



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

To: Waikato District Council
From: Keith Frenz (Consultant to the Ministry of Education)
Date: 30 June 2023
Subject: Letter to be tabled at WDC Variation 3 Hearing

Dear Commissioners

Ministry of Education – Proposed Waikato District Plan – Variation 3 – Enabling Housing Supply - Letter to be tabled at Hearing

The Ministry of Education (the Ministry) has lodged a submission on the Proposed Waikato District Plan Variation 3, Enabling Housing Supply (submitter 60). The Ministry did not make a further submission.

The Ministry has chosen not to attend the Hearing scheduled to commence Monday 26 July 2023 and requests that in lieu of attendance this letter be tabled for the Hearing Commissioners' consideration.

The relevant Officer's report for the Hearing has been received and further discussion has taken place to finalise an agreed position on the proposed changes. It is acknowledged that the scope for accepting the Ministry's submissions is limited in response to this Variation which is specific to Enabling Housing Supply.

The Ministry's response to the recommendations in the S42A Officer's further report received on 30 June 2023 on the Ministry's submission points are set out below. The report is attached to this letter.

S42A Report – Submission 60.4

The Ministry's submission was that a new Objective was necessary to provide for educational facilities to support the increased residential population anticipated as a result of the implementation of the Medium Density Residential Zone (2).

“MRZ2-07 Educational Facilities

Residential development is supported by educational facilities”

Following further discussion this was accepted in part by the S42A officer by including “educational facilities” in MRZ O4.

“MRZ-O4 Activities.

An appropriate mix of complementary and compatible activities, including education facilities, is enabled to support residential growth.”

The Ministry supports this proposed amendment.

S42A Report – Submission 60.12

The Ministry's submission was that it was necessary to amend MRZ2-P10 to specifically provide for educational facilities as a non-residential activity to support the increased residential population anticipated as a result of the implementation of the Medium Density Residential Zone (2).

"MRZ2-P10 Non-residential activities.

(1) Maintain the zone primarily for residential activities while also:

a) Ensuring community facilities and educational facilities:

..."

Following further discussion it is accepted by the Ministry that RZ2-P10 as drafted (in particular clauses 1(c) and (2)) are sufficiently broad to support education facilities as a subset of all non-residential activities in the Medium Density Residential Zone (2).

"MRZ2-P10 Non-residential activities.

(1) Maintain the zone primarily for residential activities while also:

...

(c) Ensuring that the design and scale of non-residential activities and associated buildings mitigates adverse effects related to traffic generation, access, noise, vibration, outdoor storage of materials and light spill.

(2) Enabling existing non-residential activities to continue and support their redevelopment and expansion, provided they do not have a significant adverse effect on character and amenity."

S42A Report – Submission 60.13

The Ministry's submission was that it was necessary to amend MRZ2-R4 to specifically provide for educational facilities alongside community facilities to support the increased residential population anticipated as a result of the implementation of the Medium Density Residential Zone (2).

This has now been accepted in part by the S42A officer by importing the Education facilities rule from the Proposed District Plan (GRZ-R13) into Variation 3 for the MRZ2 zone. This is to be provided for as a new rule.

This is accepted by the Ministry as it provides a consistent approach across the Proposed District Plan and Variation 3.

The Ministry's position

The Ministry is supportive of the agreed position reached following engagement between the Ministry and the S42A officer as outlined in the attached report.

Although, it is disappointed that the activity status of non-complying Childcare facilities in the residential zones defaults to full Discretionary, which the Ministry believes does not serve the community's best interests. However, it accepts that within the scope of this Variation the proposed solution to the Ministry's submissions is a pragmatic outcome.

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 'K Frenz', is enclosed in a light grey rectangular box.

Keith Frenz

Senior Planner – Beca Ltd

(Consultant to the Ministry of Education)

Date: 30th June 2023

Attachment 1: Suggested Changes provided by the S42A Officer following further discussion with the Ministry

Objective

MRZ-O4 Activities.

An appropriate mix of complementary and compatible activities, including education facilities, is enabled to support residential growth.

Policy

MRZ2-P10 Non-residential activities.

- (1) Maintain the zone primarily for residential activities while also:
 - (a) Ensuring community facilities:
 - (i) Are suitably located;
 - (ii) Are of a limited scale and intensity that is compatible with the zone;
 - (iii) Contribute to the amenity of the neighbourhood; and
 - (iv) Support the social and economic well-being of the residential community.
 - (b) Avoiding the establishment of new non-residential activities (except home occupations) on rear sites, or sites located on cul-de-sacs; and
 - (c) Ensuring that the design and scale of non-residential activities and associated buildings mitigates adverse effects related to traffic generation, access, noise, vibration, outdoor storage of materials and light spill.
- (2) Enabling existing non-residential activities to continue and support their redevelopment and expansion, provided they do not have a significant adverse effect on character and amenity.

<u>XX</u>	<u>Educational facilities</u> <u>This excludes childcare facilities.</u>
<p><u>1. Activity status: RDIS</u></p> <p><u>Activity-specific standards:</u></p> <p><u>Nil</u></p> <p><u>Council's discretion is restricted to the following matters:</u></p> <ol style="list-style-type: none"> a. <u>The extent to which it is necessary to locate the activity in the MRZ2</u> b. <u>Reverse sensitivity effects of adjacent activities;</u> c. <u>The extent to which the activity may adversely impact on the transport network;</u> d. <u>The extent to which the activity may adversely impact on the streetscape and the amenity of the neighbourhood;</u> e. <u>The extent to which the activity may adversely impact on the noise environment.</u> 	<p><u>2. Activity status where compliance not achieved: n/a</u></p>

<u>XX</u>	<u>Childcare facility</u>
<p><u>1. Activity status: PER</u></p> <p><u>Activity-specific standards:</u></p> <ol style="list-style-type: none"> a. <u>For up to 4 children that are not permanent residents of the household unit.</u> 	<p><u>2. Activity status where compliance not achieved: DIS</u></p>