



24 September 2021

Hearings Commissioners
Porirua City Council
PO Box 50218
Porirua 5240

Attention Commissioners: Stephen Daysh and Kitt Littlejohn

Proposed Porirua District Plan Hearing: Stream 1

Dear Commissioners,

The Ministry of Education (“the Ministry”) lodged a submission on the Proposed Porirua District Plan (PDP). Hearing Stream 1 covers Over-arching matters, Plan-wide structural issues and Definitions applying across more than one hearing stream.

Among other topics, the Ministry’s submission addressed eight definitions proposed in the PDP. Six of these definitions will be covered in Hearing Stream 1 and therefore have been addressed in the Officer’s Section 42A report (Officer’s report). It has been noted from direct communications with Council that submission points relating to the Ministry’s submission that are not covered in Hearing Stream 1 will be covered in a future hearing for this PDP.

The Officer’s recommendation is to accept the Ministry’s submission points covered in this hearing in part. The Ministry supports the Officer’s recommendation in full as set out below. In this case, the Ministry does not consider it necessary to attend the hearing scheduled to commence on Monday 27 September 2021. The Ministry requests that this letter be tabled for the Hearing Panel’s consideration in lieu of attendance.

The Officer’s recommendations

Definition: Educational Facility

The Officer has recommended accepting the Ministry’s submission point to retain the definition as notified.

Definition: Childcare services

The Ministry’s submission sought the definition to be retained as notified and the Officer has recommended accepting the Ministry’s submission point in part. The Officer’s report recommends that ‘Puna Reo’ be included in list of childcare services under this definition. It is noted from the Officer’s report that Puna Reo is an early learning centre and its inclusion will enhance the definition to better reflect tangata whenua. Additionally, the Officer recommends adjusting the wording for clarity as underlined below in **red**:

*“.. means the care **and/or** education of children and includes:”*

Definition: Habitable room

The Officer has recommended accepting the Ministry’s submission point to retain the definition as notified.

Definition: Tertiary education services

The Ministry’s submission sought the definition to be retained as notified and the Officer has recommended accepting the Ministry’s submission point in part. It is noted from the Officer’s report that this definition references the Education Act 1989 which is now succeeded by the Education and Training Act 2020. The Ministry provided Council with advice prior to the Officer’s report becoming available to adjust this definition to reflect current legislation. The Officer’s report reflects the Ministry’s advice and recommends the definition be adjusted as below with changes underlined below in **red** or ~~struckout~~:

*“.. means a facility used for education at a post-secondary level, and associated secondary-tertiary programmes (section **10 of the Education and Training Act 2020** ~~31A-L of the Education Act 1989~~).*

It includes:

a. ..

..

d. any other institution within the meaning of "tertiary education organisation" included in section 10 of the Education and Training Act 2020~~section 159 of the Education Act 1989~~; and

e. ...

The Ministry's response to the Officer's recommendations

The Ministry supports the Officer's recommendations set out in the Officer's report for Hearing Stream 1. The Ministry requests that any other reference to the Education Act 1989 throughout the Proposed District Plan be also adjusted as per the Officer's recommendation to the 'Tertiary education services' definition at the appropriate time in upcoming hearings.

Sincerely,



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