

## Form 6

### Further submission in support of, or in opposition to, submission on notified proposed policy statement or plan, change or variation under Clause 6 of Schedule 1, Resource Management Act 1991.

To: Far North District Council

**Name of submitter:** Ministry of Education ('the Ministry')

Address for service: C/- Beca Ltd  
PO Box 6345, Victoria St West  
Auckland 1142

Attention: Vicky Hu

Phone: +64 9 301 3772

Email: vicky.hu@beca.com

#### **This is a further submission on the Proposed Far North District Plan**

#### **Background:**

The Ministry of Education (the Ministry) 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 for all education property owned by the Crown. 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 therefore a considerable stakeholder in terms of activities that may impact on existing and future educational facilities and assets in the Far North District.

The Ministry provided a submission to Far North District Council on the Proposed Far North District Plan in October 2022, as submitter number 331. The submission provided feedback on the proposed definitions of the Proposed Plan and provisions regarding strategic directions, urban growth, transport, natural hazards, noise, and the activity status of educational facilities throughout the various zones.

#### **Decision sought:**

The Ministry remains neutral on the Proposed Far North District Plan provided the provisions supported in the Ministry's submission remain as currently drafted, and the Ministry's requested relief is adopted.

The relief sought by the Ministry in this further submission is outlined in Attachment 1.



**Vicky Hu**

**Planner, Beca Ltd**

**(Consultant to the Ministry of Education)**

**Date: 4 September 2023**

**Attachment 1: The Ministry of Education’s Further Submission on the Proposed Far North District Plan**

Submission Point	Submitter	Submission	Ministry’s position	Relief sought from the ministry
S55.035  S55.037	New Zealand Pork Industry Board	The submission requested amending the activity status of educational facilities in the Rural Production Zone from Permitted to Restricted Discretionary as they are classified as a sensitive activity and have the potential to cause reverse sensitivity effects. The submission also requested the addition of sensitive activity setback standards for new sensitivity activities from existing intensive primary production activities, as per RPROZ-R1. This standard requires sensitive activities (which include educational facilities and pre-schools) to be setback at least 100m from the boundary of a Mineral Extraction Overlay.	<b>Oppose</b>	<p>The Ministry understands the submitter’s concerns and agree building requirements such as setbacks for sensitive activities are appropriate when siting a school next to existing intensive farming activities to manage reverse sensitivity effects. The Ministry agrees with the adoption of the additional permitted activity standard for educational facilities in the Rural Production Zone.</p> <p>However, the Ministry opposes the removal of the permitted activity status as it would prevent smaller schools from establishing as permitted in the Rural Production Zone. In the Ministry’s original submission, the Ministry requested that educational facilities remain as a Permitted activity (as proposed in the plan) and, where compliance with permitted activity standards are not met, educational facilities become a Restricted Discretionary activity. The Ministry’s submission set out matters of discretion relating to the management of reverse sensitivity effects in the Rural Production Zone (one of which is ‘potential reverse sensitivity effects on rural production operations’), which is considered to adequately address the submitter’s concerns.</p> <p style="text-align: right;"><b>FS375.001-002</b></p>
S159.113	Horticulture New Zealand	The submission supports the permitted activity standard for educational facilities in the Rural Production Zone which limit the number of students in attendance to	<b>Oppose</b>	The Proposed District Plan provides for educational facilities as a Permitted activity in the Rural Production Zone where the student roll does not exceed four students. The Ministry’s original submission requested this permitted threshold to be

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		<p>four, as it will ensure effects are minor.</p> <p>The submission also requested that permitted activity standards for new buildings or structures (RPROZ-R1 PER-2) also apply to educational facilities in Rural Production Zones to further manage effects. These standards relate to maximum height, height in relation to boundary, setback, building coverage, sensitive activities setback from boundaries of a Mineral extraction overlay.</p>		<p>increased to 30 to align with the Ministry's pre-school licenses.</p> <p>With regard to additional permitted activity standards for educational facilities (as per RPROZ-R1 PER-2), the Ministry has no concerns with this as they are reasonable and appropriate standards for educational facilities to comply with.</p> <p style="text-align: center;"><b>FS375.003</b></p>
S561.109	Kāinga Ora Homes and Communities	<p>The submission requested to amend the activity status of educational facilities in the Māori Purpose Zone (where compliance of permitted activity standards is not achieved) from Discretionary to Restricted Discretionary, and to remove PER-2 (which places a cap of four children attending at one time). The submitter also outlined matters of discretion.</p>	<b>Support in part</b>	<p>The Ministry is in support of the activity status of educational facilities in the Māori Purpose Zone. In the Ministry's original submission, the Ministry supported the permitted activity standards to provide for small scale educational facilities in the Kororāreka Russell Township zone and accepted the Discretionary activity status if compliance with the permitted activity standards cannot be achieved.</p> <p>However, the Ministry would like to support Kāinga Ora for the development of schools in the Māori Purpose Zone to be a Restricted Discretionary activity if compliance with permitted activity standards cannot be achieved. This will better allow educational facilities to be enabled in zones where they are considered to be essential social infrastructure.</p> <p>The Ministry considers that the permitted activity standard proposed by Kāinga Ora (that the development can be adequately serviced by infrastructure) is not appropriate as activities not compliant with the standard would only become a Restricted Discretionary activity subject to matters of discretion. The Ministry considers the provision of adequate waste and stormwater infrastructure to be essential and would require all educational facilities (initiated by the Minister) to be adequately serviced by this infrastructure.</p> <p>To be consistent with the matters of discretion requested in other zones, the Ministry request the adoption of the following</p>

Submission Point	Submitter	Submission	Ministry's position	Relief sought from the ministry
				<p>matters of discretion:</p> <p>a) <i>Design and layout.</i> <span style="float: right;">FS375.004</span></p> <p>b) <i>Transport safety and efficiency.</i></p> <p>c) <i>Scale of activity and hours of operation.</i></p> <p>d) <i>Infrastructure servicing.</i></p> <p>e) <i>Potential reverse sensitivity effects on rural production operations.</i></p> <p>The Ministry seek that this submission point be allowed, but that the Permitted Activity standards are revised.</p>
<p>S390.019</p> <p>S486.029</p> <p>S498.020</p>	<p>Te Rūnanga o Ngai Takoto Trust</p> <p>Te Rūnanga o Whaingaroa</p> <p>Te Rūnanga-Ā-lwi O Ngāpuhi</p>	<p>All three submitters requested amendment of the definition of 'educational facility' to include Kura Kaupapa and Whare Wānanga to provide clarity to Māori schools.</p>	<p><b>Support</b></p>	<p>The Ministry acknowledges the submissions that request that the definition of educational facility refers to Kura Kaupapa and Whare Wānanga, and the Ministry supports this amendment to the definition.</p> <p>While it is acknowledged that the current definition wording is consistent with the National Planning Standards, and that the Ministry would consider that the current definition would encompass all education facilities including Kura Kaupapa and Whare Wānanga, the Ministry is supportive of te Reo Māori terms being used in the plan to better reflect the views of tangata whenua.</p>

FS375.005-007