



Waikato District Council
Ngaruawahia office
15 Galileo Street
Ngaruawahia 3742

29 September 2020

Attention: Hearing Commissioners

Dear Commissioners

Ministry of Education – Waikato District Plan Review - Letter to be Tabled at Hearing 22: Infrastructure

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 22 – Infrastructure scheduled to commence Tuesday 20th October 2020 and requests that in lieu of attendance this letter be tabled for the Hearing Commissioners’ consideration.

The Officer’s report for Hearing 22 – Infrastructure of the Proposed Waikato District Plan (PWDP) has been received. The Ministry’s response to the Officer’s report recommendations on these submission points are set out below.

Chapter 14: Infrastructure and Energy

Table 14.12.5.7 - Required parking spaces and loading bays

The Ministry sought in its submission to amend Table 14.12.5.7 that set out the minimum required parking spaces for childcare, schools and tertiary education facilities to align with the Ministry’s national standards for all education facilities.

The amendments sought include replacing the term ‘Child care facility’ with ‘Early childhood education facility’. However, the Ministry note that this submission was made prior to the release of the National Planning Standards (NPS) Definitions in April 2018.

The following amendments were sought in the Ministry’s original submission:

Activity	Minimum Required Parking Spaces	Minimum Required Loading Bays
<i>Child care <u>Early Childhood Education</u> facility:</i>	<i>1 car space per every full-time staff equivalent plus 1 car space per 5 children that the facility is designed to accommodate. <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></i>	Nil
School	<i>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.</i>	1 bus space per 200 students where school bus services are provided

	<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>	
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. <u>1 space per 50m² of GFA; plus 1 space per staff.</u> <u>Except where the Council accepts, on the basis of a specifically commissioned parking study by an appropriately qualified engineer and/or transportation planner, that a lesser level is appropriate.</u>	1 HGV

Reporting Officers Response: Definitions

The Reporting Officer has noted that the Hearing 5: Definitions Reporting Officer has recommended to amend the definition of childcare facility to include “any land or buildings used for the care or training of predominantly pre-school children and includes a playcentre, kindergarten or daycare”.

The Reporting Officer therefore considers that the issue raised by the Ministry regarding the term childcare to have been addressed in Hearing 5.

Reporting Officers Response: Carparking Provisions

The Reporting Officer notes that the Ministry’s preferred car parking arrangements for Early Childhood Education (ECE) facilities appear aimed at larger facilities, with classrooms and 100 pupil multiple car loading bays.

The Reporting Officer accepts that car loading bays would be an appropriate method for pick-up and drop-off, whether on-site or on the road, however, considers that a 100 pupil facility would probably require more than one car loading bay, as pupils will generally arrive within a peak hour. For ECE and daycare facilities with less than 100 pupils or children for care, the Reporting Officer considers it to be more appropriate to have car parking provisions related to child and Full-time Equivalent (FTE) staff numbers rather than classrooms. However, the Reporting Officer supports reducing the minimum standard to 1 parking space per 10 children plus 0.5 parking space per FTE employee.

The Reporting Officer understands that some ECEs and schools will be established by Notice of Requirement and/or Outline Plan of Works, and not be bound by the PWDP permitted activity standards. Private ECE and integrated and independent schools will be established by permitted activity standards and resource consents. For primary schools, the outcome, in terms of number of car spaces, may be similar under the PWDP and the Ministry-preferred provisions. However, the Ministry provisions make no allowance for staff parking. The Reporting Officer therefore prefers the notified PWDP provisions, which have staff and visitor allocations, and can have car loading bays as required.

For secondary schools, the Reporting Officer notes that the PWDP provisions appear to provide for some senior school student parking, as Waikato District has rural and town schools rather than city schools and recognise that there will be more staff than classrooms. In the Reporting Officer’s opinion, the Ministry’s preferred provisions would be appropriate, if set at 3 car spaces per classroom, available for staff, visitors and some senior students, and car loading bays.

For tertiary education facilities, the Reporting Officer considers the PWDP provisions are appropriate, as any tertiary education facilities within Waikato District will not be city campuses, and Ground Floor Area (GFA) of facilities could vary widely if they feature rural activities. Exceptions for specifically commissioned parking studies can be made as a restricted discretionary activity.

The Reporting Officer has therefore recommended accepting in part the Ministry's submission point (subject to minor amendments) and considers the notified parking standards for childcare, schools and tertiary education facilities to be appropriate as a minimum requirement.

The Reporting Officer has recommended the following amendments to the notified PWDP provisions:

Activity	Minimum Required Parking Spaces	Minimum Required Loading Bays
Child care	<i>For facilities with less than 100 pupils, 40.5 car space per every full-time staff equivalent plus 1 car space per 510 children that the facility is designed to accommodate plus one 99% car loading bay; For facilities with 100 or more pupils, 2.5 car parks per new classroom or classroom equivalent (to be allocated as staff and visitor parking) plus one 99% car loading bay (or pick-up/drop-off bay) per 100 pupils</i>	Nil
School	<i>Primary - 1 car space for every full-time staff equivalent plus 2 for every 50 students accommodated plus one 99% car loading bay (or pick-up/drop-off bay) per 100 pupils. Secondary – 1 car space for every full-time staff equivalent plus 1 per 10 students accommodated in Years 11 to 13 3 car parks per new classroom or classroom equivalent plus one 99% car loading bay (or pick-up/drop-off bay) per 100 students</i>	1 bus space per 200 students where school bus services are provided
Tertiary education facilities	<i>1 car space per every full-time staff equivalent plus 1 per every 3 full-time equivalent students provided for by the institution</i>	

The Ministry's Response

The Ministry has accepted the recommendation to adopt the NPS definition for 'Educational facility' which is reflected in the relief sought by the Ministry in our further submission [FS1113.1] and Hearing 5 evidence.

Consequent to this, the Ministry disagrees that the term 'childcare facility' should be retained as a sub-definition, as the NPS definition for 'Educational facility' captures childcare services within. The inclusion of both definitions ('Educational facility' and 'Childcare facility') has the potential for misinterpretation as a childcare service will essentially fall under both definitions. This is exemplified in the Ministry's evidence for Hearing 5.

Table 14.12.5.7 – Required parking spaces and loading bays:

The Ministry further notes that none of the specific activities for parking (i.e. 'School', and 'Tertiary Education') in Table 14.12.5.7 are separately defined by the PWDP.

For these reasons, the Ministry considers that the definition of ‘Childcare facility’ should be deleted. This is supported by the NPS definitions which do not have a definition for ‘childcare facility’ – only a clear definition for ‘educational facility’.

However, should the Panel prefer to retain the definition, the Ministry would suggest that it should be amended to read (struck-through text deleted):

Childcare facility

Means any land or buildings used for the care or training of predominantly pre-school children ~~and includes a playcentre, kindergarten or daycare.~~

With no inclusions specified.

The Ministry does not agree with the recommended amendments to the minimum required parking spaces for ‘child care facilities’. The requirement to make a distinction in relation to pupil numbers is unnecessary as the result is effectively the same. Further, child care facilities do not generally have typical ‘classroom’ arrangements, therefore parking numbers based on classrooms is impractical i.e. one child care room may only accommodate 10 children and another maybe an open plan setting and accommodate 40 children.

The Ministry consider that the recommended minimum requirements for child care facilities are too complicated and should be kept simple, as set out below.

The Ministry further request an amendment to ‘schools’ to include ‘intermediate’ schools or to consistently reference the “Years” provided for.

The Ministry request the following further amendments to the recommendations set out in the Officers Report. These are set out in **bold** or **bold**:

Activity	Minimum Required Parking Spaces	Minimum Required Loading Bays
<i>Child care <u>facilities</u></i>	<i><u>For facilities with less than 100 pupils, 40.5 car space per every full-time staff equivalent plus 1 car space per 510 children that the facility is designed to accommodate plus one 99% car loading bay;</u></i> <i><u>For facilities with 100 or more pupils, 2.5 car parks per new classroom or classroom equivalent (to be allocated as staff and visitor parking) plus one 99% car loading bay (or pick-up/drop-off bay) per 100 pupils</u></i>	Nil
<u>School Education facilities (Years 1 – 13)</u>	<i>Primary <u>and Intermediate (Years 1 – 8)</u> - 1 car space for every full-time staff equivalent plus 2 for every 50 students accommodated <u>plus one 99% car loading bay (or pick-up/drop-off bay) per 100 pupils.</u></i> <i>Secondary <u>(Years 9 – 13)</u> – 1 car space for every full-time staff equivalent plus 1 per 10 students accommodated in Years 11 to 13 <u>3 car parks per new classroom or classroom equivalent plus one 99% car loading bay (or pick-up/drop-off bay) per 100 students</u></i>	1 bus space per 200 students where school bus services are provided

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	
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Given that there remain significant differences in some cases between the Reporting Officer's recommendation and the Ministry's submission we would request that in the event that the Reporting Officer's standard is preferred then each standard is supplemented with the addition of the following clause:

"Except where the Council accepts, on the basis of a specifically commissioned parking study by an appropriately qualified engineer and/or transportation planner, that a lesser level is appropriate."

This clause was included in the Ministry's submission in relation to Tertiary education facilities but has not been included in the Reporting Officer's recommendation. If the Ministry's submissions in relation to other education facilities is to be rejected then the clause is equally relevant to those to clarify how, and on what basis, a resource consent is to be considered (if the establishment of the facility is not to be undertaken by way of a Notice of Requirement).

The Ministry also notes that the National Policy Statement on Urban Development 2020 (NPS:UD) released in July 2020 requires that, where a district plan contains objectives, policies, rules, or assessment criteria that have the effect of requiring a minimum number of car parks to be provided for a particular development, land use, or activity, the territorial authority must change its district plan to remove that effect, other than in respect of accessible car parks.

Waikato District Council as a Tier 1 territorial authority must implement this requirement by 20 February 2022 without using a process in Schedule 1 of the RMA. Therefore, notwithstanding the Reporting Officer's opinion, the Ministry encourages the Panel to implement the NPS:UD requirements by deleting this table and related objectives and policies now rather than later, in their entirety, to avoid unnecessary work in this space and to achieve consistency with the NPS:UD.

14.12.1 Permitted Activities

The Ministry supports the standards set out for education facilities in Table 14.12.5.13. However, the term 'traffic generation' is unclear and does not accurately reflect the activity. For clarity, the Ministry have sought that the term 'traffic generation' be replaced with 'traffic movements'.

For the reasons set out above, the Ministry further sought to replace the term 'Child care facility' with 'Early childhood education facility'. These amendments are set out below:

*Note: Table 14.12.5.13 provides indicative traffic ~~generation~~ **movements** rates for various activities*

Table 14.12.5.13 – Traffic ~~Generation~~ **Movement Rates**

Activity	Indicative daily vehicle movements*
Childcare and day care Early childhood education facility	4 per child the facility is designed to accommodate

<i>School</i>	<i>2 per student the primary school is designed to accommodate, or 1 per student the secondary school is designed to accommodate</i>
<i>Tertiary education facilities</i>	<i>2 per student the facility is designed to accommodate</i>

The Reporting Officer agrees with the change from “traffic generation rates” to “vehicle movement rates” for clarification and consistency, as this term is also consistent with Rule 14.12.1.4 P4 for traffic generation. However, for the reasons discussed previously, the Reporting Officer does not support changing the term ‘Childcare and daycare facility’, as this has previously been addressed in Hearing 5.

The Reporting Officer has recommended accepting in part, the Ministry’s submission. The Ministry accepts the Reporting Officers recommendation, subject to consideration given to the definitions as discussed above.

Further, the Ministry would suggest for clarification that the years of education provision relevant to “Primary” and “Secondary” schools are added to the table as shown below. In our opinion this can be done under Clause 16 of the First Schedule of the Resource Management Act.

Table 14.12.5.13 – Traffic Generation Movement Rates

Activity	Indicative daily vehicle movements*
<i>Child care facility</i>	<i>4 per child the facility is designed to accommodate</i>
<i>School Education facility (Years 1 – 13)</i>	<i>2 per student the primary school (<u>Years 1 – 8</u>) is designed to accommodate, or 1 per student the secondary school (<u>Years 9 – 13</u>) is designed to accommodate</i>
<i>Tertiary education facilities</i>	<i>2 per student the facility is designed to accommodate</i>

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

Direct Dial: +64 7 960 7259

Email: alec.duncan@beca.com