



Waikato District Council  
Ngaruawahia office  
15 Galileo Street  
Ngaruawahia 3742

17 March 2020

**Attention: Sandra Kelly**

Dear Sandra

**Ministry of Education – Waikato District Plan Review - Letter to be Tabled at Hearing 13: Hampton Downs**

The Ministry of Education (the Ministry) has lodged a submission on the Proposed Waikato District Plan (submitter 781) and further submissions (submitter FS1277). The Ministry has chosen not to attend Hearing 13 – Hampton Downs scheduled to commence 9<sup>th</sup> April 2020 and requests that in lieu of attendance this letter be tabled for the Hearing Commissioners' consideration.

The Officer's report for Hearing 13 – Hampton Downs of the Proposed Waikato District Plan (PWDP) has been received. The Ministry's response to the Officer's report recommendations on these submission points is set out below.

Submission 781.6 Chapter 9: New Policy

The Ministry sought, through its submission, a new policy to enable the provision of educational facilities in the Specific Zones as there are no policies in the PWDP as notified, which provide for education facilities in these zones. The Ministry is seeking a specific policy that provides for education facilities in the Hampton Downs Motor Sport and Recreation Zone as follows:

*Policy – Education Facilities and Specific Zones*

*Allow activities which are compatible with the role, function and predominant character of Specific Zones, while managing the effects of the activities on the environment in the following zones:*

- (i) Hampton Downs motor sport and recreation*
- (ii) Te Kowhai Airpark*
- (iii) Rangitahi Peninsula; and*
- (iv) Business Zone Tamahere*

The Reporting Officer disagrees with the Ministry's submission that the Hampton Downs Motor Sport and Recreation Zone is an appropriate zone for the inclusion of education facilities. The Reporting Officer considers that the current activities that are consented do already provide for educational aspects such as driver training and recreational activities. The Reporting Officer therefore does not consider that there is a need to include a specific policy that relates to educational facilities as this term has a broader meaning than the specific relief sought.

This recommendation is not accepted by the Ministry. As outlined in the Ministry's submission, educational facilities such as schools, community education, early childhood education, tertiary education institutions, work skills training centres, outdoor education centres and sports training establishments are located in

various areas and are considered an essential social infrastructure required to support district growth. Examples of educational facilities in Hampton Downs motor sport and recreation zone include driver training (including motor racing) and tertiary education work skills training centres. The Ministry also notes that while current activities that are consented provide for educational aspects such as driver training and recreational activities, this does not provide for future education facilities.

The Ministry request that the panel reconsider the above proposed policy.

#### Submission 781.18 Chapter 26: Restricted Discretionary Activities

The Ministry has sought the inclusion of education facilities as a restricted discretionary activity in the Hampton Downs Motor Sport and Recreation Zone as education facilities such as outdoor education centres, sports training establishments and driving schools may need to be located within this zone. The following amendment has been sought:

##### 26.1.3 Restricted Discretionary

##### Activities

- (1) The activities listed below are restricted discretionary activities.
- (2) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.

##### RD1: Education Facilities

##### Matters of discretion:

1. The extent to which it is necessary to locate the activity with the Hampton Downs Motor Sport and Recreation Zone (including Precinct B).
2. Reverse sensitivity effects of adjacent activities.
3. The extent to which the activity may adversely impact on the transport network.
4. The extent to which the activity may adversely impact on the streetscape.
5. The extent to which the activity may adversely impact on the noise environment.

The Reporting Officer notes that although not explicitly listed as an 'education facility', activities such as driver training and recreational activities are provided for as permitted activities. It is the Reporting Officers view that explicitly providing for 'educational facility' as a restricted discretionary activity within the Hampton Downs Motor Sport and Recreation Zone is not appropriate. Activities such as schools and childcare services are likely to conflict with the motorsport, recreational and industrial activities that are provided for within the zone. The Reporting Officer is therefore of the view that it is more appropriate for education facilities be captured by a higher activity status through Rule 26.1.3 - discretionary activities as notified.

This recommendation is not accepted by the Ministry. The Ministry consider that a restricted discretionary activity status is appropriate for education facilities in the Hampton Downs Motor Sport and Recreation Zone. The Ministry is seeking a restricted discretionary activity status in the Hampton Downs Motor Sport and Recreation Zone which would enable Council to have the discretion over the effects these activities

may generate on a case-by-case basis. The matters of discretion covering; necessity, reverse sensitivity, traffic/transport network, noise and amenity would, in my opinion, appropriately address any actual or potential effects on the environment that may be of concern to the Council or to neighbours and the consent authority can then decide whether to grant consent, grant consent with conditions or decline consent – as provided for in S104C, RMA.

The Ministry does not agree with the Reporting Officers comment that driver training is provided for as a permitted activity.

The Ministry therefore requests that education facilities are provided for as a restricted discretionary activity in the PWDP.

Should you have any queries or seek clarification on the above, please contact me on the details below.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alec Duncan', written in a cursive style.

**Alec Duncan**

Planner

on behalf of

**Beca Limited**

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