate schools in areas that are well-connected such as the City Centre. The Ministry is supportive of the proposed activity status of Educational Facilities within the City Centre Zone.
Large Format Retail Zone	Restricted Discretionary	Discretionary	The Ministry is supportive of this activity status flow from Restricted Discretionary to Discretionary within the Large Format Retail Zone.
General Industrial Zone	-	-	There are no specific provisions for Educational Facilities within this zone, instead they are captured within a catch-all rule making them non-complying. A new rule is sought by the Ministry in which Educational Facilities are Discretionary.

Open Space Zone	-	-	There does not appear to be any designated Educational Facilities located within these zones or overlays across the Porirua District.
Sport and Active Recreation Zone			There are no specific activity status provisions for Educational Facilities within these zones, and therefore Educational Facilities are assessed as “other activities” under catch-all rules. The Ministry is supportive of these provisions.
Special Purpose Zone			

As currently drafted, the PPDP has a strong policy intent to enable and provide for infrastructure (for example network utilities, pipelines, transport), however, does not specifically provide for social infrastructure (for example community facilities that provide for education, health, social services, recreation and sport). New Zealand's policy framework continues to develop in terms of better recognising the need to plan and provide for social infrastructure together with infrastructure as defined in District Plans.

The National Policy Statement on Urban Development 2020 requires Council to plan for additional infrastructure, such as schools, in planning for growth and in documents such as the District Plan. It also includes a definition of additional infrastructure (emphasis added for social infrastructure) as provided below.

Additional infrastructure means:

- a. *public open space*
- b. *community infrastructure as defined in section 197 of the Local Government Act 2002*
- c. *land transport (as defined in the Land Transport Management Act 2003) that is not controlled by local authorities*
- d. **social infrastructure, such as schools and healthcare facilities**
- e. *a network operated for the purpose of telecommunications (as defined in section 5 of the Telecommunications Act 2001)*
- f. *a network operated for the purpose of transmitting or distributing electricity or gas*

Our submission identifies possible provisions in the PPDP where this could be achieved. This includes proposed definitions for ‘additional infrastructure’ or a more focussed definition of ‘social infrastructure’. It is noted that proposed objective FC-01 relating to enabling infrastructure includes a requirement to enable people and communities to provide for their health and wellbeing. There is opportunity in this objective to more overtly enable social infrastructure. The Ministry is keen to work with PCC to develop the most appropriate way to provide for social infrastructure throughout the District Plan.

Additionally, there are further proposed provisions that indirectly have the potential to impact on the Ministry's interests, specifically those of the Noise (Noise Sensitive Activities, Insulation Standards) and Heritage Chapters (Restrictions on Scheduled Buildings/Sites). While the Ministry has not submitted on these provisions specifically, it is noted that the Ministry is generally supportive of them and their purpose.

The Ministry has cross-checked the Schedule of Designations and designation details within our confirmation of designation (dated 02 April 2019) and confirm that the designation boundaries and details have been correctly adopted into the Proposed Plan.

Finally, the Ministry reaffirms that the management of Educational Facilities will, primarily, continue to be done through designation mechanisms.

The Ministry seeks the following decision from Porirua District Council

That the specific amendments, additions or retentions which are sought as specifically outlined in Appendix A, shown in red and are struck through or underlined, are accepted and adopted into the Plan.

The Ministry wishes to be heard in support of their submission.

Finally, the Ministry wishes to communicate an eagerness for, and the importance of, having strong lines of communication with the Council for planning for growth and local school networks planning throughout the District. We would be happy to meet to discuss these matters, and any other matters that you believe would be helpful when progressing through the Proposed District Plan process, to improve the provisions for Education Facilities and aid the Ministry in achieving its purpose.



Alice Falloon

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

Date: 18/11/2020

ID	SECTION OF PLAN	SPECIFIC PROVISION	SUPPORT/SUPPORT IN PART/ OPPOSE	REASON FOR SUBMISSION	RELIEF SOUGHT
Part 1: Introduction and General Provisions / Interpretation					
1.	Definitions	<p>CHILDCARE SERVICES means the care or education of children and includes:</p> <ul style="list-style-type: none"> a. creches; b. early childhood centres; c. day care centres; d. kindergartens; e. Kohanga Reo; f. playgroups; g. day nurseries; and h. home based childcare and education activities. 	Support	<p>This definition accurately reflects the broad range of activities that may be attached to a Childcare Facility, including other Education Facilities.</p> <p>The Ministry notes that while the definition for Educational Facility already includes facilities for early childhood education, there are provisions within the plan that are specific to childcare services and therefore the requirement to define childcare services further.</p>	Retain as proposed.
2.	Definitions	<p>EDUCATIONAL FACILITY means land or buildings used for teaching or training by childcare services, schools, and tertiary education services, including any ancillary activities.</p>	Support	<p>The draft definition for Educational Facility is in keeping with that of the National Planning Standards, which the Ministry was involved in constructing.</p>	Retain as proposed.
3.	Definitions	<p>HABITABLE ROOM means any room used for the purposes of teaching or used as a living room, dining room, sitting room, bedroom, office or other room specified in the Plan to be a similarly occupied room.</p>	Support	<p>This definition as proposed provides appropriate protection to noise sensitive activities occurring at Educational Facilities.</p>	Retain as proposed.
4.	Definitions	<p>HAZARD SENSITIVE ACTIVITIES means activities that are sensitive to natural hazards, including:</p> <ul style="list-style-type: none"> a. childcare services; b. community facility; c. educational facility; d. emergency service facilities; e. healthcare activity; f. hospital; g. marae; h. multi-unit housing; i. places of worship; and 	Support	<p>It is considered appropriate that an Educational Facility be identified as a hazard sensitive activity.</p>	Retain as proposed.

		j. residential units and minor residential units (including those associated with pakakāinga)			
5.	Definitions	<p>NOISE SENSITIVE ACTIVITIES means:</p> <ul style="list-style-type: none"> a. residential activity; b. marae; c. hospital; d. healthcare activity; e. educational facility; or f. visitor accommodation activity. 	Support	This proposed definition is acceptable and provides protection to the appropriate parts of Educational Facilities.	Retain as proposed.
6.	Definitions	<p>TERTIARY EDUCATION SERVICES means a facility used for education at a post-secondary level, and associated secondary-tertiary programs (section 31A-L of the Education Act 1989).</p> <p>It includes:</p> <ul style="list-style-type: none"> a. universities; b. polytechnics and institutes of technology; c. teachers' and other specialist colleges; d. any other institution within the meaning of section 159 of the Education Act 1989; and e. ancillary accommodation, administrative, cultural, health, retail and communal facilities. 	Support	This definition accurately reflects the broad range of activities that may be considered tertiary education services.	Retain as proposed.
7.	Definitions	Definitions chapters	New provision	<p>The Ministry notes that Educational Facilities are a critical part of a community's social infrastructure and provide for people's health and well-being.</p> <p>Educational facilities are not currently provided for in the proposed definition for 'Infrastructure'. As such, the Ministry seeks the inclusion of a definition that specifically captures and provides for Educational Facilities.</p>	<p>Add new definition as follows:</p> <p><u>SOCIAL INFRASTRUCTURE means:</u></p> <ul style="list-style-type: none"> a. <u>both privately and publicly owned community facilities (such as medical and health services and community corrections activities), Justice Facilities (such as police stations, courts and prisons), and Educational Facilities;</u> b. <u>public open space;</u> c. <u>community infrastructure as defined in the Local Government Act 2002;</u> <p><u>and includes any ancillary activities.</u></p>
8.	Definitions	Definitions chapters	New provision	<p>The proposed definition for Additional Infrastructure has been adopted from the National Policy Statement for Urban Development. However, we note that there is overlap with the proposed definition for Infrastructure.</p> <p>The proposed definition for Social Infrastructure has been adopted from a recent submission on the</p>	<p>Add new definition as follows:</p> <p><u>ADDITIONAL INFRASTRUCTURE means:</u></p> <ul style="list-style-type: none"> a. <u>public open space</u> b. <u>community infrastructure as defined in section 197 of the Local Government Act 2002</u> c. <u>land transport (as defined in the Land Transport Management Act 2003) that is not controlled by local authorities</u>

				New Plymouth Proposed District Plan. The Ministry is keen to work with PCC to find the best way for providing for social infrastructure throughout the Proposed Plan.	<p>d. social infrastructure, such as schools and healthcare facilities</p> <p>e. a network operated for the purpose of telecommunications (as defined in section 5 of the Telecommunications Act 2001)</p> <p>f. a network operated for the purpose of transmitting or distributing electricity or gas</p>
Part 2: District-Wide Matters/ Strategic Direction					
9.	FC - Functioning City	<p>FC-O1 Infrastructure</p> <p>Effective, efficient, resilient and safe infrastructure throughout the City that:</p> <ol style="list-style-type: none"> 1. Provides essential, reliable and secure services, including in emergencies; 2. Facilitates local, regional and national connectivity; 3. Contributes to the economy and supports a high standard of living; 4. Has sufficient capacity to accommodate existing and planned growth; 5. Integrates with development; and 6. Enables people and communities to provide for their health and wellbeing. 	Support with amendment	<p>The Ministry supports objectives and policies that promote effective, efficient, resilient and safe infrastructure that has capacity to accommodate existing and planned growth and enables people and communities to provide for their wellbeing.</p> <p>However, as proposed this objective does not provide for social infrastructure including educational facilities and the Ministry seeks amendment to include this. This should be read in conjunction with submission points 7 and 8.</p>	<p>FC-O1 Infrastructure</p> <p>Effective, efficient, resilient and safe infrastructure and social infrastructure throughout the City that:</p> <ol style="list-style-type: none"> 1. Provides essential, reliable and secure services, including in emergencies; 2. Facilitates local, regional and national connectivity; 3. Contributes to the economy and supports a high standard of living; 4. Has sufficient capacity to accommodate existing and planned growth; 5. Integrates with development; and 6. Enables people and communities to provide for their health and wellbeing.
10.	FC - Functioning City	<p>FC-O3 Existing activities</p> <p>The ongoing operation, character and amenity values of existing lawful activities are protected from incompatible activities.</p>	Support	The Ministry is supportive of provisions which protect Educational Facilities from future development that may compromise their character, amenity and operation.	Retain as proposed.
Part 2: District-Wide Matters / Energy, Infrastructure and Transport					
11.	TR - Transport	<p>TR-P1 High trip generating use and development</p> <p>Provide for high vehicle trip generating activities where it can be demonstrated that any adverse effects on the transport network will be minimised, having regard to:</p> <ol style="list-style-type: none"> 1. The extent to which it integrates and co-ordinates with the transport network, including proposed or planned network upgrades and service improvements; 2. The location of the proposed activity and the purpose of the zone it is located in; 3. The transport network's capacity, level of service, form and function; 4. The effect of the proposed activity on the transport network and it's users; 5. The effect of the proposed activity on the character and amenity values of the surrounding area; 6. The provision for pedestrians, cyclists, public transport users, freight and motorists, as appropriate; 	Support	The Ministry acknowledges that most schools will be considered high trip generating activities and supports the use of School Travel Plans to set out best practice for travel to and from sites.	Retain as proposed.

		<p>7. Any alternative site access and / or routes available;</p> <p>8. Any traffic management and travel planning mechanisms;</p> <p>9. The staging of the activity;</p> <p>10. Any improvements to the transport network proposed as part of a high trip generating activity development;</p> <p>11. Any cumulative adverse effects; and</p> <p>12. Any positive effects.</p>																							
12.	TR - Transport	<p>TR-R5 Trip generation</p> <p>All Zones 1. Activity Status: Permitted</p> <p>Where: a. Compliance is achieved with TR-S10</p> <p>All Zones 3. Activity Status: Restricted discretionary</p> <p>Where a. Compliance is not achieved with TR-S10</p> <p>Matters of discretion are restricted to:</p> <p>1. the matters in TR-P1</p> <p>Section 88 information requirements for applications:</p> <p>1. Applications under this rule must provide, in addition to the standard information requirements:</p> <p>a. An Integrated Transport Assessment by a suitably qualified transport engineer or transport planner. The Waka Kotahi NZ Transport Agency guidelines "Research Report 422: Integrated Transport Assessment Guidelines, November 2010" should be used to inform any Integrated Transport Assessment.</p>	Support	<p>The high trip generation standards of TR-S10 are appropriate for educational activities, as is the restricted discretionary activity status should compliance not be achieved.</p> <p>This should be read in conjunction with submission point 10.</p>	Retain as proposed.																				
13.	TR - Transport	<p>TR-S10 Trip generation</p> <p>TR-Table 7 Trip generation thresholds</p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Threshold</th> </tr> </thead> <tbody> <tr> <td>Educational Activities</td> <td>As per specific activities below</td> </tr> <tr> <td>Childcare services</td> <td>30 children (in addition to any children who are normally resident at the site or who are otherwise guests of the occupants of the site)</td> </tr> <tr> <td>Primary and Secondary Schools</td> <td>150 students</td> </tr> <tr> <td>Tertiary education services</td> <td>250 full-time equivalent students</td> </tr> </tbody> </table>	Activity	Threshold	Educational Activities	As per specific activities below	Childcare services	30 children (in addition to any children who are normally resident at the site or who are otherwise guests of the occupants of the site)	Primary and Secondary Schools	150 students	Tertiary education services	250 full-time equivalent students	Support with amendment	<p>The threshold for childcare services is appropriate as proposed.</p> <p>As proposed, the Ministry is generally supportive of the proposed trip generation permitted threshold for primary and secondary schools but proposes that intermediate schools be added for completeness.</p> <p>The threshold for tertiary education services is appropriate as proposed.</p>	<p>The Ministry seeks the following amendment to the proposed provision.</p> <p>TR-Table 7 Trip generation thresholds</p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Threshold</th> </tr> </thead> <tbody> <tr> <td>Educational Activities</td> <td>As per specific activities below</td> </tr> <tr> <td>Childcare services</td> <td>More than 30 children (in addition to any children who are normally resident at the site or who are otherwise guests of the occupants of the site)</td> </tr> <tr> <td>Primary, Intermediate and Secondary Schools</td> <td>More than 150 students</td> </tr> <tr> <td>Tertiary education services</td> <td>More than 250 full-time equivalent students</td> </tr> </tbody> </table>	Activity	Threshold	Educational Activities	As per specific activities below	Childcare services	More than 30 children (in addition to any children who are normally resident at the site or who are otherwise guests of the occupants of the site)	Primary, Intermediate and Secondary Schools	More than 150 students	Tertiary education services	More than 250 full-time equivalent students
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14.	TR - Transport	TR – Table 6 Minimum number of on-site bicycle parking spaces		Support	The proposed minimum number of on-site bicycle parking spaces for Educational Activities is appropriate.	Retain as proposed.	
		Minimum number of on-site bicycle parking spaces (both short stay and long stay must be provided)					
		Activity	Short stay (visitors)				Long stay (staff*)
		Educational Activities	As per specific activities below				As per specific activities below
		Childcare services	Minimum 1				Minimum 1, 0.1 per staff member*
Primary and intermediate school, secondary school, tertiary education facility	Minimum 1	Minimum 1, 0.1 per student and 0.1 per staff member*					

Part 2: District-Wide Matters / Hazards and Risks

15.	NH - Natural Hazards	<p>NH-R6 - Any Hazard-Sensitive Activity and Potentially-Hazard-Sensitive Activity and associated buildings in Low Hazard Areas in a Natural Hazard Overlay</p> <p>All zones</p> <p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Any buildings within a Flood Hazard - Ponding Overlay are located above the 1:100 year flood level, where this level is the bottom of the floor joists or the base of the concrete floor slab; or b. Any buildings and activities are located no closer than 20m from either side of either the Pukerua Fault Rupture Zone or the Ohariu Fault Rupture Zone. <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. The matters in NH-P4. <p>Notification: An application under this rule is precluded from being publicly notified in accordance with section 95B of the RMA.</p>	Support	Educational Facilities are considered Hazard-Sensitive Activities under the Proposed Plan and are subsequently captured by these rules. The Ministry notes the intent behind the proposed rules and is generally supportive of provisions that seek to protect Educational Facilities from natural hazards.	Retain as proposed.
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16.	NH - Natural Hazards	<p>NH-R7 Any Hazard-Sensitive Activity and Potentially-Hazard-Sensitive Activity and associated buildings within the Medium Hazard Area in a Natural Hazard Overlay</p> <p>All zones</p> <ul style="list-style-type: none"> 1. Activity status: Discretionary 	Support		Retain as proposed.
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17.	NH - Natural Hazards	<p>NH-R8 Any Hazard-Sensitive Activity and Potentially-Hazard-Sensitive Activity and associated buildings within the High Hazard Areas in a Natural Hazard Overlay</p> <p>All zones</p> <ul style="list-style-type: none"> 1. Activity status: Non-complying 	Support		Retain as proposed.
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Part 3: Area Specific Matters / Residential Zones

18.	GRZ - General Residential Zone	GRZ-O1 Purpose of the General Residential Zone The General Residential Zone: 1. Primarily consists of residential activities in a range of residential unit types and sizes; and 2. Accommodates other activities that support the health and wellbeing of people and communities, where they are compatible with the character and amenity values of the Zone.	Support	The Ministry supports proposed objectives and policies that provide for non-residential activities that support the health and wellbeing of people and communities.	Retain as proposed.
19.	GRZ - General Residential Zone	GRZ-P9 Functional and operational requirements Recognise the functional and operational requirements of retirement villages and non-residential activities that support the health and wellbeing of people and communities.	Support		Retain as proposed.
20.	GRZ - General Residential Zone	GRZ-R9 Educational facility, including home-based childcare services 1. Activity status: Permitted Where: a. The maximum number of children on site does not exceed four; and b. The hours of operation are between 7.00am and 7.00pm, Monday to Friday. Except that: GRZ-R9-1.a and GRZ-R9-1.b do not apply to any children who are normally resident at the site or who are otherwise guests of the occupants of the site. 2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with GRZ-R9-1.a or GRZ-R9-1.b. Matters of discretion are restricted to: 1. The matters in GRZ-P3; and 2. The matters in GRZ-P9. Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.	Support	Educational Facilities tend to be located within urban environments where population growth leads to roll growth. The proposed activity status flow from Permitted to Restricted Discretionary (should the permitted standards not be met) is considered appropriate within the General Residential Zone. The Ministry has discussed the proposed four child cap and understand this to be aligned with the limit on the number of children before requiring licence as an Early Childhood Education provider. This is also considered appropriate. The Ministry is also supportive of the preclusion of public notification under this rule.	Retain as proposed.
21.	MRZ – Medium Density Residential Zone	MRZ-O1 Purpose of the Medium Density Residential Zone The Medium Density Residential Zone: 1. Primarily consists of residential activities in a range of residential unit types and sizes including apartments, at a higher density than is anticipated in the General Residential Zone; and 2. Accommodates other activities that support the health and wellbeing of people and communities, where they are compatible with the character and amenity values of the Zone.	Support	The Ministry supports proposed objectives and policies that provide for non-residential activities that support the health and wellbeing of people and communities.	Retain as proposed.
22.	MRZ – Medium Density Residential Zone	MRZ-P11 Functional and operational requirements Recognise the functional and operational requirements of retirement villages and non-residential activities that support the health and wellbeing of people and communities.	Support		Retain as proposed.

23.	MRZ – Medium Density Residential Zone	<p>MRZ-R10 Educational facility, including home-based childcare services</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. The maximum number of children on-site does not exceed four; and b. The hours of operation are between 7.00am and 7.00pm, Monday to Friday. <p>Except that MRZ-R10-1.a and MRZ-R10-1.b do not apply to any children who are normally resident at the site or who are otherwise guests of the occupants of the site</p> <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>Compliance is not achieved with MRZ-R10-1.a or MRZ-R10-1.b.</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. The matters in MRZ-P3; and 2. The matters in MRZ-P11. <p>Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>	Support	<p>Educational Facilities tend to be located within urban environments where population growth leads to roll growth.</p> <p>The proposed activity status flow from Permitted to Restricted Discretionary (should the permitted standards not be met) is considered appropriate within the General Residential Zone.</p> <p>The Ministry has discussed the proposed four child cap and understand this to be aligned with the limit on the number of children before requiring licence as an Early Childhood Education provider. This is also considered appropriate.</p> <p>The Ministry is also supportive of the preclusion of public notification under this rule.</p>	Retain as proposed.
Part 3: Area Specific Matters / Rural Zones					
15.	GRUZ - General Rural Zone	<p>GRUZ-R12 Educational facility</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. The activity is undertaken within a residential unit, minor residential unit or accessory building; b. The maximum number of children on-site is four; and c. The hours of operation are between 7.00am and 7.00pm Monday to Friday. <p>Except that GRUZ-R12-1.b and GRUZ-R12-1.c do not apply to any children who are normally resident at the site or who are otherwise guests of the occupants of the site.</p> <p>Note: This rule applies to home-based childcare services.</p> <p>2. Activity status: Non-complying</p> <p>Where:</p> <p>Compliance is not achieved with GRUZ-R12-1.a, GRUZ-R12-1.b or GRUZ-R12-1.c.</p>	Oppose	<p>The Ministry acknowledges that the primary purpose of the General Rural Zone is to provide for primary production and supporting activities, and notes that the intent of this rule is to provide for small scale home-based childcare.</p> <p>However, the Ministry is concerned the non-complying activity status upon non-compliance with the permitted standards (which no Ministry managed site would comply with).</p> <p>There are currently no schools within the General Rural Zone. However, in future there may be a functional need to locate Educational Facilities in this zone in certain instances.</p> <p>The Ministry seeks that the non-complying activity status is changed to discretionary.</p>	<p>The Ministry opposes this activity status flow and seeks the following amendment:</p> <p>GRUZ-R12 Educational facility</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. The activity is undertaken within a residential unit, minor residential unit or accessory building; b. The maximum number of children on-site is four; and c. The hours of operation are between 7.00am and 7.00pm Monday to Friday. <p>Except that GRUZ-R12-1.b and GRUZ-R12-1.c do not apply to any children who are normally resident at the site or who are otherwise guests of the occupants of the site.</p> <p>Note: This rule applies to home-based childcare services.</p> <p>2. Activity status: Non-complying Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with GRUZ-R12-1.a, GRUZ-R12-1.b or GRUZ-R12-1.c.

16.	RLZ – Rural Lifestyle Zone	<p>RLZ-R12 Educational facility</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. The activity is undertaken within a residential unit, minor residential unit or accessory building; b. The maximum number of children on site is four; and c. The hours of operation are between 7.00am to 7.00pm Monday to Friday. <p>Except that RLZ-R12-1.b and RLZ-R12-1.c do not apply to any children who are normally resident at the site or who are otherwise guests of the occupants of the site.</p> <p>2. Activity status: Non-complying</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with RLZ-R12-1.a, RLZ-R12-1.b or RLZ-R12-1.c. 	Oppose	<p>The Ministry acknowledges that the primary purpose of the Rural Zone is to provide for rural residential and primary production activities, and notes that the intent of this rule is to provide for small scale home-based childcare.</p> <p>However, the Ministry is concerned the non-complying activity status upon non-compliance with the permitted standards (which no Ministry managed site would comply with).</p> <p>There are currently no schools within the Rural Lifestyle Zone. However, in future there may be a functional need to locate Educational Facilities in this zone in certain instances.</p> <p>The Ministry seeks that the non-complying activity status is changed to discretionary.</p>	<p>RLZ-R12 Educational facility</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. The activity is undertaken within a residential unit, minor residential unit or accessory building; b. The maximum number of children on site is four; and c. The hours of operation are between 7.00am to 7.00pm Monday to Friday. <p>Except that RLZ-R12-1.b and RLZ-R12-1.c do not apply to any children who are normally resident at the site or who are otherwise guests of the occupants of the site.</p> <p>2. Activity status: Non-complying-Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with RLZ-R12-1.a, RLZ-R12-1.b or RLZ-R12-1.c.
17.	SETZ – Settlement Zone	<p>SETZ-R10 Educational facility</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. The activity is undertaken within a residential unit, minor residential unit or accessory building; b. The maximum number of children on-site is four; and c. The hours of operation are between 7.00am to 7.00pm Monday to Friday. <p>Except that SETZ-R10-1.b and SETZ-R10-1.c do not apply to any children who are normally resident at the site or who are otherwise guests of the occupants of the site.</p> <p>Note: This rule applies to home-based childcare services.</p> <p>2. Activity status: Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with SETZ-R10-1.a, SETZ-R10-1.b, or SETZ-R10-1.c. 	Support	<p>The proposed flow of activity status from permitted to discretionary for Educational Facilities in the Settlement Zone is considered appropriate given the very small area that the zone covers.</p> <p>The Ministry notes that Pāuatahanui School is located within this zone.</p>	Retain as proposed
Part 3: Area Specific Matters / Commercial and Mixed Use Zones					
18.	NCZ - Neighbourhood Centre Zone	<p>NCZ-R7 Educational facility</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. The gross floor area per facility does not exceed 200m²; and 	Support	<p>For the Neighbourhood Centre Zone, the proposed flow of activity status is expected and reasonable, starting with a permitted activity and moving to a restricted discretionary activity should the applicable standards not be met.</p>	Retain as proposed

		<p>b. Compliance is achieved with NCZ-S7.</p> <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with NCZ-R7-1.a.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in NCZ-P3.</p> <p>3. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with NCZ-S7.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of the infringed standard.</p> <p>Notification: An application under this rule where compliance is not achieved with NCZ-S7 is precluded from being publicly notified in accordance with section 95A of the RMA.</p>			
26.	LCZ - Local Centre Zone	<p>LCZ-R8 - Educational facility</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The gross floor area per facility does not exceed 450m²; and</p> <p>b. Compliance is achieved with LCZ-S7.</p> <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with LCZ-R8-1.a.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in LCZ-P3.</p> <p>3. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with LCZ-S7.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard.</p> <p>Notification: An application under this rule where compliance is not achieved with LCZ-S7 is precluded from being publicly notified in accordance with section 95A of the RMA.</p>	Support	For the Local Centre Zone, the proposed flow of activity status is as expected and reasonable, starting with a permitted activity and moving to a restricted discretionary activity should the standards not be met.	Retain as proposed
27.	LFRZ – Large Format Retail Zone	LFRZ-R16 Educational facility	Support	The Ministry acknowledges that the purpose of the Large Format Retail Zone is to provide for large	Retain as proposed

		<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <p>i. LFRZ-S6; and</p> <p>ii. LFRZ-S7.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in LFRZ-P3.</p> <p>2. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with LFRZ-S6 or LFRZ-S7.</p>		format retail activity. Noting this, the proposed flow of activity status is reasonable, starting with a restricted discretionary and moving to a discretionary activity should the standards not be met.	
28.	MUZ – Mixed Use Zone	<p>MUZ-R10 Educational facility</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The gross floor area per facility does not exceed 450m²; and</p> <p>b. Compliance is achieved with MUZ-S6.</p> <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with MUZ-R10-1.a.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in MUZ-P3.</p> <p>3. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with MUZ-S6.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard.</p> <p>Notification: An application under this rule where compliance is not achieved with MUZ-S6 is precluded from being publicly notified in accordance with section 95A of the RMA.</p>	Support	For the Mixed Use Zone, the proposed flow of activity status is as expected and reasonable, starting with a permitted activity and moving to a restricted discretionary activity should the standards not be met.	Retain as proposed.
29.	CCZ – City Centre Zone	<p>CCZ-R11 Educational facility</p> <p>1. Activity status: Permitted</p>	Support	For the City Centre Zone, the proposed activity status as permitted is reasonable.	Retain as proposed.
Part 3: Area Specific Matters / Industrial Zones					

30.	GIZ - General Industrial Zone	GIZ - General Industrial Zone Chapter	New provision	<p>The Ministry notes that Educational Facilities within the General Industrial Zone are currently captured under the catch-all Rule GIZ-R10 as Non-complying activities.</p> <p>The Ministry seeks that a new rule is added that provides for Educational Facilities as Discretionary Activities within the General Industrial Zone.</p>	<p>Add new rule as follows:</p> <p>GIZ-RXX Educational Facility</p> <p>1. Activity Status: Discretionary</p>
Part 3: Area Specific Matters / Open Space and Recreation Zones					
31.	OSZ - Open Space Zone	<p>OSZ-R19 Any activity not provided for as a permitted, controlled, restricted discretionary or non-complying activity</p> <p>1. Activity status: Discretionary</p>	Support	<p>The proposed plan contains no provisions pertaining to the provision of Educational Facilities within the Open Spaces Zone, therefore Educational Facilities within the Open Spaces Zone are considered under Rule OSZ-R19.</p> <p>The Ministry agrees with the activity status of Discretionary.</p>	Retain as proposed.
32.	SARZ – Sport and Active Recreation Zone	<p>SARZ-R14 Any activity not provided for as a permitted, restricted discretionary or non-complying activity</p> <p>1. Activity status: Discretionary</p>	Support	<p>The proposed plan contains no provisions pertaining to the provision of Educational Facilities within the Sport and Active Recreation Zone, therefore Educational Facilities within the Sport and Active Recreation Zone are considered under Rule SARZ-R14.</p> <p>The Ministry agrees with the activity status of Discretionary.</p>	Retain as proposed.
Part 3: Area Specific Matters / Special Purpose Zones					
33.	SPZ – Special Purpose Zone (BRANZ)	<p>SPZ-R9 Any activity not provided for as a permitted, restricted discretionary, discretionary, or non-complying activity</p> <p>1. Activity status: Discretionary</p>	Support	<p>The proposed plan contains no provisions pertaining to the provision of Educational Facilities within the Special Purpose Zone, therefore Educational Facilities within the Special Purpose Zone are considered under Rule SPZ-R9.</p> <p>The Ministry agrees with the activity status of Discretionary.</p>	Retain as proposed.
34.	FUZ - Future Urban Zone	<p>FUZ-R12 Educational facility</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The activity is undertaken within a residential unit, minor residential unit or accessory building;</p> <p>b. The maximum number of children on-site is four; and</p>	Oppose	<p>The Ministry acknowledges that the purpose of the Future Urban Zone is to provide for existing rural activities until which time a structure plan is adopted, and urban development is enabled.</p> <p>However, as with the General Rural and Rural Lifestyle Zones the Ministry is concerned the non-complying activity status upon non-compliance with the permitted standards (which no</p>	<p>FUZ-R12 Educational facility</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The activity is undertaken within a residential unit, minor residential unit or accessory building;</p> <p>b. The maximum number of children on-site is four; and</p>

		<p>c. The hours of operation are between 7.00am to 7.00pm Monday to Friday.</p> <p>Except that FUZ-R12-1.b and FUZ-R12-1.c do not apply to any children who are normally resident at the site or who are otherwise guests of the occupants of the site.</p> <p>Note: This rule applies to home-based childcare services.</p> <p>2. Activity status: Non-complying</p> <p>Where:</p> <p>a. Compliance is not achieved with FUZ-R12-1.a, FUZ-R12-1.b or FUZ-R12-1.c.</p>		<p>Ministry managed site would comply with).</p> <p>Noting specifically that the Future Urban Zone is air marked for significant residential development, which likely to require a response from the Ministry to provide for Educational Facilities, the Ministry does not support the restrictive activity status of non-complying.</p>	<p>c. The hours of operation are between 7.00am to 7.00pm Monday to Friday.</p> <p>Except that FUZ-R12-1.b and FUZ-R12-1.c do not apply to any children who are normally resident at the site or who are otherwise guests of the occupants of the site.</p> <p>Note: This rule applies to home-based childcare services.</p> <p>2. Activity status: Non-complying Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with FUZ-R12-1.a, FUZ-R12-1.b or FUZ-R12-1.c.</p>				
35.	MPZ - Māori Purpose Zone	<p>MPZ-R12 Educational facility</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The gross floor area per activity does not exceed 200m2 per site.</p> <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with MPZ-R12-1.a.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in MPZ-P3.</p>	Support	<p>For the Māori Purpose Zone, the proposed flow of activity status is as reasonable, starting with a permitted activity and moving to a restricted discretionary activity should the standards not be met.</p>	Retain as proposed.				
Part 4: Appendices and Schedules / Appendices									
36.	APP10 - Natural Hazard Risk Assessment	<p>APP10-Table 2 Hazard sensitivity</p> <table border="1"> <thead> <tr> <th>Hazard provisions sensitivity classification</th> <th>Land use activities</th> </tr> </thead> <tbody> <tr> <td>Hazard-Sensitive Activities</td> <td> <ul style="list-style-type: none"> • Childcare services • Community facility • Educational facility • Emergency service facilities • Healthcare activity • Hospital • Marae • Multi-unit housing • Places of worship • Residential units and minor residential units (including those associated with Pakakāinga) • Retirement village • Visitor accommodation </td> </tr> </tbody> </table>	Hazard provisions sensitivity classification	Land use activities	Hazard-Sensitive Activities	<ul style="list-style-type: none"> • Childcare services • Community facility • Educational facility • Emergency service facilities • Healthcare activity • Hospital • Marae • Multi-unit housing • Places of worship • Residential units and minor residential units (including those associated with Pakakāinga) • Retirement village • Visitor accommodation 	Support	<p>The Ministry supports the inclusion of “educational facility” as a hazard sensitive activity.</p>	Retain as proposed.
Hazard provisions sensitivity classification	Land use activities								
Hazard-Sensitive Activities	<ul style="list-style-type: none"> • Childcare services • Community facility • Educational facility • Emergency service facilities • Healthcare activity • Hospital • Marae • Multi-unit housing • Places of worship • Residential units and minor residential units (including those associated with Pakakāinga) • Retirement village • Visitor accommodation 								

**Correspondence between
Council and submitter which
forms part of this submission**

Louise White

From: Alice Falloon <Alice.Falloon@beca.com>
Sent: Monday, 23 November 2020 3:32 PM
To: dpreview
Subject: [EXTERNAL] RE: Ministry of Education Submission on the proposed Porirua District Plan

Thanks Rory,

Our submission is on behalf of the Ministry of Education and there are no matters of trade competition. As requested, please find the form completed below.

1. I could I could not
 gain an advantage in trade competition through this submission.
(Please tick relevant box)

If **you could** gain an advantage in trade competition through this submission please complete point four below:

2. I am I am not
 directly affected by an effect of the subject matter of the submission that:
 (a) adversely affects the environment; and
 (b) does not relate to trade competition or the effects of trade competition.
(Please tick relevant box if applicable)

Note:
If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

3. I will I will not
 Consider presenting a joint case with other submitters, who make a similar submission, at a hearing.
(Please tick relevant box) Not applicable

Ngā mihi | Kind regards,

Alice Falloon
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