

**FORM 5****Submission on publicly notified proposal for policy statement or plan, change or variation under Clause 6 of Schedule 1, Resource Management Act 1991**

To: Central Otago District Council

**Name of submitter:** Ministry of Education | Te Tāhuhu o Te Mātauranga ('the Ministry')

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This is a submission on Plan Change Request 19 (PPC19) prepared by Central Otago District Council. PPC19 proposes to make a complete and comprehensive suite of changes to the way the District's residential areas are zoned and managed.

**The specific parts of the plan change that the Ministry of Education's submission relates to are:**

The specific parts of the plan change that the Ministry's submission relates to are the proposed definitions and the proposed residential provisions that either directly or indirectly have the potential to impact on the Ministry's interests and ability to achieve its purpose within the Central Otago district.

**Background:**

The Ministry of Education is the Government's lead advisor on the New Zealand education system, shaping direction for education agencies and providers and contributing to the Government's goals for education. The Ministry assesses population changes, school roll fluctuations and other trends and challenges impacting on education provision at all levels of the education network to identify changing needs within the network so the Ministry can respond effectively.

The Ministry has responsibility not only for all State schools owned by the Crown, but also those State schools that are not owned by the Crown, such as designated character schools and State integrated schools. For the Crown owned State school this involves managing the existing property portfolio, upgrading and improving the portfolio, purchasing and constructing new property to meet increased demand, identifying and disposing of surplus State school sector property and managing teacher and caretaker housing.

The Ministry is a considerable stakeholder in terms of activities that may impact on existing and future educational facilities and assets in the Central Otago district.

The Ministry provided feedback in February 2021 to the Vincent Spatial Plan (VSP) by the Central Otago District Council stating that further discussion with the Ministry is required regarding the distribution of the potential housing capacity in VSP to better understand the impact on each of the school to determine if each site could accommodate the future growth.

**The Ministry of Education's submission is:**

The Ministry has a particular interest in the parts of the proposed plan change that, either directly or indirectly, have the potential to impact on the Ministry's interests such as the management and operation of existing educational facilities or the establishment of new educational facilities.

The provisions that most directly impact on the Ministry are the draft definitions, the proposed residential provisions and the activity statuses of educational facilities throughout the proposed residential zones.

The specific amendments, additions or retentions to the proposed plan change sought by the Ministry are listed in Appendix 1 to this submission. In addition to the details in **Appendix 1**, the following general comments have been made on zoning changes:

**Zoning Changes and Urban Growth**

The Ministry notes that various changes are proposed to the residential zoning of land throughout the district provides for more enabling provisions for growth. Changes in the residential zoning have the potential to result in changes in development and in the size and demographic of residents throughout the district, which can consequently impact on the capacity of educational facilities. The Ministry acknowledges the changing nature of zoning and development within a district, however requests that schools and educational facilities are enabled as part of urban growth and development and are considered in any zoning changes made.

Council has an obligation under the National Policy Statement for Urban Development to ensure sufficient additional infrastructure (which includes schools) is provided in urban growth and development (see Policy 10 and 3.5 of Subpart 1 of Part 3: Implementation, in particular). Ministry seeks enabling provisions for educational facilities to achieve this outcome. The provision for educational facilities within residential zones is currently a discretionary activity.

**The Ministry of Education seeks the following from the Central Otago District Council:**

That the requested amendments, additions, or retentions to the draft District Plan, as set out in **Appendix 1**, be considered prior. The relief sought is shown in red underscore.

Continued engagement with the Ministry's network team to achieve integrated land use and infrastructure planning. The Ministry is committed in continuing to work with the Council on understanding the implications of the planned growth on the school network.

**The Ministry wishes to be heard in support of their submission.**

**The Ministry contact person for asset planning is Stuart Graham. Contact details for Stuart are:**

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**Sara Hodgson**

**Planner – Beca Ltd**  
**(Consultant to the Ministry of Education)**  
**Date: 01/09/2022**

Appendix 1					
ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/ New Provision	Reason for Submission	Relief Sought
Section 18: Definitions					
	Educational Facility	in relation to any site within a residential zone, means land or buildings used for teaching or training by childcare services, schools, or tertiary education services, including any ancillary activities.	Support in part	The Ministry supports the inclusion of the Educational Facilities definition however the Ministry oppose the wording that limits the definition to be within a residential zone. The Ministry requests that the definition is to be consistent with the National Planning Standard.	Amend as follows: <del>in relation to any site within a residential zone,</del> means land or buildings used for teaching or training by childcare services, schools, or tertiary education services, including any ancillary activities.
	Community facility	except in a residential zone, includes educational facilities, (land and/or buildings used for the provision of regular instruction or training, teaching and learning, recreation for students and includes their ancillary administrative, cultural, commercial facilities and carparking and vehicle access), recreation facilities, emergency service activities as defined (see page 18:4), churches and places of worship, community centres and halls, care centres (as defined), and other similar community resources involving the use of buildings and land.  in a residential zone, means land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any ancillary activity that assists with the operation of the community facility.	Oppose	The Ministry oppose the proposed definition of the Community facility as drafted and requests that the definition is to be consistent with the National Planning Standard.	Amend as follows: <del>except in a residential zone,</del> includes educational facilities, (land and/or buildings used for the provision of regular instruction or training, teaching and learning, recreation for students and includes their ancillary administrative, cultural, commercial facilities and carparking and vehicle access), recreation facilities, emergency service activities as defined (see page 18:4), churches and places of worship, community centres and halls, care centres (as defined), and other similar community resources involving the use of buildings and land.  <del>in a residential zone, means land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any ancillary activity that assists with the operation of the community facility.</del>
<b>Section 7: Residential Zones</b>					
<b>Large Lot Residential Zone</b>					
	LLRZ – O2	<b>Character and amenity values of the Large Lot Residential Zone</b>  The Large Lot Residential Zone is a pleasant, low-density living environment, which: 1. contains predominantly low-rise and detached residential units on large lots; 2. maintains a predominance of open space over built form; 3. provides good quality on-site amenity and maintains the anticipated amenity values of adjacent sites; and 4. is well-designed and well-connected into the surrounding area	Support in part	The Ministry support LLRZ-02 in part as it ensures well designed residential zone, however the Ministry requests that specific provision for education facilities is provided for to ensure that the zone can be supported by the necessary infrastructure.	Amend as follows:  The Large Lot Residential Zone is a pleasant, low-density living environment, which: 1. contains predominantly low-rise and detached residential units on large lots; 2. maintains a predominance of open space over built form; 3. provides good quality on-site amenity and maintains the anticipated amenity values of adjacent sites; and 4. is well-designed and well-connected into the surrounding area 5. <del>is supported by the necessary infrastructure, including educational facilities</del>
	LLRZ – P5	<b>Large Lot Residential Zone</b>  <b>Other non-residential activities</b>  Avoid other non-residential activities and buildings, including the expansion of existing non-residential activities and buildings, unless:  1. any adverse effects of the activity, including noise, do not compromise the anticipated amenity of the surrounding area; and 2. the nature, scale and intensity of the activity is compatible with the anticipated character and qualities of the zone and surrounding area; and 3. the activity is of a nature and scale that meet the needs of the local community and does not undermine the viability of the Business Resource Areas; and	Oppose	The Ministry considers that the language of “avoid” is unnecessarily restrictive. Non-residential uses (which include schools) should be provided for within residential areas. In addition, it is considered that vehicle access and carparking considerations are already encompassed within 1-4 of the proposed Policy.	Amend as follows:  <b>Other non-residential activities</b>  <del>Provide for Avoid other</del> non-residential activities and buildings, including the expansion of existing non-residential activities and buildings, <del>unless where it can be demonstrated that:</del>  1. any adverse effects of the activity, including noise, do not compromise the anticipated amenity of the surrounding area; <del>or and</del> 2. the nature, scale and intensity of the activity is compatible with the anticipated character and qualities of the zone and surrounding area; <del>or and</del> 3. the activity is of a nature and scale that meet the needs of the local community and does not undermine the viability of the Business Resource Areas; <del>or and</del> 4. the surrounding area retains a predominance of residential activities, and for adjoining properties, a sense of amenity, security and companionship is maintained;

		<ol style="list-style-type: none"> <li>4. the surrounding area retains a predominance of residential activities, and for adjoining properties, a sense of amenity, security and companionship is maintained;</li> <li>5. any parking and vehicle manoeuvring provided on-site is appropriately designed; and</li> <li>6. road safety and efficiency is maintained.</li> </ol>			<ol style="list-style-type: none"> <li>5. any parking and vehicle manoeuvring provided on-site is appropriately designed; <del>or-and</del></li> <li>6. road safety and efficiency is maintained.</li> </ol>
	LLRZ-P8	<p><b>Future Growth Overlay</b></p> <p>Recognise and provide for rezoning of land within the Future Growth Overlay, where:</p> <ol style="list-style-type: none"> <li>1. It is demonstrated as necessary to meet anticipated demand; and</li> <li>2. It is able to be serviced by reticulated water and wastewater networks.</li> </ol>	Support in part	The Ministry requests that explicit provision is given to educational facilities within these overlays to manage the impacts of development on educational facilities, Noting that educational facilities are nested within the definition of community facilities.	<p>Amend as follows:</p> <p><b>Future Growth Overlay</b></p> <p>Recognise and provide for rezoning of land within the Future Growth Overlay, where:</p> <ol style="list-style-type: none"> <li>1. It is demonstrated as necessary to meet anticipated demand; and</li> <li>2. It is able to be serviced by reticulated water and wastewater networks <u>and community facilities.</u></li> </ol>
	LLRZ – R11	<p>Any activity not otherwise listed in LLRZ-R1 to LLRZ-R10 or LLRZ-R12 to LLRZ-R15</p> <p>Activity Status: DIS</p>	Support in part	<p>The Ministry is concerned about the discretionary activity status and considers that educational facilities, particularly early childhood centres and schools, should be provided for where there is potential for a population to support them including in the Large Lot Residential Zone. This will support active modes of transport and reduce trip lengths and times. They should be enabled in this zone as educational facilities are considered essential social infrastructure.</p> <p>The Ministry therefore request an activity status of Restricted Discretionary for educational facilities in the Large Lot Residential Zone as per the LLRZ provisions.</p>	<p>Amend as follows:</p> <p>Any activity not otherwise listed in LLRZ-R1 to LLRZ-R10 or LLRZ-R12 to LLRZ-R15</p> <p><b>Activity status: <u>RDIS DIS</u></b></p> <p><b><u>Matters of discretion is restricted to:</u></b></p> <ol style="list-style-type: none"> <li>1. <u>the location, design and appearance of buildings; and</u></li> <li>2. <u>any adverse effects on the streetscape; and</u></li> <li>3. <u>any adverse effects on the amenity values for neighbouring sites; and</u></li> <li>4. <u>the operation of the activity, including the effects of noise, lighting and from the generation of traffic.</u></li> </ol>
<b>Low Density Residential Zone</b>					
	LRZ-01	<p><b>Purpose of the Low Density Residential Zone</b></p> <p>The Low Density Residential Zone provides primarily for residential living opportunities, as well as activities that support, and are compatible with the character of, the zone's residential focus</p>	Support	The Ministry supports this policy as it provides for activities that support residential activities, which we consider to include educational facilities.	Retain as drafted.
	LRZ- 02	<p><b>Character and amenity values of the Low Density Residential Zone</b></p> <p>The Low Density Residential Zone is a pleasant, low-density suburban living environment, which:</p> <ol style="list-style-type: none"> <li>1. contains predominantly low-rise and detached residential units;</li> <li>2. maintains a good level of openness around buildings;</li> <li>3. provides good quality on-site amenity and maintains the anticipated amenity values of adjacent sites; and</li> <li>4. is well-designed and well-connected into surrounding area.</li> </ol>	Support in part	The Ministry support LRZ-02 in part as it ensures well designed residential zone, however the Ministry requests that specific provision for education facilities is provided for to ensure that the zone can be supported by the necessary infrastructure.	<p>Amend as follows:</p> <p><b>Character and amenity values of the Low Density Residential Zone</b></p> <p>The Low Density Residential Zone is a pleasant, low-density suburban living environment, which:</p> <ol style="list-style-type: none"> <li>1. contains predominantly low-rise and detached residential units;</li> <li>2. maintains a good level of openness around buildings;</li> <li>3. provides good quality on-site amenity and maintains the anticipated amenity values of adjacent sites; and</li> </ol>

					<p>4. is well-designed and well-connected into surrounding area.</p> <p>5. <u>is supported by the necessary infrastructure, including education facilities</u></p>
LRZ-P5	<p><b>Other non-residential activities</b></p> <p>Avoid other non-residential activities and buildings, including the expansion of existing nonresidential activities and buildings, unless:</p> <ol style="list-style-type: none"> <li>any adverse effects of the activity, including noise, do not compromise the anticipated amenity of the surrounding area; and</li> <li>the nature, scale and intensity of the activity is compatible with the anticipated character and qualities of the zone and surrounding area; and</li> <li>the activity is of a nature and scale that meet the needs of the local community and does not undermine the viability of the Business Resource Areas; and</li> <li>the surrounding area retains a predominance of residential activities, and for adjoining properties, a sense of amenity, security and companionship is maintained;</li> <li>any parking and vehicle manoeuvring provided on-site is appropriately designed; and</li> <li>road safety and efficiency is maintained.</li> </ol>	Oppose	<p>The Ministry considers that the language of “avoid” is unnecessarily restrictive. Non-residential uses (which include schools) should be provided for within residential areas. In addition, it is considered that vehicle access and carparking considerations are already encompassed within 1-4 of the proposed Policy.</p>	<p>Amend as follows:</p> <p><b>Other non-residential activities</b></p> <p><u>Provide for Avoid other</u> other non-residential activities and buildings, including the expansion of existing non-residential activities and buildings, <u>where it can be demonstrated that unless:</u></p> <ol style="list-style-type: none"> <li>any adverse effects of the activity, including noise, do not compromise the anticipated amenity of the surrounding area; <u>or and</u></li> <li>the nature, scale and intensity of the activity is compatible with the anticipated character and qualities of the zone and surrounding area; <u>or and</u></li> <li>the activity is of a nature and scale that meet the needs of the local community and does not undermine the viability of the Business Resource Areas; <u>or and</u></li> <li>the surrounding area retains a predominance of residential activities, and for adjoining properties, a sense of amenity, security and companionship is maintained;</li> <li>any parking and vehicle manoeuvring provided on-site is appropriately designed; <u>or and</u></li> <li>road safety and efficiency is maintained.</li> </ol>	
LRZ-P6	<p><b>Future Growth Overlay</b></p> <p>Recognise and provide for rezoning of land within the Future Growth Overlay, where:</p> <ol style="list-style-type: none"> <li>It is demonstrated as necessary to meet anticipated demand; and</li> <li>It is able to be serviced by reticulated water and wastewater networks.</li> </ol>	Support in part	<p>The Ministry requests that explicit provision is given to educational facilities within these overlays to manage the impacts of development on educational facilities, Noting that educational facilities are nested within the definition of community facilities.</p>	<p>Amend as follows:</p> <p><b>Future Growth Overlay</b></p> <p>Recognise and provide for rezoning of land within the Future Growth Overlay, where:</p> <ol style="list-style-type: none"> <li>It is demonstrated as necessary to meet anticipated demand; and</li> <li>It is able to be serviced by reticulated water and wastewater networks <u>and community facilities.</u></li> </ol>	
LRZ – R13	<p><b>Community facilities</b></p> <p>Activity Status: RDIS</p> <p>Where the activity complies with the following rule requirements: LRZ-S2 to LRZ-S6.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The location and design of car parking and loading areas and access.</li> <li>Design and layout of on-site pedestrian and cycling connections.</li> <li>Hours of operation.</li> <li>Noise, disturbance and loss of privacy of neighbours.</li> <li>Location, size and numbers of signs.</li> <li>Traffic generation and impact on the transport network.</li> <li>Landscaping.</li> <li>Site layout.</li> <li>The scale of activity.</li> <li>Scale, form and design of buildings</li> </ol>	Support	<p>The Ministry supports this rule as it provides for Community facilities as a RDIS, which includes educational facilities.</p>	Retain as drafted	
<b>Medium Density Residential Zone</b>					
MRZ- 01	<p><b>Purpose of the Medium Density Residential Zone</b></p> <p>The Medium Density Residential Zone provides primarily for more intensive residential living opportunities, as well as activities that support, and are compatible with, the zone’s residential focus.</p>	Support	<p>The Ministry supports this policy as it provides for activities that support residential activities, which we consider to include educational facilities.</p>	Retained as drafted.	
MRZ- 02	<p><b>Character and amenity values of the Medium Density Residential Zone</b></p> <p>The Medium Density Residential Zone is a good quality living environment, which:</p>	Support in part	<p>The Ministry support MRZ-02 in part as it ensures well designed residential zone, however the Ministry</p>	<p><b>Character and amenity values of the Medium Density Residential Zone</b></p> <p>The Medium Density Residential Zone is a good quality living environment, which:</p> <ol style="list-style-type: none"> <li>positively responds to the natural, heritage and cultural context and site features;</li> </ol>	



		<ol style="list-style-type: none"> <li>1. positively responds to the natural, heritage and cultural context and site features;</li> <li>2. provides a range of housing types, including those of a greater density than other residential zones, making efficient use of land and providing for growth needs;</li> <li>3. is responsive to and well-connected into the surrounding area;</li> <li>4. is well-designed, balancing affordability with good urban design outcomes; and</li> <li>5. provides good quality on-site amenity and maintains the anticipated amenity values of adjacent sites.</li> </ol>		requests that specific provision for education facilities is provided for to ensure that the zone can be supported by the necessary infrastructure.	<ol style="list-style-type: none"> <li>2. provides a range of housing types, including those of a greater density than other residential zones, making efficient use of land and providing for growth needs;</li> <li>3. is responsive to and well-connected into the surrounding area;</li> <li>4. is well-designed, balancing affordability with good urban design outcomes; and</li> <li>5. provides good quality on-site amenity and maintains the anticipated amenity values of adjacent sites.</li> <li>6. <u>is supported by the necessary infrastructure, including education facilities</u></li> </ol>
MRZ-P6	<p><b>Other non-residential activities</b></p> <p>Only allow other non-residential activities and buildings, including the expansion of existing nonresidential activities and buildings, unless:</p> <ol style="list-style-type: none"> <li>1. any adverse effects of the activity, including noise, do not compromise the anticipated amenity of the surrounding area; and</li> <li>2. the nature, scale and intensity of the activity is compatible with the anticipated character and qualities of the zone and surrounding area; and</li> <li>3. the activity is of a nature and scale that meet the needs of the local community and does not undermine the viability of the Business Resource Areas; and</li> <li>4. the surrounding area retains a predominance of residential activities, and for adjoining properties, a sense of amenity, security and companionship is maintained;</li> <li>5. any parking and vehicle manoeuvring provided on-site is appropriately designed; and</li> <li>6. road safety and efficiency is maintained.</li> </ol>	Oppose	The Ministry oppose this policy as drafted as the language used is unnecessarily restrictiv and results in significant policy implications. The Ministry requests that educational facilities are explicitly excluded in this policy heading.	<p>Amend as follows:</p> <p><b>Other non-residential activities</b></p> <p><u>Provide for Only allow</u> other non-residential activities and buildings, including the expansion of existing non-residential activities and buildings, <u>where it can be demonstrated that unless:</u></p> <ol style="list-style-type: none"> <li>1. any adverse effects of the activity, including noise, do not compromise the anticipated amenity of the surrounding area; <u>or and</u></li> <li>2. the nature, scale and intensity of the activity is compatible with the anticipated character and qualities of the zone and surrounding area; <u>or and</u></li> <li>3. the activity is of a nature and scale that meet the needs of the local community and does not undermine the viability of the Business Resource Areas; <u>or and</u></li> <li>4. the surrounding area retains a predominance of residential activities, and for adjoining properties, a sense of amenity, security and companionship is maintained;</li> <li>5. any parking and vehicle manoeuvring provided on-site is appropriately designed; <u>or and</u></li> <li>6. road safety and efficiency is maintained.</li> </ol>	
MRZ-P7	<p><b>Future Growth Overlay</b></p> <p>Recognise and provide for rezoning of land within the Future Growth Overlay, where:</p> <ol style="list-style-type: none"> <li>1. It is demonstrated as necessary to meet anticipated demand; and</li> <li>2. It is able to be serviced by reticulated water and wastewater networks.</li> </ol>	Support in part	The Ministry requests that explicit provision is given to educational facilities within these overlays to manage the impacts of development on educational facilities, Noting that educational facilities are nested within the definition of community facilities.	<p>Amend as follows:</p> <p><b>Future Growth Overlay</b></p> <p>Recognise and provide for rezoning of land within the Future Growth Overlay, where:</p> <ol style="list-style-type: none"> <li>1. It is demonstrated as necessary to meet anticipated demand; and</li> <li>2. It is able to be serviced by reticulated water and wastewater networks <u>and community facilities.</u></li> </ol>	
MRZ – R14	<p><b>Community facilities</b></p> <p>Activity Status: RDIS</p> <p>Where the activity complies with the following rule requirements: MRZ-S2 to MRZ-S6.</p> <ol style="list-style-type: none"> <li>a. Matters of discretion are restricted to:</li> <li>b. The location and design of car parking and loading areas and access.</li> <li>c. Design and layout of on-site pedestrian and cycling connections.</li> <li>d. Hours of operation.</li> <li>e. Noise, disturbance and loss of privacy of neighbours.</li> <li>f. Location, size and numbers of signs.</li> <li>g. Traffic generation and impact on the transport network.</li> <li>h. Landscaping.</li> <li>i. Site layout.</li> <li>j. The scale of activity.</li> <li>k. Scale, form and design of buildings</li> </ol>	Support	The Ministry supports this rule as it provides for Community facilities as a Restricted Discretionary activity status, which includes educational facilities.	Retained as drafted.	
SUB-P1	<p><b>Creation of new sites</b></p> <p>Provide for subdivision within residential zones where it results in allotments that:</p> <ol style="list-style-type: none"> <li>1. reflect the intended pattern of development and are consistent with the purpose, character and amenity values of the zone; and</li> </ol>	Support in part	The Ministry support this objective as it enables subdivision, however the Ministry requests that specific provision for educational facilities is provided to ensure that	<p>Amend as follows:</p> <p><b>Creation of new sites</b></p> <p>Provide for subdivision within residential zones where it results in allotments that:</p> <ol style="list-style-type: none"> <li>1. reflect the intended pattern of development and are consistent with the purpose, character and amenity values of the zone; and</li> </ol>	

		<ol style="list-style-type: none"> <li>2. are of a size and dimension that are sufficient to accommodate the intended built form for that zone;</li> <li>3. minimise natural hazard risk to people's lives and properties; and</li> <li>4. are adequately served by public open space that is accessible, useable and well-designed</li> </ol>		<p>population growth and the impact on schools is considered within developments.</p>	<ol style="list-style-type: none"> <li>2. are of a size and dimension that are sufficient to accommodate the intended built form for that zone;</li> <li>3. minimise natural hazard risk to people's lives and properties; and</li> <li>4. are adequately served by public open space that is accessible, useable and well-designed</li> <li>5. <b>Can be adequately serviced by required infrastructure, including educational facilities</b></li> </ol>
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