



To: Hamilton City Council
From: Sophie Andrews (Consultant to the Ministry of Education)
Date: 17 May 2023
Subject: Submission on Hamilton City Council – Private Plan Change 15

This is a submission on Hamilton City Council - Plan Change 15 - Tuumata Private Plan Change (Private PC 15)

Background

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 Hamilton City.

The Ministry of Education's submission is:

Future school network impacts

Private PC 15 to the Hamilton City Plan (the 'Plan') is seeking to rezone 68 hectares at Tuumata from Ruakura Industrial Park Zone to a new Tuumata Residential Zone, Business 6 Zone and Ruakura Open Space. The site master plan details the intentions of proposed private PC15 to provide for the development of approximately 1,155 dwellings across the site.

The proposed increase in residential density has the potential to put pressure on the local school network. Through this submission, the Ministry is seeking that recognition of the need for additional capacity in the educational network be included in the plan change, to enable the Ministry to service the growth facilitated by Private PC15.

Tainui Group Holdings has detailed engagement with the Ministry on the planned growth of Private PC15 in May 2022. The Ministry has advised that there is need for at least one new school in the area to accommodate growth. Tainui Group Holdings has advised a potential school site at Tuumata and has noted this on the Structure Plan. The Ministry requests consultation remains ongoing throughout the course of the development to ensure Education Facilities are provided for in Private PC15.

The Ministry's position on the Proposed Private Plan Change 15

The Ministry is neutral on Private PC15 if the provisions outlined below and in Appendix 1 are accepted.

The Ministry acknowledges that the plan change will contribute to providing additional housing within the City. This will require additional capacity in the local school network to cater for this growth as the area develops and potentially drive the need for additional capacity at existing schools or new schools throughout the City in the future.

The Ministry understands the Council must meet the requirements under the National Policy Statement on Urban Development 2020 (NPS-UD) to provide development capacity for housing and business. The Ministry wishes to highlight that Policy 10 of the NPS-UD states that local authorities should engage with providers of development infrastructure and additional infrastructure (schools are considered additional infrastructure), to achieve integrated land use and infrastructure planning. In addition to this, subpart 3.5 of the NPS-UD states that local authorities must be satisfied that the additional infrastructure required to service the development capacity is likely to be available.

Growth as a result of the plan change will require careful planning and communication between Hamilton City Council and the Ministry to meet community demand for educational facilities. The Ministry therefore has an interest in ensuring the Plan specifically acknowledges and provides for educational facilities. This is critical given educational facilities are an essential piece of social and community infrastructure. An absence of supportive provisions can place obstacles in the way of the establishment of education facilities in future years.

Furthermore, the Ministry has previously submitted on PC12 – Enabling Housing Supply, which the application for Private PC15 notes is: “... *relevant to Tuumata and has informed the preparation of the Plan Change provisions*”. This submission also seeks to ensure that the objectives and policies of PC15 are aligned with the objectives and policies of PC12 as submitted on by the Ministry.

Objectives and policies

The Ministry requests that the proposed Objectives and Policies for the new Tuumata Residential Precinct be amended to enable ‘additional infrastructure’ which includes educational facilities. The currently proposed Objectives and Policies for the new Tuumata Residential discuss existing and planned infrastructure, however do not specifically include additional infrastructure. Amending the objectives and policies to include additional infrastructure will ensure schools and educational facilities are provided for. The Ministry also requests an additional policy be added to the Plan to enable educational facilities in Residential zones.

Definition for ‘additional infrastructure’

The Ministry requests that consequentially, the definition of ‘additional infrastructure’ is included in the Plan as follows.

Additional infrastructure means:



- a. *Public open space.*
- b. *Community infrastructure as defined in section 197 of the Local Government Act 2002.*
- c. *Land transport (as defined in the Land Transport Management Act 2003) that is not controlled by local authorities.*
- d. *Social infrastructure, such as schools and healthcare facilities.*
- e. *A network operated for the purpose of telecommunications (as defined in section 5 of the Telecommunications Act 2001).*
- f. *A network operated for the purpose of transmitting or distributing electricity or gas.*

The definition is from the NPS-UD. Educational facilities are included within the definition of 'additional infrastructure'. The use of the broad definition of 'additional infrastructure' rather than a lower tier definition of educational facilities will enable a wider category of infrastructure to be captured within the provisions of the plan. It will allow for activities that provide broadly for communities' social, economic, and cultural well-being and for their health and safety, to be captured within specific policies and objectives and will be consistent with the NPS-UD wording.

Decision sought

The Ministry is neutral on Private PC15 in its current form if the following relief and consequential amendments requested can be accepted.

The Ministry's requested relief on Private PC15 is outlined above and in Appendix 1 to this submission. Council's notified text as part of Private PC15 is shown in **black**. The Ministry's requested amendments are shown in **red text**. Additions are shown as underlined and deletions as ~~strikeouts~~.

Given the level of increase in housing provision in Hamilton as a result of Private PC15, the Ministry requests regular engagement with Hamilton City Council to keep up to date with the housing typologies and resulting density of development being proposed and staging and timing of that development so that the potential impact of the plan change on the local school network can be planned for. The key Ministry contact email is: Resource.Management@education.govt.nz

The Ministry wishes to be heard in support of its submission.

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Date: 17 May 2022

Appendix 1 - The Ministry of Education's Submission on the Hamilton City Council Proposed Private Plan Change 15

The Ministry's requested amendments are shown in **red text**. Additions are shown as underlined and deletions as ~~strikeouts~~. Council's amendments as part of Private PC 15 are shown in black.

ID	Section of Plan	Proposed Provision	Support/ Oppose/ Neutral/	Reason for Submission	Relief Sought (in red)
1.	Chapter 4 Residential Zone Tuumata Residential Precinct Objectives and Policies	<p>Insert objectives and policies for the new Tuumata Residential Precinct, which in summary seek to:</p> <ul style="list-style-type: none"> - Provide a range of housing typologies that are consistent with the neighbourhood's planned urban built character with one to three-storey buildings. - Ensure development in the Tuumata Residential Precinct is undertaken in a manner to ensure a well-functioning urban environment, and is coordinated with the provision of infrastructure and services. - Create an attractive and safe urban environment and provide a high level of amenity. 	Support in part	<p>Council has an obligation under the NPS-UD to ensure sufficient 'additional infrastructure' (which includes educational facilities) is provided in development, and local authorities must be satisfied that additional infrastructure to service the development capacity is likely to be available (see Policy 10 and 3.5 of Subpart 1 of Part 3: Implementation, in particular).</p> <p>Educational facilities should therefore be enabled in the District Plan to service the growth enabled by Private PC 15. The Ministry therefore requests that additional infrastructure is specifically referenced in the objective and a new policy is added to specifically provide for additional infrastructure.</p> <p>It is requested that the definition of 'additional infrastructure' (as defined in the NPS UD) should subsequently be included in the definitions chapter of the Operative District Plan.</p> <p>In order that Private PC 15 is fully aligned with PC 12, which has not yet been heard in full or decisions made, the Ministry reiterates its submission to PC 12 as relief sought to Private PC 15.</p> <p>In addition, it is requested that the title for section 4.1 of PC12, Objectives and Policies: All Residential Zones, is amended to 4.1, Objectives and Policies: All Residential Zones <u>and Precincts</u>.</p>	<p>4.1, Objectives and Policies: All Residential Zones <u>and Precincts</u></p> <p>Objective 4.1.2.2</p> <p>Development maximises the use of land by providing a range of housing typologies that are consistent with the neighbourhood's planned urban built character while ensuring the provision of <u>additional infrastructure and</u> infrastructure services as part of any development.</p> <p><u>Policy 4.1.2.2g</u></p> <p><u>Enable non-residential development and activities that:</u></p> <ul style="list-style-type: none"> i. <u>support the social and economic well-being of the community;</u> ii. <u>are in keeping with the with the scale and intensity of development anticipated within the zone;</u> iii. <u>enable educational facilities;</u> iv. <u>avoid, remedy or mitigate adverse effects on residential amenity; and</u> <p><u>will not detract from the vitality of the zone.</u></p>