



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

Waitomo District Council
28 Taupiri Street,
Te Kūiti 3910

12 July 2024

Attn: Hearing Commissioners for Tranche 1 hearing of the Proposed Waitomo District Plan

Sent via email to kayla.hemara@waitomo.govt.nz

Ministry of Education - Letter to be Tabled at Tranche 1 Hearing

The Ministry of Education – Te Tāhuhu o Te Mātauranga ('the Ministry') lodged a submission on the Proposed Waitomo District Plan to Waitomo District Council ('the Council').

The Ministry has reviewed the s42A Officer Reports and has subsequently considered it not necessary to attend the Tranche 1 Hearing Stream for the Proposed District Plan (PDP) scheduled to commence on 16 July 2024, and requests that this letter be tabled for the Hearing Commissioners' consideration in lieu of attendance.

The Ministry submitted on a total of 55 provisions across the 12 chapters relevant to Tranche 1. We support the following provisions as accepted or accepted in part by the s42a officer as the intent of our sought amendments has been achieved:

- Chapter 23: Natural hazards (Submission points (SP) 21 & 22)
- Chapter 29: Subdivision (SP 23)
- Chapter 37: Noise (SP's 24, 25, 26, 27, 28 & 29)
- Chapter 40: Temporary Activities (SP's 30, 31, 32 & 33)
- Chapter 42: General Rural Zone (SP 40)
- Chapter 45: Settlement Zone (SP's 52, 53 & 56)
- Chapter 46: Commercial Zone (SP's 58, 59 & 60)
- Chapter 47: Industrial Zone (SP's 61, 62 & 63)
- Chapter 48: Natural Open Space Zone (SP's 64, 65 & 66)
- Chapter 51: Māori Purpose Zone (SP's 67, 68 & 69)
- Chapter 54: Te Maika Precinct (SP's 73 & 74)

The Ministry supports the new amended wording in Chapter 23: Natural Hazards, Chapter 46: Commercial Zone and Chapter 51: Māori Purpose Zone in relation to submission points 20, 57 and 69 of the Ministry's submission as recommended by the S42A officer.

It is acknowledged that, in relation to Chapter 43: Rural Production Zone, on balance, a Discretionary activity status in the Rural Production Zone is considered acceptable given the national direction set out in the National Policy Statement for Highly Productive Soils (NPS-HPL).

If any of the reporting officers' recommendations discussed above are not accepted by the Hearings Panel, the Ministry request that their original submission points and positions are retained.

Regarding Chapter 42 and 45, we request the hearings commissioner particularly considers the following:

In relation to Chapter 42: General Rural Zone, the Ministry seeks that educational activities are provided for as Restricted Discretionary activities as opposed to retaining the Discretionary activity status. Whilst it is acknowledged that the Minister can utilise powers as a Requiring Authority, in instances where smaller educational facilities are required to be established (such as health schools that may not be designated), the ability to establish the required facilities relies on an enabling planning framework. A Restricted Discretionary activity status allows for considered and relevant assessment of effects as set out by specific matters of discretion.

Regarding Chapter 45: Settlement Zone, similarly, the Ministry retain their request that educational facilities as a Restricted Discretionary activity in the Settlement Zone as opposed to Discretionary activity status. The purpose of the Settlement Zone as noted by the Waitomo PDP is to *"Provide opportunities for the growth and development of these townships at an appropriate scale, while managing adverse effects on the environment"* in the ten settlement areas of the district. There is a fundamental need to provide educational opportunities and facilities that will provide for and support children's need to have access to education, and the social wellbeing of these settlement areas. Restricted Discretionary status would allow for considered and relevant assessment of effects as set out by specific matters of discretion.

Should you have any queries please contact myself as the Planning consultant to the Ministry in this matter in the first instance.

Sincerely,



Jessica Ensing

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(Consultant to the Ministry of Education)

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