

## Submitter: Ministry of Education

### Submission number: 781

Submission number	Further submitter name	Further submitter oppose/support	Summary of decision requested	Decision	Decision report where this subject matter is addressed
781.1			<p><b>Amend</b> Chapter 13 Definitions, by deleting the definition of 'Education facility' and replacing with a new definition as follows:</p> <p><del>Education facility Means premises where groups of people are given tuition and training on a formal basis and includes childcare facilities, schools, tertiary education institutions and specialised training facilities, and their ancillary administrative, cultural and health facilities.</del></p> <p><u>Education Facilities: means land and/or buildings used to provide regular instruction or training and includes schools, community education, early childhood education, tertiary education institutions, work skills training centres, outdoor education centres and sports training establishments and includes their ancillary administrative and support facilities (including cultural, recreational, communal or accommodation).</u></p>	Reject	Decision Report 30: Definitions
FS1168.116	Horticulture New Zealand	Support		Reject	
FS1202.135	New Zealand Transport Agency	Support		Reject	
FS1387.1210	Mercury NZ Limited	Oppose		Accept	

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781.2			<b>Delete</b> the definition of "Child care facility" from Chapter 13: Definitions.	Reject	Decision Report 30: Definitions
FS1168.114	Horticulture New Zealand	Support		Reject	
FS1387.1211	Mercury NZ Limited	Oppose		Accept	
781.3			<b>Amend</b> 4.1.6 Policy - Commercial and industrial activities, so that education facilities are included as follows: <i>4.1.6 Policy - <u>Education, commercial and industrial activities (a) Provide for education facilities, commercial and industrial development in the following zones: ...</u></i>	Reject	Decision Report 5: Strategic Directions
FS1345.128	Genesis Energy Limited	Support	Accept in part.	Reject	
FS1387.1212	Mercury NZ Limited	Oppose		Accept	
781.4			<b>Add</b> a new policy in Chapter 5: Rural Environment to provide for education facilities in the rural environment as follows: <i><u>Policy - Education Facilities within the Rural Environment To allow activities which are compatible with the role, function and predominant character of the Rural Environment, while managing the effects of the activities on the environment, including: Education facilities</u></i>	Accept in Part	Decision Report 22: Rural Zone
FS1345.129	Genesis Energy Limited	Support		Accept in Part	
FS1379.321	Hamilton City Council	Oppose		Accept in Part	

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FS1387.1213	Mercury NZ Limited	Oppose		Reject	
781.5			<b>Add</b> a new policy to Chapter 8: Reserves to provide for education facilities in reserves as follows: <u>Policy - Education Facilities and Reserves Allow activities which are compatible with the role, function and predominant character of the Reserves, while managing the effects of the activities on the environment, including: Education facilities</u>	Accept in Part	Decision Report 23: Reserves
FS1387.1214	Mercury NZ Limited	Oppose		Accept in Part	
781.6			<b>Add</b> a new policy to Chapter 9: Specific Zones that provides for education facilities in Specific Zones as follows: <u>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</u>	Reject	Decision Report 25: Hampton Downs Motorsport and Recreation Zone
FS1118.3	Gary Bogaart / Meremere Dragway Inc for Brookfields Lawyers	Support		Reject	
FS1339.2	NZTE Operations Limited	Support		Reject	
FS1208.10	Rangitahi Limited	Support		Reject	

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FSI304.12	Gary Bogaart / Meremere Dragway Inc.	Support		Reject	
781.7			<b>Amend</b> Table 14.12.5.7 - Required parking spaces and loading bays, so that it reads as follows: <del>Child care</del> <u>Early Childhood Education facility</u> <del>1 car space per every full-time staff equivalent plus 1 car space per 5 children that the facility is designed to accommodate</del> <u>2.5 car parks per new classroom or classroom equivalent (to be allocated as visitor parking plus one 99% car loading bay (or pick-up/drop-off bay) per 100 pupils.</u> <del>School: Primary 1 car space for every full-time staff equivalent plus 2 for every 50 students accommodated. Secondary 1 car space for every full-time staff equivalent plus 1 per 10 students accommodated in Years 11 to 13</del> <u>2.5 car parks per new classroom or classroom equivalent (to be allocated as visitor parking plus one 99% car loading bay (or pick-up/drop-off bay) per 100 pupils.</u> <del>Tertiary education facilities: 1 car space per every full-time staff equivalent plus 1 per every 3 full-time equivalent students provided for by the institution 1 space per 50m2 of GFA; plus 1 space per staff.</del> <u>Except where the Council Accepts, on the basis of a specifically commissioned parking study by an appropriate qualified engineer and/or transportation planner, that a lesser level is appropriate.</u>	Reject	Decision Report 13: Infrastructure
781.8			<b>Amend</b> Table 14.12.5.13 - Traffic generation rates as follows: <del>Table 14.12.5.13 - Traffic generation</del> <u>movement rates ...</u> <del>Childcare</del> <u>Early</u>	Reject	Decision Report 13: Infrastructure

Submission number	Further submitter name	Further submitter oppose/support	Summary of decision requested	Decision	Decision report where this subject matter is addressed
			<i>childhood education and day care facility</i> AND <b>Amend</b> the note in Rule 14.12.1 Permitted Activities P4 Traffic Generation as follows: Note: <i>Table 14.12.5.13 provides indicative traffic generation movements rates for various activities</i>		
781.9			<b>Amend</b> Rule 17.1.2 P5 Permitted Activities as follows: <i>P5 Education <del>facility</del> facilities</i>	Accept	Decision Report 20: Business Zones
FS1193.24	Van Den Brink Group	Support		Accept	
FS1387.1215	Mercury NZ Limited	Oppose		Reject	
781.10			<b>Add</b> a new activity for Education Facilities in Rule 16.1.3 Restricted Discretionary Activities as follows: <b>Activity <u>RD2 Education Facilities</u> Council's discretion shall be restricted to the following matters:</b> <i>The extent to which the location, bulk, scale and built form of building(s) impacts on natural, ecological, landscape and/or historic heritage values. The extent to which the activity may adversely impact on the transport network. Ability to soften the visual impact of buildings from adjoining residential properties. The extent to which the activity may adversely impact on the streetscape. The extent to which the activity may adversely impact on the noise environment.</i>	Accept	Decision Report 14: Residential Zone
FS1387.1216	Mercury NZ Limited	Oppose		Reject	Decision Report 14: Residential Zone

Submission number	Further submitter name	Further submitter oppose/support	Summary of decision requested	Decision	Decision report where this subject matter is addressed
781.11			<p><b>Add</b> new noise standards for education facilities to Rule 16.2.1 Noise as follows: <u>16.2.1.2 Noise - Education facilities The operation of any education facilities shall comply with the following noise limits at the boundary of any site within the residential zone, at a point 20m from the façade of any dwelling, or the site boundary, whichever is closest to the dwelling: - Mon-Sun, 7.00am-10.00pm (0700-2200) 55dBA (Leq) -Mon-Sun, 10.00pm-7.00am (2200-0700) 45 dBA (Leq) - LMAX= 75dBA These noise levels shall not apply to noise from outdoor school activities occurring between 0800 and 1800 hours Monday to Saturday. Noise levels shall be measured and assessed in accordance with NZS 6801:2008 "Measurement of Environmental Sound" and NZS 6802:2008 "Environmental Noise".</u></p>	Reject	Decision Report 14: Residential Zone
781.12			<p><b>Add</b> a rule for education facilities to Rule 18.1.3 Restricted Discretionary Activities as follows: <b>Activity RD3 Education Facilities Council's discretion shall be restricted to the following matters:</b> <u>a. The extent to which it is necessary to locate the activity within the Business Town Centre Zone b. Reverse sensitivity effects of adjacent activities c. The extent to which the activity may adversely impact on the transport network d. The extent to which the activity may adversely impact on the streetscape e. The extent to which the activity may adversely impact on the noise environment</u></p>	Accept	Decision Report 20: Business Zones

Submission number	Further submitter name	Further submitter oppose/support	Summary of decision requested	Decision	Decision report where this subject matter is addressed
FSI202.82	New Zealand Transport Agency	Support		Accept	
FSI272.14	KiwiRail Holdings Ltd	Support		Accept	
FSI387.1217	Mercury NZ Limited	Oppose		Reject	
781.13			<p><b>Add</b> a rule for education facilities to Rule 19.1.2 Restricted Discretionary Activities as follows: <b>Activity RD2 Education Facilities Council's discretion shall be restricted to the following matters:</b> <u>The extent to which it is necessary to locate the activity within the Business Zone Tamahere.</u> <u>Reverse sensitivity effects of adjacent activities.</u> <u>The extent to which the activity may adversely impact on the transport network.</u> <u>The extent to which the activity may adversely impact on the streetscape.</u> <u>The extent to which the activity may adversely impact on the noise environment.</u></p>	Accept	Decision Report 20: Business Zones
781.14			<p><b>Delete</b> Rule 22.8.4 D6 Discretionary Activities for an education facility. <b>AND Amend</b> Rule 22.8.3 Restricted Discretionary Activities as follows: <b>Activity RD3 Education facilities Council's discretion shall be restricted to the following matters:</b> <u>The extent to which it is necessary to locate the activity in the Lakeside Te Kauwhata Precinct.</u> <u>Reverse sensitivity effects of adjacent activities.</u> <u>The extent to which the activity may adversely impact on the transport network.</u> <u>The</u></p>	Accept in Part	Decision Report 22: Rural Zone

Submission number	Further submitter name	Further submitter oppose/support	Summary of decision requested	Decision	Decision report where this subject matter is addressed
			<u>extent to which the activity may adversely impact on the streetscape. The extent to which the activity may adversely impact on the noise environment.</u>		
FS1387.1218	Mercury NZ Limited	Oppose		Accept in Part Reject	
781.15			<b>Delete</b> Rule 23.1.2 D5 Discretionary Activities for an education facility <b>AND Add</b> a Restricted Discretionary activity rule that provides for education facilities in Rule <u>23.1.2 as follows: 23.1.2 Restricted Discretionary Activities (1) The activities listed below are restricted discretionary activities <b>Activity RDI Education facilities Council's discretion shall be restricted to the following matters:</b> <u>The extent to which it is necessary to locate the activity in the Country Living Zone.</u> <u>Reverse sensitivity effects of adjacent activities.</u> <u>The extent to which the activity may adversely impact on the transport network. The extent to which the activity may adversely impact on the streetscape. The extent to which the activity may adversely impact on the noise environment.</u></u>	Accept	Decision Report 18: Country Living Zone
FS1202.89	New Zealand Transport Agency	Support		Accept	
FS1387.1219	Mercury NZ Limited	Oppose		Reject	
781.16			<b>Add</b> a new restricted activity rule to Rule 24.1 Land Use - Activities as follows: <u>24.1.2 Restricted Discretionary Activities (1) The</u>	Accept in part	Decision Report 17: Village Zone



Submission number	Further submitter name	Further submitter oppose/support	Summary of decision requested	Decision	Decision report where this subject matter is addressed
			<p><u>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: <b>Activity RDI Education facilities</b> Council's discretion shall be restricted to the following matters:</u> <u>The extent to which it is necessary to locate the activity in the Village Zone.</u> <u>Reverse sensitivity effects of adjacent activities.</u> <u>The extent to which the activity may adversely impact on the transport network.</u> <u>The extent to which the activity may adversely impact on the streetscape.</u> <u>The extent to which the activity may adversely impact on the noise environment.</u></p>		
FS1202.92	New Zealand Transport Agency	Support		Accept in Part	
FS1387.1220	Mercury NZ Limited	Oppose		Accept in Part	
781.17			<p><b>Add</b> a new restricted activity rule to Rule 24.1 Land Use - Activities as follows: <u>24.1.2 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: <b>Activity RDI Education facilities</b> Council's discretion shall be restricted to the following matters:</u> <u>The extent to which it is necessary to locate the activity in the</u></p>	Accept in Part	Decision Report 25: Reserve Zone

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			<p><u>Reserve Zone. Reverse sensitivity effects of adjacent activities. The extent to which the activity may adversely impact on the transport network. The extent to which the activity may adversely impact on the streetscape. The extent to which the activity may adversely impact on the noise environment.</u></p>		
FS1333.24	Fonterra Limited	Oppose		Accept in Part	
FS1387.1221	Mercury NZ Limited	Oppose		Accept in Part	
781.18			<p><b>Add</b> a restricted discretionary activity rule to Rule 26.1 Land Use - Activities, as follows:  <u>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: <b>Activity</b> RDI Education facilities <b>Matters of discretion</b> a. The extent to which it is necessary to locate the activity in the Hampton Downs Sport and Recreation Zone (including Precinct B) b. Reverse sensitivity effects of adjacent activities c. The extent to which the activity may adversely impact on the transport network d. The extent to which the activity may adversely impact on the streetscape e. The extent to which the activity may adversely impact on the noise environment</u></p>	Reject	Decision Report 25: Hampton Downs Motorsport and Recreation Zone

Submission number	Further submitter name	Further submitter oppose/support	Summary of decision requested	Decision	Decision report where this subject matter is addressed
FSI 202.93	New Zealand Transport Agency	Support		Reject	
781.19			<p><b>Amend</b> Rule 27.1.1 Activity Status Table as follows: <del>27.1.1 Activity Status Table Teaching and Conference Education Facilities Precinct A: Non-complying Restricted Discretionary Precinct B: Permitted Precinct C: Discretionary Restricted Discretionary Precinct D: Discretionary Restricted Discretionary</del> <b>AND Add</b> the following matters of discretion to Rule 27.1 Land Use Activities as follows: <u>27.1.2 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: <b>Activity</b> RDI Education facilities <b>Matters of discretion</b> a. The extent to which it is necessary to locate the activity in the Te Kowhai Airpark Zone b. Reverse sensitivity effects of adjacent activities c. The extent to which the activity may adversely impact on the transport network d. The extent to which the activity may adversely impact on the streetscape e. The extent to which the activity may adversely impact on the noise environment</u></p>	Accept in Part	Decision Report 26: Te Kowhai Airpark Zone
FSI 339.163	NZTE Operations Limited	Support		Accept in Part	
781.20			<p><b>Add</b> a new rule for education facilities to Rule 28.1.3 Specific Activities - Restricted Discretionary Activities as follows: <b>Activity</b> RD4 Education Facilities <b>Council's</b></p>	Reject	Decision Report 27: Rangitahi Peninsula Zone

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			<p><b>discretion shall be restricted to the following matters:</b> <u>The extent to which the location, bulk, scale and built form of building(s) impacts on natural, ecological, landscape and/or historic heritage values.</u>  <u>The extent to which the activity may adversely impact on the transport network.</u>  <u>Ability to soften the visual impact of buildings from adjoining residential properties.</u>  <u>The extent to which the activity may adversely impact on the streetscape.</u> <u>The extent to which the activity may adversely impact on the noise environment.</u></p>		
FS1208.11	Rangitahi Limited	Support		Reject	
FS1387.1222	Mercury NZ Limited	Oppose		Accept	
781.21			<b>Delete</b> the Te Mata School building (ID 184) from Appendix 30.1 Historic Heritage Items.	Reject	Decision Report 8: Historic Heritage
FS1323.136	Heritage New Zealand Pouhere Taonga	Oppose	.	Accept	
781.22			<b>Delete</b> Harrisville School Teacher's house (ID7) from Appendix 30.1 Historic Heritage Items.	Reject	Decision Report 8: Historic Heritage
FS1323.137	Heritage New Zealand Pouhere Taonga	Oppose		Accept	
781.23		Oppose	<b>Delete</b> Tamahere School Building (ID 177) from Appendix 30.1 Historic Heritage Items.	Reject	Decision Report 8: Historic Heritage

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FS1323.138	Heritage New Zealand Pouhere Taonga	Oppose		Accept	
781.24			<p><b>Amend</b> Rule 20.1.1 P2 Permitted Activities as follows: <i>P2 Trade and industry training activity Any education facility which is not incidental to a trade and industry training activity is a restricted discretionary activity.</i> <b>AND Add</b> a new restricted discretionary activity rule for educational facilities in the Industrial Zone as follows: <i>20.1.2 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. Activity RDI Education Facilities Matters of discretion _____ The extent to which it is necessary to locate the activity within the Industrial Zone. _____ Reverse sensitivity effects of adjacent activities. The extent to which the activity may adversely impact on the transport network. _____ The extent to which the activity may adversely impact on the streetscape. _____ The extent to which the activity may adversely impact on the noise environment.</i> <b>AND Amend</b> Rule 20.1.3 Non-Complying Activities as follows: NCI Any activity that is not listed as a permitted, restricted discretionary or discretionary activity.</p>	Reject	Decision Report 21: Industrial Zones
FS1345.130	Genesis Energy Limited	Oppose		Accept	

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FSI387.1223	Mercury NZ Limited	Oppose		Accept	
781.25			<p><b>Amend</b> Rule 20.5.2 P10 Permitted Activities as follows: <u>Activity P10 An eEducation facilities</u>  <u>Activity-specific conditions For no more than 10 students Any education facility which exceeds this number of staff or students is a restricted discretionary activity</u> <b>AND Add</b> a new restricted discretionary activity rule to provide for educational facilities in the Nau Mai Business Park as follows: <u>20.5.3 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. Activity RDI Education facilities Matters of discretion The extent to which it is necessary to locate the activity within the Nau Mai Business Park Specific Area. Reverse sensitivity effects of adjacent activities. The extent to which the activity may adversely impact on the transport network. The extent to which the activity may adversely impact on the streetscape. The extent to which the activity may adversely impact on the noise environment.</u> <b>AND Amend</b> Rule 20.5.4 Non-Complying Activities as follows: <u>NCI Any activity that is not listed as a permitted activity Rule 20.5.2 or restricted discretionary.</u></p>	Reject	Decision Report 21: Industrial Zones

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FSI 202.84	New Zealand Transport Agency	Support		Reject	
781.26			<p><b>Amend</b> Rule 21.1.1 P2 Permitted Activities as follows: <i>P2 Trade and industry training activity Any education facility which is not incidental to a trade and industry training activity is a restricted discretionary activity.</i> <b>AND Add</b> a new restricted discretionary activity rule for educational facilities as follows: <i>21.1.2 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. Activity RDI Education Facilities Matters of discretion _____ The extent to which it is necessary to locate the activity within the Industrial Zone Heavy. _____ Reverse sensitivity effects of adjacent activities. The extent to which the activity may adversely impact on the transport network. _____ The extent to which the activity may adversely impact on the streetscape. _____ The extent to which the activity may adversely impact on the noise environment</i> <b>AND Amend</b> Rule 21.1.3 NCI Non-Complying Activities as follows: NCI: Any activity that is not listed as a permitted, restricted discretionary or discretionary activity.</p>	Reject	Decision Report 21: Industrial Zones
FSI 202.85	New Zealand Transport Agency	Support		Reject	

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FSI345.131	Genesis Energy Limited	Oppose		Accept	
FSI387.1224	Mercury NZ Limited	Oppose		Accept	
781.27			<p><b>Delete</b> Rule 22.1.5 D6 Discretionary Activities relating to an education facility.  <b>AND Amend</b> Rule 22.1.3 Restricted Discretionary Activities as follows: <i>Rule 22.1.3 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: <b>Activity RD3 Education facilities</b> Council's discretion shall be restricted to the following matters:</i> _____ <u>The extent to which it is necessary to locate the activity within the Rural Zone.</u> _____ <u>Reverse sensitivity effects of adjacent activities.</u> <u>The extent to which the activity may adversely impact on the transport network.</u> <u>The extent to which the activity may adversely impact on the streetscape.</u> <u>The extent to which the activity may adversely impact on the noise environment.</u></p>	Accept in Part	Decision Report 22: Rural Zone
FSI202.86	New Zealand Transport Agency	Support		Accept in Part	
FSI345.132	Genesis Energy Limited	Oppose		Accept in Part	
FSI379.320	Hamilton City Council	Oppose		Accept in Part	



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FSI387.1225	Mercury NZ Limited	Oppose		Accept in Part	
781.28			<p><b>Amend</b> Rule 22.5.2 P2 Permitted Activities - Agricultural and Horticultural Research as follows: <i>P2 An education facilities that is incidental to agricultural or horticultural research. Any education facilities which are not incidental to agricultural or horticultural research is a restricted discretionary activity.</i> <b>AND Add</b> a new Rule 22.5.3 Restricted Discretionary Activities as follows: <i>22.5.3 Restricted Discretionary Activities (1) The activities listed below are restricted discretionary activities</i> <b>Activity RD3 Education facilities</b> <b>Council's discretion shall be restricted to the following matters:</b>  <i>The extent to which it is necessary to locate the activity within the Rural Zone. Reverse sensitivity effects of adjacent activities.</i>  <i>The extent to which the activity may adversely impact on the transport network. The extent to which the activity may adversely impact on the streetscape. The extent to which the activity may adversely impact on the noise environment.</i></p>	Accept in Part	Decision Report 22: Rural Zone
FSI345.133	Genesis Energy Limited	Oppose		Accept in Part	