



TOWNPLANNING
GROUP

Notice of Requirement:

Minister of Education

Designation of land for
Educational Purposes, Acland
Park, Rolleston

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FINAL



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Supporting Information

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Attachment [D]	Geotechnical Assessment (Acland Park)
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1. Overview of Notice of Requirement

Requiring authority:	Minister of Education (Minister).
Territorial authority:	Selwyn District Council.
Objective:	The Minister proposes to establish educational facilities that cater for full primary school age students from year 0 to 8 (inclusive) along with an early childhood education centre (ECE) and specialist hub.
Site address:	Not yet confirmed. The site is bound by Roads 2 (Ed Hillary Drive) and Roads 3, 7 and 23 (currently unnamed), Acland Park, Rolleston (Site).
Legal description:	Lot 2001 DP 535315 contained in Record of Title 891584. NB: The Site is presently the subject of ongoing development as part of the Acland Park development (AP Development), and as such the legal descriptions may be subject to change pending further subdivision activity.
Ownership status:	The Site has been owned by Her Majesty the Queen (the Crown) since 17 June 2019. At the time a new Record of Title is issued for the Site the listed owner will be shown to be the Crown.
Site area:	Approximately 3.00ha, subject to final survey.
Relevant legislation:	Notice of Requirement for a Designation under Section 168 (NOR) of the Resource Management Act 1991 (RMA).
Designation sought for:	Educational Purposes.
District Plan zoning:	Rural Inner Plains. The Site is also within an area impacted by the Housing Accords and Special Housing Areas Act 2013 (HASHAA).
Additional consents:	No other consents are identified as required or necessary as part of this NOR at this point time.



2. Notice of Requirement of the Minister

This report supports a NOR served on the Selwyn District Council (**SDC**) by the Minister, as a Requiring Authority, to designate an area of approximately 3.00ha of land located within Acland Park, Rolleston for 'Educational Purposes'.

2.1 Structure of Notice

Section 2 of this report outlines the Minister's objectives for requiring this designation and including outlining the necessity of the proposed NOR – in accordance with the provisions of s171 of the RMA.

The location details are contained in **Section 3** with the proposal described in **Section 4**. Details of alternative locations and methods considered, and the consultation undertaken are also contained in **Section 4**.

Section 5 identifies the statutory planning instruments that are applicable to the NOR and provides an assessment of the proposal against the relevant documents.

An assessment of effects on the environment is contained in **Section 6**, covering a broad spectrum of actual or potential effects associated with the NOR. The conclusion reached is that the effects of designating the site for educational purposes will be less than minor, such that SDC are able to recommend confirmation of the designation.

Section 7 considers the notification provisions within the RMA and evaluates them against the NOR. We consider that SDC are able to make the decision that the NOR can be processed without public or limited notification, for the reasons set out in this section of the report.

2.2 Purpose of the Designation

Designations are long term planning tools that provide approval for a requiring authority to undertake a specific project or works. Serving a NOR is the first step to designating a piece of land and protects the land for the designated purpose until the designation is confirmed and included in the operative district plan, or the designation lapses. Subsequent to confirmation of a NOR, the requiring authority will submit an Outline Plan of Works (**OPW**) to



the territorial authority. It is at the OPW stage that building design, location, etc. are assessed and approved.

By way of background and context to the school design process, all new state and state integrated schools are governed by an establishment board of trustees (**EBOT**). Their task is to have the school ready to become operational by the time of its opening. An EBOT consists of five members who are either appointed by the Minister or elected by the parents of likely students in the community, under section 98 of the Education Act 1989. The consultation and nomination process usually occurs after confirmation of the NOR, and can take between 6 – 9 months. Once appointed, the EBOT's tasks will include:

- Developing the vision of the School
- Appointing the foundation principal and staff
- Working with the Ministry on the building design

Where an EBOT is established ahead of the school design process, the Ministry works with them to implement their vision for delivering education by translating that into how learning spaces are designed at the school. A project brief, developed with the EBOT, is provided to the designers to guide the development of the school property master plan, detailed design and future property improvements. In this regard it is noted that the master planning of a school is undertaken in accord with the Ministry of Education's (**the Ministry**) 'Designing Schools in New Zealand Requirements and Guidelines', with this involving a multidisciplinary planning process and independent review and testing by a Design Review Panel. Once a masterplan is developed and endorsed by the EBOT, the requiring authority will submit an OPW to the territorial authority detailing the proposed building design and location within the designated education site.

This NOR seeks to designate the land for 'Educational Purposes'. Specifically, the Minister seeks to establish a full primary school catering for approximately 750 students from Year 0 to Year 8 inclusive, with an initial build roll of 450 students. In addition, the Site will also include an ECE catering for approximately 50 students, along with a specialist hub (associated with a technology centre) catering for approximately 130 students. The specialist hub will serve contributing schools in the wider area, cater principally for Years 7-8 students, and run the length of the school year. The designation is required to accommodate recent and future student growth in the Rolleston East area.



The NOR will allow the Minister to publicly identify the intent to establish a school on the Site and support and determine the future school build on the Site. The NOR only seeks to designate the Site for 'Educational Purposes' at this time, with the master planning for future development yet to be undertaken. To this end, the location of buildings, sport fields and associated access and parking arrangements has yet to be determined, with this information to be provided as part of a future OPW under s176A¹ of the RMA, once the Minister's designation is confirmed. There is, therefore, no indicative development plan for the Site, and the assessments in support of this NOR have been carried out from first principles.

A ten-year lapse period for the designation is proposed. This lapse period is sought given that this NOR is for a large project and a longer period allows for delays at any stage of the development.

2.3 The Minister's Objectives

The Education Act 1989 sets out the Minister's role, obligations and responsibilities in providing for the state education needs of all school-aged students/learners. This Act is administered by the Minister's agents, the Ministry of Education (**Ministry**).

Under section 166 of the RMA, any Minister of the Crown is a requiring authority. As a requiring authority the Minister can designate land for the establishment and ongoing operation of critical social infrastructure or public works such as schools, for which the Minister is financially responsible.

The public work subject to this NOR is required to provide opportunities for students to meet their educational needs. Accordingly, the establishment of a school catering for students from Years 0 to 8, a specialist 'technology centre' hub and an associated ECE is reasonably necessary in achieving the objective of the Minister in providing schooling.

A designation is the appropriate mechanism to provide for the establishment and on-going operation of the school in this location. The Minister requires ongoing certainty that the Site can be developed and used for this purpose. A designation provides the necessary long-term certainty and flexibility for operation of a school on the Site, while also identifying to the general public the use of the Site for educational purposes in the District Plan

¹ S176A of the RMA requires an Outline Plan to show: (a) the height, shape, and bulk of the public work, (b) the location on the site of the public work, (c) the likely finished contour of the site, (d) the vehicular access, circulation and the provision for parking, (e) the landscaping proposed, (f) and any other matters to avoid, remedy or mitigate any adverse effects on the environment.



2.4 Need for a New School

Section 171(1)(c) of the RMA requires that when considering the NOR, SDC must have particular regard to “whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought”.

The Selwyn District has been one of the fastest growing regions in New Zealand over the last decade, with strong growth expected to continue into the future. In 2013, the Ministry for Business, Innovation and Employment identified Selwyn as an area experiencing a shortfall of residential land and anticipated increased demand for dwellings, in Rolleston in particular². HASHAA was introduced to enhance housing affordability by facilitating an increase in land and housing supply in certain regions or districts listed in “Schedule 1 – Regions and districts that have significant housing supply and affordability issues for purposes of Act”³. Selwyn District was added to Schedule 1 in 2015.

In 2015 the Selwyn Housing Accord was established under HASHAA between SDC and the Crown. The Selwyn Housing Accord established two Special Housing Areas south of Rolleston; South Faringdon and the Dryden Trust – Dean Geddes Block. The Selwyn Housing Accord identified that Rolleston was expected to grow from a population of 6,800 in 2009 (based on the Rolleston Structure Plan) to approximately 22,000 in 2041, equating to approximately 500 persons or 160 households per year on average⁴. The 2013 Census placed the population of Rolleston at 9,555, however significant growth has occurred in the intervening 6-year period since, with a population estimate from SDC at July 2016 being 13,287⁵.

A substantial number of residential allotments have been consented in the south-east corner of Rolleston between Lincoln Rolleston Road and Springston Rolleston Road, all of which are in varying stages of land development. The Ministry has estimated primary roll growth in the Rolleston area based on the capacity of the thirteen Outline Development Plan areas in Rolleston and the two Special Housing Areas, which together total a capacity of 7,748

²<https://www.hud.govt.nz/assets/Residential-Housing/Housing-Affordability/Housing-Accord-and-Special-Housing-Areas/Regulatory-Impact-Statements/264e9ba6da/Regulatory-Impact-Statement-Establishing-special-housing-areas-in-Auckland-Nelson-Selwyn-and-Tauranga.pdf>

³ www.selwyn.govt.nz/property-And-building/planning/special-housing-areas

⁴ https://www.selwyn.govt.nz/__data/assets/pdf_file/0009/183726/SIGNED-ORIGINAL-Selwyn-Housing-Accord.pdf

⁵ <https://www.selwyn.govt.nz/community/living-in-selwyn/selwyn-stats-And-facts>



households⁶. In the context of the high population growth in the wider Rolleston area, the ongoing roll pressure on the existing school network (in particular Clearview Primary), and the anticipated growth in the Rolleston East area, the Ministry has identified a clear need to provide additional primary school capacity in the South East of Rolleston. Based on the growth and network analysis undertaken by the Ministry, it has been identified that a new primary school will be required by 2021/22 to accommodate the forecast growth.

In 2018, the Ministry investigated 16 possible sites for a new primary school and ECE. A total of 7 sites were considered as most suitable and each investigated in greater depth. The Site is the preferred site based on an assessment against the criteria detailed in the document *Ministry of Education: Methodology for New School Site Evaluation, Version 6b, May 2016*.

For the reasons outlined above, it is considered the **public work** (a School for educational purposes) and **the designation** of the Site to provide for this public work; are reasonably necessary to achieving the objectives of the Minister to provide for the education purposes of students in this high growth area.

⁶ Ministry of Education, Rolleston East Site Acquisition: Network Analysis, August 2016



3. Site Description

3.1 Surrounding Area

The Site is located within the AP Development. The AP Development is surrounded by rural and rural lifestyle properties. Subdivision works are well underway in the locality in accord with the Living Z Zone framework or approved Special Housing Area approvals, with many new residential allotments and surrounding road networks having been formed.

A short distance to the south within the AP Development will be a small commercial centre, with several reserves and reserve linkages provide recreational activities, playgrounds and connectivity through the development. Approximately 400m to the west, on the western side of Springston Rolleston Road is the Faringdon subdivision.

The Falcons Landing and Faringdon East development is located immediately to the north of the AP Development; these developments are not completed but are well underway. Overall, the wider locality comprises a range of modern residential properties and rural land holdings, with significant land development occurring in the vicinity such that the area is undergoing a clear transition from a rural and lifestyle environment to an urban residential environment.

3.2 Acland Park Special Housing Area

The AP Development forms part of the Dean Geddes / Dryden Trust Special Housing Area. This Special Housing Area was approved under the HASHAA in 2015. Resource Consents 165454, 165455, 165508 and 165508A were granted on 22 December 2016 to subdivide the approximately 72ha site into 743 residential lots and construct up to 888 dwellings on those lots; develop a small neighbourhood centre and create associated open space areas.

Variations to the above consents (RC185647, RC185648, RC185649 and RC165650) were subsequently granted on 19 May 2019 to change the conditions of Resource Consents 165454, 165455, 165508 and 165508A to facilitate an amended layout across the AP Development. Primarily this related to an increase in residential allotments (from 888 to 1016 with an additional stage added) through a corresponding reduction in area of stormwater reserve set aside within the development. This also resulted in a revised road hierarchy and street design.

The Minister reached agreement with the owners of the AP Development to acquire the Site under the Public Works Act 1981. Settlement of the agreement for sale and purchase took place on 17 June 2019 and a compensation certificate under s19 of the Public Works Act registered over the title. This certificate confirms the purchase of approximately 3ha of land



for school purposes and will be removed as soon as the necessary survey and legalisation work has been completed, with the Record of Title subsequently transferred to the Crown. A copy of the Computer Freehold Register is attached as **Attachment [A]**.

3.3 Site Details

The Site, which has not been formed yet, is located in the northeast portion of the larger parcel of land and has an approximate area of 3ha. It is located on the eastern side of Springston Rolleston Road approximately 2.5 km south-east of central Rolleston. The Site currently forms part of a larger parcel that is 26.1671ha and legally described as Lot 2001 DP 535315 as contained in Computer Freehold Register 891584. The Site is presently the subject of ongoing development as part of the AP Development, and as such the legal descriptions will change pending further subdivision activity.

The Site is zoned Rural Inner Plains Zone under the District Plan and is over Stage 7 of the AP Development (refer **Figure 1 and 2** below), an approved Special Housing Area development. The Site will have road frontages on all four boundaries and will be surrounded by housing within the AP Development. The first stages of the AP Development are located to the west and south of the Site within Stages 1 and 2 (fronting Springston Rolleston Road), for which titles have issued and residential sales taking place.



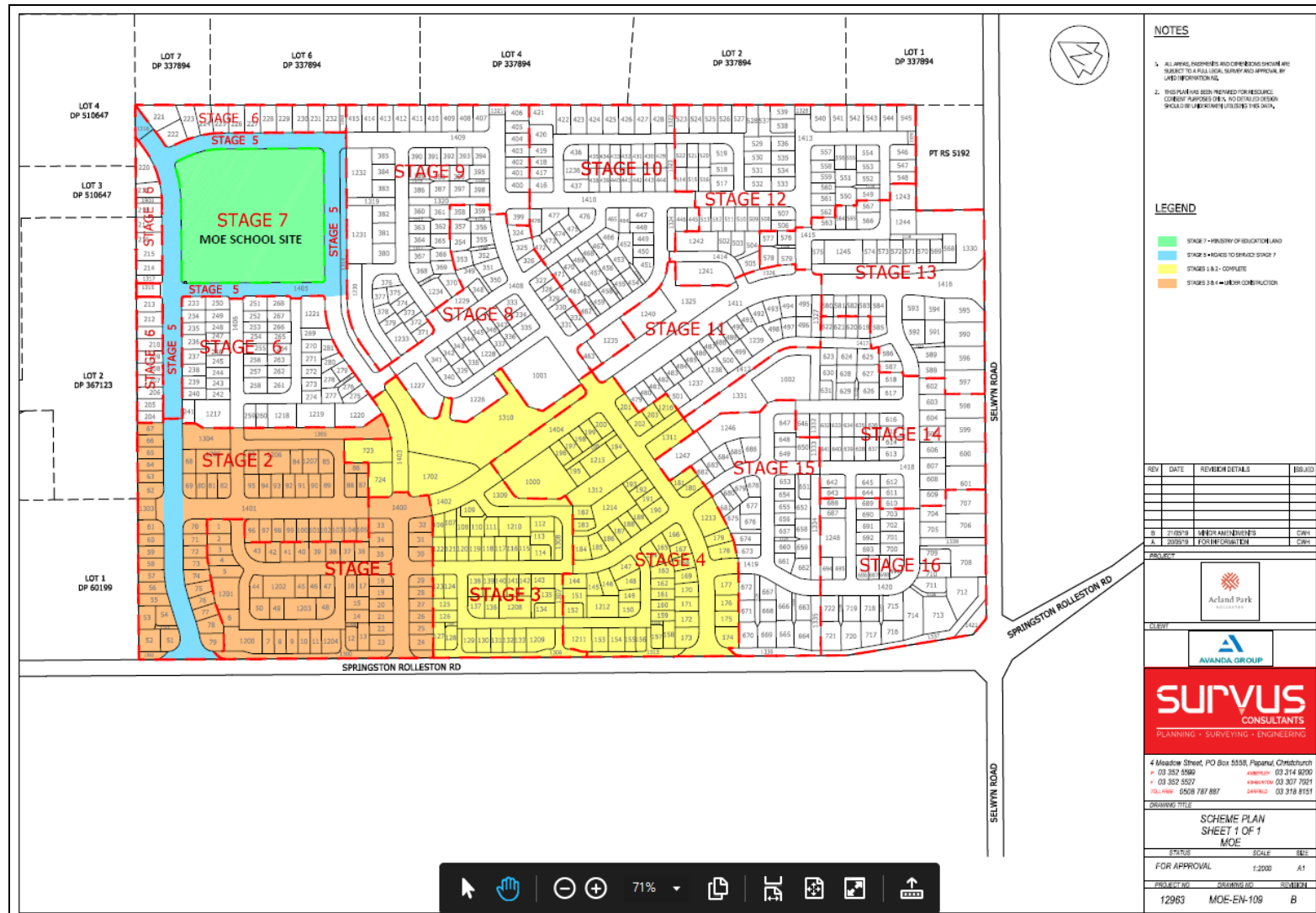


Figure 1: Location of Site within AP Development



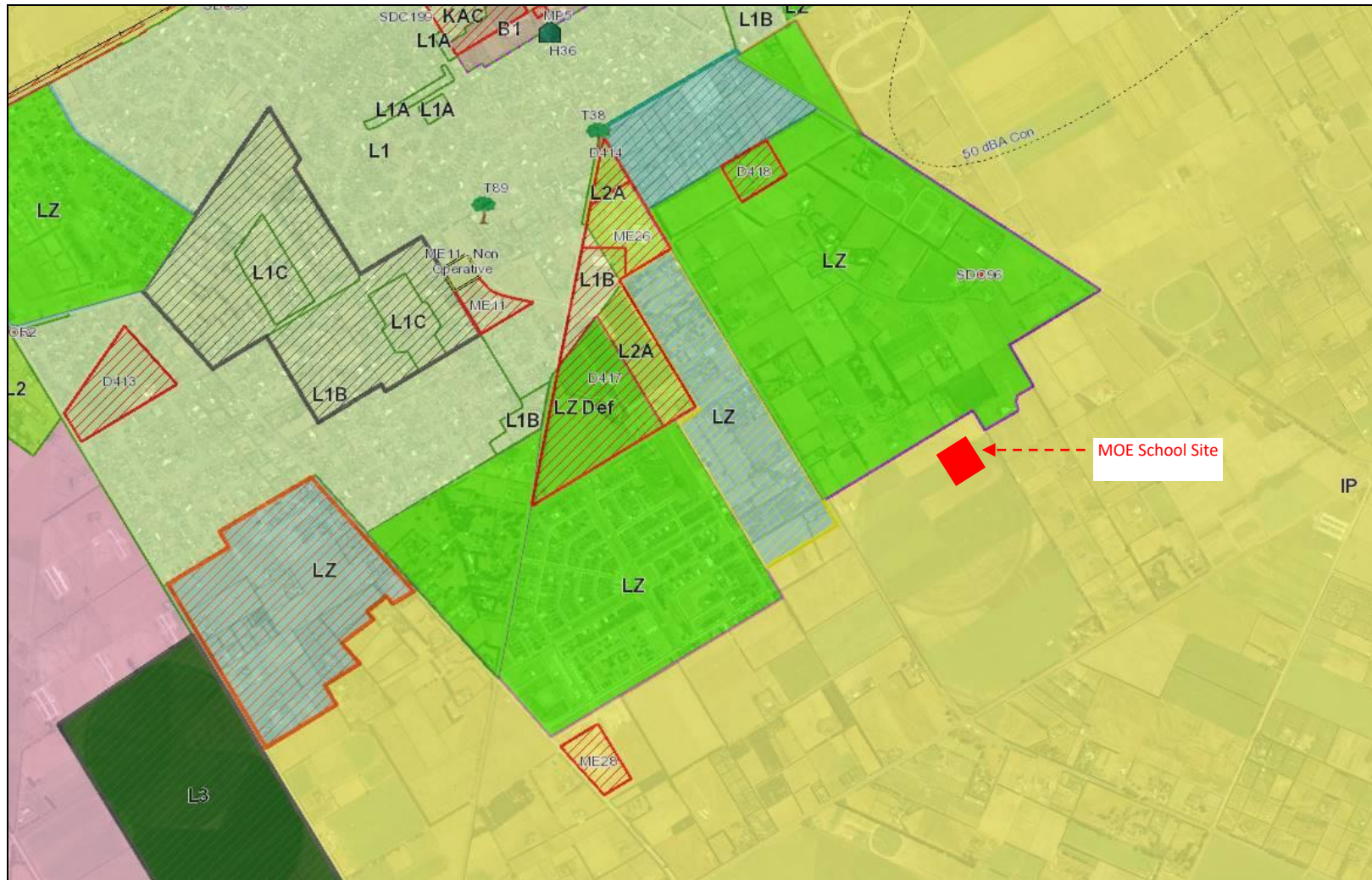


Figure 2: Site Locality Plan (Source: SDC GIS)



The Site area is detailed in the Draft Survey and Engineering Plans enclosed as **Attachment [B]**.

An aerial of the approximate location of the Site is shown in **Figure 3** below:



Figure 3: Aerial View of Site (Source: Canterbury Maps)

The Site is generally rectangular in shape and encompasses an entire block of the AP Development. The Site is configured to fit within the still to be developed roading network identified as part of the AP Development (refer RC185647 and RC185648 enclosed as **Attachment [C]**). The Site will have road frontages on all four boundaries, with the new Collector Road (known as the 'CRETS' Road and named Ed Hillary Drive) established on the northern side of the Site. It is anticipated that all roads will be subject to a 50km/h speed limit as part of an urban subdivision development.



One of the conditions of the purchase of the Site by the Minister is a requirement for the developer to provide two dedicated pedestrian crossings to the Site. The location of these pedestrian crossings to the school, vehicle entrances and parking areas are not yet determined, and will be assessed and developed as part of the OPW process.

Earthworks are taking place across and in the vicinity of the Site as part of the AP Development. As part of the AP Development works, the Site will be formed to have an approximately level contour. There are no noted historic buildings or any environmental or culturally significant elements identified in relation to the Site under the District Plan or listed with Heritage New Zealand Pouhere Taonga

As part of the AP Development Eliot Sinclair have undertaken detailed geotechnical and contamination investigations (**Attachment [D]** and **[E]** respectively). The Geotechnical Investigation identifies that the AP Development site is not subject to any significant identified geotechnical or flooding hazards, stating: *“the site is not likely to be subject to material damage due to erosion, falling debris, inundation, subsidence or landsliding”*. As part of the detailed design at the OPW stage, further site-specific investigations will be undertaken which will determine any particular ground treatment or foundation design that will be required for the school. With respect to potentially hazardous activities, the Contamination Investigation identifies that the Site has a history of cropping and pastoral use, with the only HAIL activity located to the north east of the AP Development, and not over the Site.

With respect to infrastructure servicing, there are no evident servicing constraints associated with the Site which would be problematic for the development of a school. As part of the Site acquisition by the Minister, the owner of the AP Development will be establishing all required infrastructure to service the Site. The draft engineering plans are detailed in **Attachment [B]**, with the bulk of this determined through the issue of RC165454. Accordingly, it is considered all services appropriate to accommodate the school development will have been established to the Site prior to development of the school.



4. Nature of Proposed Designation

4.1 Designation Proposal

The Minister, as Requiring Authority, gives notice of his intention to designate approximately 3.0ha of land within the AP Development for 'Educational Purposes' to:

- (a) meet both present and potential future changing educational needs of the community; and
- (b) allow for the evolution of specific educational practice over time, including changes in the facilities provided and their focus.

The definition of 'Educational Purposes' consist of a range of activities including the provision of education for school age students, early childhood education, community education, the provision of academic, sporting, social and cultural education, and ancillary activities including administrative services and housing for staff. A full definition is included in Section 4.2 below.

The extent and manner of operation of educational and extracurricular activities will be determined by a combination of Ministry policy, direction from the school board and the school faculty. This description of the educational activities proposed on the Site is general and broadly cast for that reason, but sufficient for the purpose of assessing the NOR.

The development of the Site will be for a primary school (Years 0 to 8 inclusive) with an initial roll of 450 students, however the master plan roll will be for approximately 750 students. In addition, an ECE of approximately 50 students is provided for, along with a specialist hub for technology purposes catering for approximately 130 Year 7 and 8 students (at any one time) from contributing schools. While the actual future roll cannot be predicted with complete certainty, and no roll maximum is suggested, this is considered to be a reasonable basis on which to assess the effects of establishing a school in this location based on the network analysis undertaken by the Ministry.

The primary school will operate in a similar manner to other such schools throughout New Zealand. Core teaching and learning hours will be from 9.00am to 3.00pm. However, as is common in other schools, the School will often be used outside of these hours for school activities such as sports training or community use. It is anticipated that the usual range of



sporting and other extracurricular activities will occur on the Site. Such activities could include adult education classes and community events.

This NOR is only for the designation of the Site for educational purposes. The site layout and design (such as the location of buildings, sport fields and associated access and parking) will not be confirmed until master planning has taken place. This detailed information will be submitted with the OPW under s176A of the RMA, once the designation is confirmed.

The recent master plans and concept designs for new schools built throughout the region and the country, have a varied built form and aesthetic suitable to their settings, with this reflecting the design methodology of the Ministry for new school development. **Figures 4 and 5** show two recent primary schools constructed in the Selwyn District.



Figure 4: Lemonwood Grove Primary School (Opened 2017: Source: Ministry of Education)





Figure 5: Ararira Springs Primary School, Lincoln (Opened 2019: Source: Southbase Construction)

4.2 Proposed Designation Conditions

The Minister proposes a number of designation conditions as outlined below. These conditions are proposed to assist in providing parameters around the scope of the designation and to mitigate the effects of any school development on the Site.

It is noted that the conditions proposed are similar to other recently designated school sites throughout New Zealand and in particular the Selwyn District, with the conditions having developed and been tested over the last 4 or 5 years. These conditions signal that the environmental effects of the ‘educational purpose’ designations throughout the country are well-known to the Minister, and therefore seek to achieve a degree of consistency in the application of appropriate mitigation and management measures.

1. Purpose	<p>“Educational Purposes” for the purposes of these designations shall, in the absence of specific conditions to the contrary:</p> <ul style="list-style-type: none"> a) Enable the use of the facilities on the designated site by and for the educational benefit of any school age students (ie: years 0 to 13) regardless of whether they are enrolled at an institution located on that designated site. b) Enable the provision of supervised care and study opportunities for students outside school hours in school facilities. c) Enable the provision of community education (eg: night classes for
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	<p>adults) outside school hours in school facilities.</p> <p>e) Include but not be limited to the provision of academic, sporting, social and cultural education and training including through:</p> <p>i) Formal and informal recreational, sporting and outdoor activities and competitions whether carried out during or outside school hours;</p> <p>ii) Formal and informal cultural activities and competitions whether carried out during or outside school hours; and</p> <p>iii) The provision of specialist hubs and units (including language immersion units and teen parenting units) for students with particular educational requirements or special needs.</p> <p>f) Enable the use of facilities for purposes associated with the education of students including school assemblies, functions, fairs and other gatherings whether carried out during or outside school hours.</p> <p>g) Enable the provision of associated administrative services; car-parking and vehicle manoeuvring; and health, social service and medical services (including dental clinics and sick bays).</p> <p>h) Enable housing on site for staff members whose responsibilities require them to live on site (e.g. school caretakers) and their families.</p>
2. Building Height	Any new building or building extension (excluding goal posts or similar structures) shall not exceed a maximum height of 10 metres.
3. Site Coverage	Buildings on the site shall not exceed a total site coverage of 60%.
4. Noise	<p>The operation of the facilities shall comply with the following noise limits at the boundary of any site zoned primarily for a residential purpose, or in the case of a rural zone, at a notional point 20m from the façade of any dwelling, or the site boundary, whichever is closest to the dwelling:</p> <p>Daytime Noise Level (Leq) dBA</p> <p>Monday – Sunday, 7am – 10pm – 55</p> <p>Monday – Sunday, 10pm – 7am – 45</p> <p>These noise levels shall not apply to noise from standard school outdoor recreational activities occurring between 0800 and 1800 hours Monday to Saturday.</p> <p>Noise levels shall be measured and assessed in accordance with NZS 6801: 2008 “Measurement of Environmental Sound” and NZS 6802:2008 “Environmental Noise”.</p> <p>Noise from construction shall not exceed the limits recommended in, and shall be measured in accordance with, New Zealand Standard NZS 6803:1999 “Acoustics – Construction Noise”.</p>
5. School Travel Plan	Within six (6) months of the opening of the School, the requiring authority shall either directly or through the School Board of Trustees, develop a School Travel Plan which provides specifically for measures to reduce vehicle dependence, including walking school buses, carpooling, the encouragement of the use of public transport, the use of remote pick



	up/drop off locations if appropriate and the encouragement of walking and cycling.
6. Outline Plan	<p>An outline plan of works shall not be required for:</p> <ul style="list-style-type: none"> a) Any internal building works other than those that result in a net increase in the number of classrooms or classroom equivalents; b) General building maintenance and repair work including but not limited to re-painting, recladding and re-roofing; c) Installing, modifying and removing playground furniture and sports structures (e.g. goal posts). d) Amending any internal pedestrian circulation routes/pathways; e) Installing, maintaining or repairing any in ground infrastructure services such as stormwater, sewerage and water lines and connections, including any ancillary earthworks; f) Provision of landscaping and gardens, provided that it does not conflict with any designation condition or alter landscaping required as mitigation as part of an outline plan for other works; g) General site maintenance and repair work, or boundary fencing otherwise permitted by the District Plan.
7. Lapse Date	The designation shall lapse on the expiry of 10 years from the date on which it is included in the District Plan if it has not been given effect to before the end of that period.

4.3 Alternative Locations & Methods

Section 171(1)(b) of the RMA requires that when considering a NOR, SDC must consider the effects on the environment of allowing the requirement, having particular regard to whether adequate consideration has been given to alternative sites, routes or methods of undertaking the work if:

- The requiring authority does not have an interest in the land sufficient for undertaking the work, *or*
- If it is likely that the work will have a significant adverse effect on the environment.

The Minister has an interest in the land sufficient to establish the primary school and ECE, as the Crown has purchased the Site. In addition, as detailed in Section 6, the NOR has been assessed as not giving rise to any adverse effects on the environment. For these reasons, section 171(1)(b) does not apply and SDC is not required to have regard to whether adequate consideration has been given to alternative sites, routes or methods of undertaking the work. Notwithstanding this, it is noted that a number of alternative sites were considered as part of the Ministry site investigation and evaluation methodology, along with



a number of alternative methods to accommodating the demand for schooling in this high growth area, with these matters discussed in **Attachment [F]**.

4.4 Consultation

Consultation is no longer a statutory requirement under the RMA for an NOR. Nevertheless, the Ministry has undertaken consultation with stakeholders.

The prospect of a new school in the Rolleston East area is considered to be an expected outcome for the community and its residents, and SDC, given the extent of residential development and growth occurring and anticipated in the locality. To this end, the proposed NOR and the requirements of the Ministry in this locality is therefore not an unexpected outcome.

The Ministry has consulted with SDC on a number of occasions, including during the overall site selection and evaluation process. The Ministry has subsequently further consulted with SDC in regard to the NOR and the Site, particularly in the context of the relevant consents for the AP Development, various development and servicing matters affecting the Site and surrounding sites, information requirements and process. These discussions involved the submission of a preliminary information package on the NOR and other various matters, prior to lodgement of the NOR.

The Site is located within an emerging residential development, with the Ministry closely liaising with the owner of the AP Development, with this consultation involving discussions as to servicing arrangements, construction timeframes, sales in the vicinity of the Site, and other matters. These discussions will remain ongoing as the development progresses and the Site is created.

The Ministry has consulted with Mahaanui Kurataiao Limited prior to the lodgement of the NOR, with a view to obtaining any feedback or comment on matters that the NOR should seek to address or respond to. Feedback received is that the **rūnanga** are interested in engagement at the design phase rather than at the designation stage.



5. Statutory Assessment

The relevant statutory planning instruments in this instance include:

- The RMA;
- The relevant National Policy Statements ('NPS') and National Environmental Standards ('NES');
- The Canterbury Regional Policy Statement ('CRPS');
- The Regional Plans for Canterbury;
- The Selwyn District Plan ('the District Plan'); and
- HASHAA.

5.1 Resource Management Act 1991

The RMA provides for the use and development of New Zealand's natural and physical resources through:

- Part 2, which establishes the purpose and principles applying to resource consents and designations; and
- Section 171, which prescribes matters to be taken into account in confirming designations.

Section 5 defines the purpose of the RMA. The definition is in two parts, the first of which may be regarded as a liberal provision for resources to be used in a way that enables people and communities to provide for their economic, social and cultural well-being and for their health and safety.

Provision of educational facilities, such as those safeguarded by the NOR, is strongly consistent with this part of the definition. Education is considered to be essential service, with educational facilities therefore vital to enabling people to provide for their economic, social and cultural well-being and for their health and safety. Rarely does a proposition facilitate *all* elements of well-being anticipated by the definition of sustainable management.

The second part of the RMA's definition of sustainable management contains three limbs related to the values of resources and management of effects on the environment. These will also be fully implemented by the NOR. Specifically:



- a) Schools provide essential educational functions for present and future generations. Designation of the site for educational purposes will help sustain the potential of the natural and physical resources represented by the site and the proposed school to meet the reasonably foreseeable needs of future generations;
- b) The proposal will not have any adverse effect on the life supporting capacity of air, water, soil, and ecosystems as shown by the assessment of effects in this report; and
- c) In addition, as shown by the assessment of effects on the environment, adverse effects of the education activities will be avoided, remedied or mitigated to the extent that such effects will be less than minor.

Section 6 of the RMA sets out those matters of national importance which persons exercising powers and functions under the RMA need to recognise and provide for. There are no Section 6 matters applying to the Site.

Section 7 of the RMA sets out those “other matters” which persons exercising powers and functions under the Act need to have particular regard to. Of relevance in this instance are:

- The efficient use and development of natural and physical resources (Section 7(b));
- The maintenance and enhancement of amenity values (Section 7(c)); and
- Maintenance and enhancement of the quality of the environment (Section 7(f)).

Development of the school will make efficient use of the resource represented by the site. By its location, central to a developing neighbourhood, it will maximise access to and will contribute to the efficient use and development of that resource. Physically, the school will be developed to the usual high standard required by the Ministry and will contribute towards high amenity values in the Rolleston locality. Educational facilities will also enhance the quality of the urban environment to be developed.

Section 8 of the RMA states that persons exercising powers and functions under the Act need to take into account the principles of the Treaty of Waitangi. The principles of the Treaty of Waitangi have been taken into account, in that the Site is within a developing urban environment, and there are no known sites of cultural significance in the general area.



Overall, the proposed designation of the Site for educational purposes is strongly consistent with and give effect to the purpose and principles of the RMA.

Section 171 – Recommendation by the Territorial Authority: Under section 171, the territorial authority may recommend to the requiring authority one of the following:

- confirm the designation;
- modify the designation;
- impose conditions;
- withdraw the requirement.

This recommendation is based on matters the territorial authority is required to have particular regard to when considering a notice of requirement as set out in section 171(1) of the RMA.

Under section 171(1)(a), the proposal to designate the Site has given particular regard to the relevant provisions of the relevant planning and statutory documents. In particular, the National Policy Statement on Urban Development Capacity (**NPS UDC**) is of relevance and is assessed further below. No other National Policy Statements are of relevance.

An assessment of the District Plan and the CRPS is provided further in this report.

The Site is located within an area declared as a Special Housing Area under HASHAA, with this legislation considered to be of relevance as an ‘other matter’ and is assessed below.

Section 176A – Outline Plan: An OPW is required prior to construction occurring so that the territorial authority is able to understand and assess the nature of proposed physical works and request any changes prior to development. At this stage no design work or building layouts has been undertaken. The current designation process is to ensure that the Site is available for development for educational proposes prior to detailed design.

5.2 National Planning Instruments

As identified above, s171(1)(a)(i) and (ii) require SDC to have particular regard to any relevant provisions of a national policy statement and the New Zealand Coastal Policy Statement (‘NZ CPS’). Given the nature and location of the proposal, the NZ CPS is of no



relevance to this NOR. The NPS UDC is the only national policy statement of relevance to the NOR and is assessed below.

Under the NPS UDC Greater Christchurch is classified as a 'High-Growth Urban Area'. The NPS UDC requires local authorities to have 'responsive planning' outcomes to urban growth pressures. As part of the responsive planning, SDC is required to undertake additional work to ensure there is sufficient land available to meet future housing and business needs including preparing:

- Quarterly monitoring reports on a range of market indicators;
- A housing and business development capacity assessment;
- Setting minimum housing targets in regional policy statements and district plans; and
- A future development strategy to demonstrate sufficient, feasible development capacity in the medium and long term.

Given the strategic planning arrangements that already exist between local authorities in Greater Christchurch, it was agreed by those authorities that a review of Greater Christchurch's settlement pattern should be done collaboratively, and in doing so meet the statutory requirements of the NPS UDC. Accordingly, a document titled 'Our Space 2018-2048: Greater Christchurch Settlement Pattern Update' was prepared. This document was informed by the Housing and Business Development Capacity Assessment and the relevant Long-Term Plans and Infrastructure Strategies of the various local authorities required under the Local Government Act. The Greater Christchurch Partnership Committee meeting in June 2019 endorsed the final Our Space 2018-2048 as the future development strategy for Greater Christchurch. Subsequent ratification at the meetings for the document of each local authority occurred during June and July. Notably, the document identifies the site as within a 'Greenfield Priority Area - Residential' and 'Special Housing Area', along with identifying 'Future Development Areas'. Of note, three future development areas have been identified for Rolleston, with two of these development areas located either side of the Special Housing Area where the AP development and the Site is located (see **Figure 6** below).



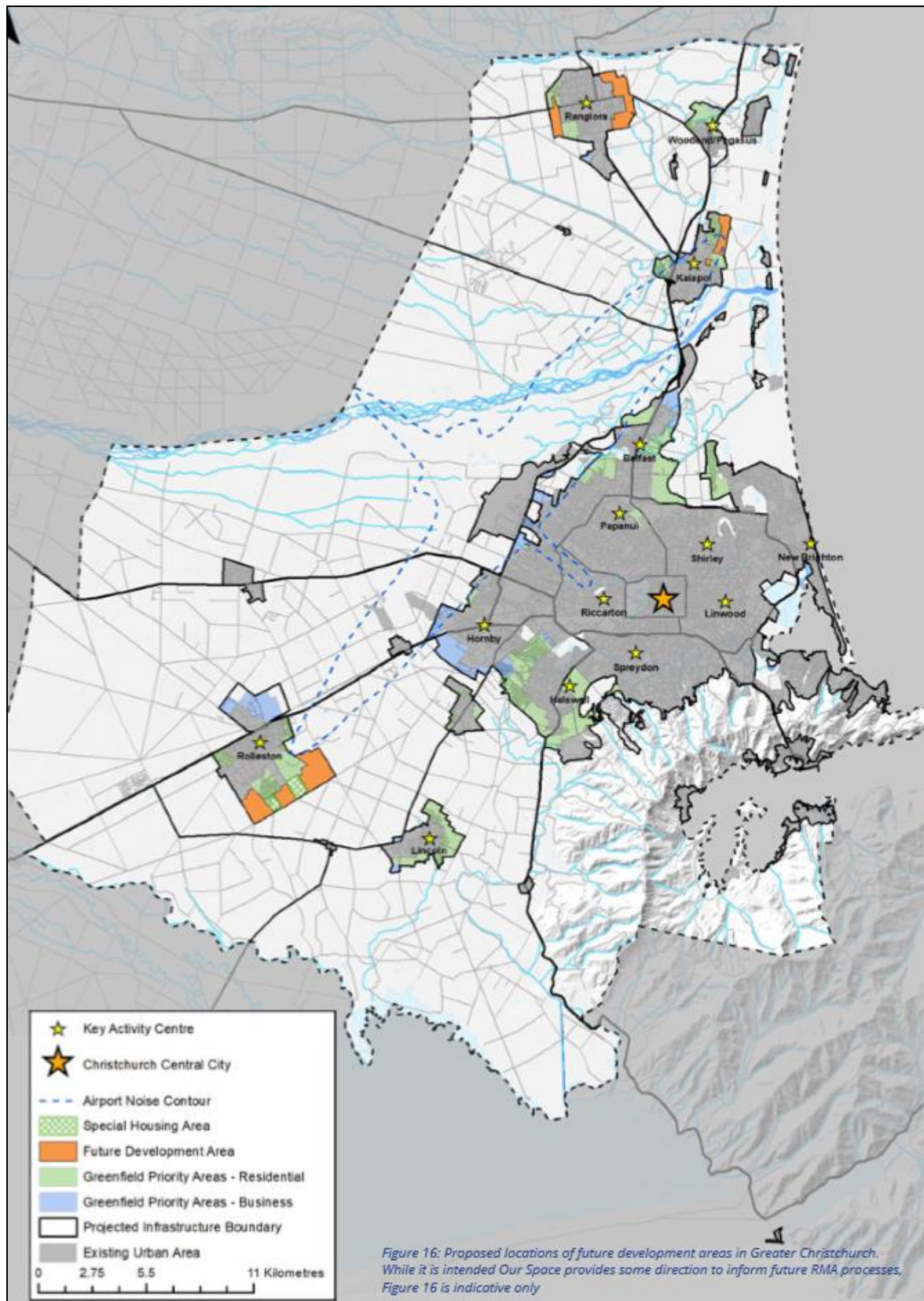


Figure 6: Excerpt of Future Development Locations from Our Space 2018-2048: Greater Christchurch Settlement Pattern Update



The NPS UDC states:

well-functioning urban environments provide for people and communities' wellbeing. They provide people with access to a choice of homes and opportunities to earn income, good connections between them, and attractive built and natural environments. They have good quality physical and social infrastructure and open space. They make efficient use of resources and allow land uses to change to meet the changing needs of their inhabitants while protecting what is precious.

In this regard, the NOR recognises and provides for the educational needs (social wellbeing) of the future residential growth in the surrounding area. It is considered that the provision of educational facilities is a critical component in meeting community needs in terms of urban growth, with the Site located to positively contribute to the surrounding land and associated development.

It is assessed that the NOR is consistent with the NPS UDC and the overall national strategic guidance in terms of managing the high levels of growth of the urban environment in this locality.

5.3 District and Regional Planning Documents

Under section 171(1)(a)(iii) and (iv), SDC must have particular regard to the relevant provisions of a regional policy statement or proposed regional policy statement and the relevant provisions of a plan or proposed plan. These matters are addressed further below.

5.3.1 Canterbury Regional Policy Statement (CRPS)

The RMA requires that district plans give effect to any relevant operative regional policy statements. **Attachment [G]** contains an assessment of objectives and policies of the CRPS which are of relevance to this NOR

The CRPS primarily relates to issues of regional significance. It is of relevance principally because:

- It provides for the growth of Greater Christchurch, including residential greenfield areas. The Site is not located within a priority development area (although the larger site is currently adjacent to Rolleston ODP 11) but through the SHA process the Site has obtained a similar status to a priority development area; and



- It guides land and infrastructural development and the coordination of urban growth relative to the provision of such infrastructure and services (including schools) across the Region.

Most other issues covered in the CRPS are not particularly relevant because:

- The Site is not within or adjacent to any outstanding natural features or landscapes;
- The Site does not include any identified items of natural or historic heritage value, or any other resource protection overlays;
- The Site is not specifically identified as being subject to any natural hazards;
- The proposed school will not create any air pollution nuisance.

In summary, the NOR is consistent with the CRPS.

For completeness, we understand that the review process for the CRPS will be initiated by Environment Canterbury in 2019/2020, with this involving a review of Chapter 6 (relating to land use and recovery, including identification of greenfield development areas within 'Map A' of the CRPS). As outlined in Point 9 of the Schedule of future work detailed in Our Space 2018-2048, preparation of a proposed change to Chapter 6 of the CRPS to modify 'Map A' (to reflect the changes in Greenfield Development Areas identified by Our Space) is anticipated to occur in 2019.

5.3.2 Regional Planning Instruments

Based on the information presently available in relation to the school development, and the serviced nature of the Site, no consents are required under the Regional Plans administered by Environment Canterbury and it is considered that the only regional planning document of direct relevance is the CRPS.

5.3.3 Selwyn District Plan

The Selwyn District Plan (Operative, 2005 – **District Plan**) is the principal planning document in terms of land use planning within the Selwyn District.

The relevant objectives and policies of the District Plan need to be considered. **Attachment [H]** to this report contains tabulation of the relevant District Plan objectives and policies with associated commentary. As the Site is located within the Rural Inner Plains Zone the objectives and policies of this zone have been considered. The objectives and policies of the Living Z Zone have also been considered as the Site is within an area where residential



development is to occur in compliance with the Living Z Zone rules as required by the conditions of RC165454, RC165455, RC165508 and RC165509.

The overall conclusion that the NOR is entirely consistent and appropriate with respect to the relevant objectives and policies of the District Plan.

5.4 Other Matters

Under section 171(1)(d) the SDC must have particular regard to any other matters it considers reasonably necessary in order to make a recommendation on the NOR.

The Ministry considers the HASHAA as a relevant 'other matter'. The Site is located within an approved Special Housing Area, with a number of resource consents granted for development within the area (RC165454/ RC165455/ RC165508 and RC 165509 and subsequently RC185647, RC185648, RC185649 and RC165650). HASHAA has as its purpose the facilitation of an increase in land and housing supply in certain regions or districts, including Selwyn District. In addition to housing, section 14(2)(b) of HASHAA provides for non-residential components that are ancillary to quality residential development (such as recreational, mixed use, retail or town centre land uses). The provision of a school is considered to be entirely consistent with and ancillary to a quality residential development.

5.5 Overall Summary

It is considered the proposed NOR for a new school will be consistent with the overriding themes of the relevant provisions of the CRPS, SDP and HASHAA. In this regard, the establishment of a school in this location is considered to contribute positively to the receiving environment and the overall development of the District. The location of the site within an establishing residential development will support the efficient use and development of resources and the transport network, with any adverse effects of the school development able to be appropriately controlled through designation conditions such that they are less than minor. Overall, the school is necessary to accommodate and respond to the ongoing urban growth pressures in Rolleston, and will support the achievement of a consolidated, well designed and sustainable community.



6. Assessment of Environmental Effects

Section 171(1) states that when considering a requirement and any submissions received, a territorial authority must, subject to Part 2, consider the effects on the environment of allowing the requirement. The provisions of the Fourth Schedule and section 171 of the RMA have been used as a guide for this assessment of effects on the environment (“AEE”).

This AEE covers the following matters:

- Existing environment;
- Landscape and visual amenity;
- Urban design;
- Traffic effects;
- Infrastructure and services;
- Noise;
- Earthworks and site contamination;
- Ecological effects;
- Heritage and cultural impacts;
- Positive effects.

The following assessments are included with this report:

- Integrated Transport Assessment
- Geotechnical Assessment
- Contamination Assessment

6.1 Existing Environment

A particular consideration in respect of the present proposal is the state of the existing environment, with this comprising the existing scale and character of development occurring across the Site and wider AP Development. Such consideration is important when contemplating the scale of potential effects reasonably anticipated to occur within the receiving environment.

As identified in **Figure 7**, the Site is located within the AP Development, for which resource consents have granted 1016 residential allotments in a number of stages. At present, only



Stages 1 and 2 have been completed, with Stages 3 and 4 ongoing. The Site is broadly located within Stage 7 of the development, with the developer retaining ownership of all land in the vicinity of the Site. The Site will be surrounded on all boundaries by legal road.

The AP Development provides for a row of residential allotments along the external boundaries of the development as can be seen in **Figure 7** below, with these ranging in area from 580m² to 1177m². As a consequence, the Site is setback approximately 55m at its closest point from the nearest external property boundary, with formed road corridor carriageways of 9m and 11m and residential development separating the Site from the nearest external boundary.

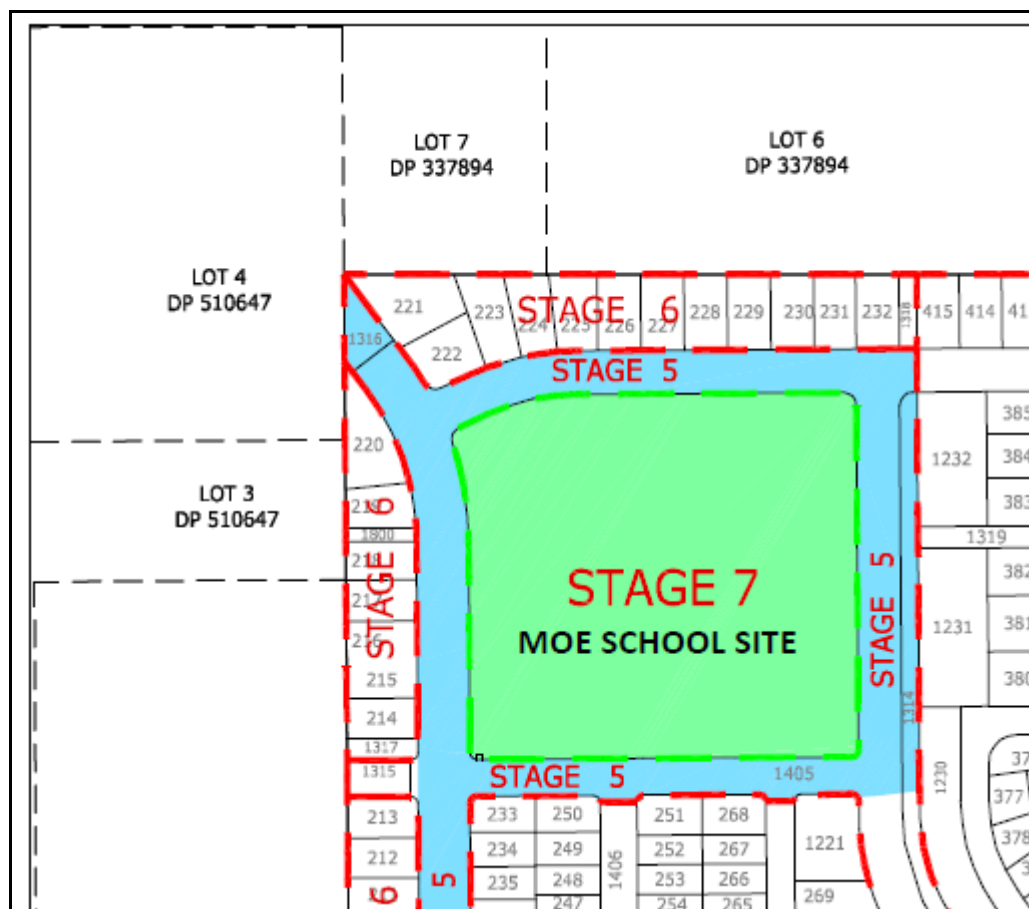


Figure 7: Location of Site in Relation to AP Development boundary

With particular regard to the approved resource consents for the AP Development, the 'existing environment' is such that approximately 46 residential allotments can be established across the school Site designation ranging in size from 450m² to 1573m² (residential low density, medium density small lot and medium density comprehensive lots) without requiring further resource consent. The development of these residential allotments



is subject to the Living Z Zone rules by virtue of the consent conditions imposed, which at their most restrictive provide the following built development outcomes:

- Site coverage up to 40%.
- Building heights up to 8m;
- Building setbacks of 4m from road boundaries and 2m from internal boundaries.

In general terms, it is considered that designation of the Site for Educational Purposes will result in comparable, or even lesser adverse effects on visual amenity from that associated with the development of the Site for 46 residential allotments and associated built form. In particular, it is noted that school design generally comprises a cluster of buildings surrounded by large areas of open space, with these open spaces areas not occurring if the land were developed for residential purposes. This development potential across the Site is considered particularly relevant in terms of determining the potential adverse effects of the NOR on the receiving environment.

6.2 Landscape & Visual Amenity

The locality has and is undergoing significant landscape change in recent times from a rural environment to a predominantly urban/residential environment. This change in character and amenity is anticipated and provided for as part of the approved Geddes/Dryden Trust Special Housing Area (the AP Development) and associated resource consents RC165454/ RC165455/ RC165508 and RC 165509 and subsequent variations. Whilst educational activities are not specifically provided for through the conditions of consent associated with the Special Housing Area, Section 14(2)(b) of HASHAA provides for non-residential components that are ancillary to quality residential development (such as recreational, mixed use, retail, or town centre land uses).

Schools are typically associated with urban development, being a community facility consistent with and contributing positively to residential activity. A primary school within the AP Development is expected to be complementary to the landscape and visual character of the neighbourhood and aligns with the expected amenity values of the future residential community. The Site is separated from external boundaries by footpaths, formed road carriageways of between 9-11m in width, and residential allotments (which are to be developed as part of the AP Development and subsequently issued with titles). The resulting setback from the external boundaries of the AP Development ensures that any adverse



effects from future built development on the Site will not extend beyond the Site, or the wider AP Development.

The Site is not subject to any landscape or other resource protection overlays identified under the District Plan necessitating landscaping above the norm for urban sites utilised for educational purposes. Landscaping and overall built form across the Site will be addressed at the OPW stage.

Overall, the actual and potential adverse effects of a school, specialist technology hub and ECE on the Site can be appropriately managed at the OPW stage, and there are no landscape and visual amenity grounds that would render the Site unsuitable to be designated for educational purposes.

6.3 Urban Design

In general terms, urban design outcomes need only be considered broadly at the NOR stage. The OPW will include a concept of development that is aesthetically appropriate to the Site and its surrounds, consistent with providing a functional school. The “seven C’s” (context, character, choice, connections, creativity, custodianship and collaboration) are an important means by which to achieve high quality in terms of urban design at the time of construction. In this regard, it is noted that as part of any school design the Ministry have a rigorous design process that is required to be followed, with this involving an independent design panel which review and advise on school design and development, ensuring appropriate urban design (and Crime Prevention through Environmental Design) measures are undertaken.

6.4 Traffic Effects

The transportation and traffic related impacts of the NOR have been assessed in the Integrated Transport Assessment (ITA) prepared by Abley (**Attachment [I]**). Given the nature of the NOR and the greenfield location of the Site, the ITA has been undertaken on a ‘high level’ basis. The ITA relies on a number of assumptions and generic analysis rather than known recorded traffic given the surrounding area is in the development phase. Based on this analysis the ITA concludes that the proposal can be supported from a traffic and transportation perspective, with key comments and conclusions detailed below:



- The analysis indicates that approximately 68% of school trips will be made by private motor vehicle and the remainder by public transport and active modes such as walking, cycling and scootering. Over time the road network will become more connected in this area and will therefore facilitate better walking and cycling accessibility, in the short term the proportion of walking and cycling may be lower.
- The analysis indicates that for the school and ECE facility the AM peak hour (8-9am) will generate approximately 479 vehicle trips and the PM peak hour (3-4pm) approximately 3441 vehicle trips. Trips to the specialist hub will be outside of the AM and PM peaks, with students from the contributing schools arriving on chartered school buses at set times. There will be two sessions each day at the hub requiring a morning arrival and departure and an afternoon arrival and departure. The ITA concludes that the anticipated traffic generation from the proposed school is unlikely to result in any adverse traffic effects.
- Abley have confirmed that vehicle access and servicing arrangements can be designed in a manner that matches the requirements of a school development in an appropriate and safe location.
- To minimise conflicts between vehicles and pedestrian/cyclist movements the ITA recommends that vehicle access points should include separate pedestrian paths. The shared path network provided for in the AP Development will ensure that pedestrians and cyclists can easily and safely access the school with multiple options for pedestrian access locations, noting that there are contractual obligations for the developer to provide at least two pedestrian crossings to the school site. These matters are considered to be appropriately addressed as part of the Outline Plan of Works.
- With regard to car parking for staff, drop-off areas for students and loading for service vehicles, the Site is flat, rectangular and suitably large enough to be able to cater for expected demand. The ITA identifies that on-street car parking is anticipated to be limited to drop-off and pick up by parents and caregivers, with the potential for a bus drop off/pick up area (between certain times).
- The location of the pedestrian and vehicle accesses, and parking and drop off areas, will be determined at the detailed design stage for the school. In this regard, it is noted that Section 176A of the RMA requires an outline plan to show, among other things, the vehicular access, circulation and the provision for parking.

Overall, Abley conclude that the anticipated traffic generation from the proposed school is unlikely to result in any adverse traffic effects. Further, the location, shape of the land parcel,



and scale of the school is such that it can provide suitable potential access arrangements and car parking, with these matters able to be appropriately determined as part of the Outline Plan of Works. For the reasons outlined, it is considered that the NOR satisfies the outcomes sought by the regional and local transport strategies and plans, with any traffic related effects less than minor.

6.5 Infrastructure & Services

Given the developing nature of the land subject to the NOR and the surrounding land within the Acland Park Special Housing Area, no services to or over the Site are currently present. However, as identified in RC165454, RC165455, RC165508 and RC165509 there are no infrastructure constraints present over the land. A number of services are proposed to be established to the boundaries of the Site by the developer at a capacity to service the school (fibre, electricity, potable water supply, including water supply for fire-fighting, waste water and stormwater infrastructure), with draft engineering plans enclosed as **Attachment [B]**. Services are to be installed along the entire length of all immediately surrounding roads (the northern, eastern, western and southern boundaries). The provision of these services by the developer is a requirement of the sale and purchase agreement, such that certainty can be had as to the extent of services that will be afforded to the Site.

Overall, it is considered that the particular servicing requirements of the subdivision and the sale and purchase agreement will ensure that the infrastructure afforded to the site will be sufficient to appropriately accommodate the demands associated with a primary school, technology centre and ECE on the site.

6.6 Noise

Schools are an accepted part of urban environments, and their noise effects are well known to the Ministry and the community. Furthermore, the primary noise generating activities – outdoor education, outdoor play times and vehicle-based drop-off and pick-up – are at defined and reasonable hours of the day. Noise generation in evenings, night-time and weekends is typically very low.

A specific condition suggested for the designation relates to day-time and night-time noise limits, with this representing the Ministry's standard 'noise' condition applied nationally, and recently in the Selwyn District. Given the lower sensitivity of the receiving environment, the surrounding road boundaries, the known and reasonable nature of the noise and the noise



limits proposed, the noise effects of the proposed school are considered to be less than minor.

Construction noise will comply with the relevant New Zealand Standard (NZS 6803:1999), which is proposed to be imposed as part of the noise condition.

6.7 Earthworks & Site Contamination

The Site is relatively flat with only a relatively low extent of earthworks anticipated. It is noted that earthworks establishing the surrounding road network will be undertaken as part of the subdivision works undertaken by the developer. The earthworks associated with the Site will principally be required to create building platforms for school facilities, level playing fields, playgrounds and other hard surfaces. Earthworks will be completed over the Site to ensure that it is built up to an appropriate level and has a good depth of topsoil appropriate for the development of school playing fields. These matters will be further determined as part of detailed design, with appropriate and standard erosion and sediment control procedures able to be adopted as part of construction works on the Site.

The potential for soil contamination at the Site has been investigated by Eliot Sinclair & Partners Ltd to assess the suitability of the overall AP Development for residential development, and to inform the subsequent approvals under the HASHAA. The investigation included a Preliminary Site Investigation (PSI) and a Detailed Site Investigation (DSI), both of which are enclosed as **Attachment [E]**. The PSI and DSI determined compliance with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (**NESCS**) over the piece of land subject to the NOR. Therefore, based on the conclusions of the PSI and DSI, and the lack of any current or historical hazardous activities or industries across the Site, the Site is considered suitable for school development.

6.8 Ecological Effects

The Site is not identified in the District Plan or any other statutory documents as one possessing ecological values. Construction of the school on the Site is therefore not expected to have any adverse ecological effects in terms of flora, fauna and/or their habitats.



6.9 Historical & Cultural Effects

The Site is not identified in the District Plan or any other statutory documents as one possessing historic heritage values. Construction of the school on the Site is therefore not expected to result in the destruction or other compromising of any such features.

Although the Site is not otherwise identified as being of any significance to the Tangata Whenua, a standard Accidental Discovery Protocol will govern site development works.

6.10 Positive Effects

The establishment of a school on the Site will give rise to a range of notable positive effects on the community. Not only will the school facilities meet the demands of a growing residential community, it will enhance the well-being of its members and provide an important social, cultural and educational base within the community. The strategic location of the Site is such that it will be easily accessible by a range of transport modes, both within the AP Development and beyond. Overall, the positive effects of the NOR are expected to be significant.

6.11 Conclusion

Any adverse effects of designating the Site for educational purposes to provide for a primary school of approximately 750 Year 0 to Year 8 students, with an associated specialist hub (technology centre) and ECE are considered to be **less than minor**.

The Site has been selected for educational purposes following a rigorous assessment of community needs and site options. The Site is considered well located and one which offers considerable capacity in terms of size and shape to accommodate the proposed school. It will allow considerable options in terms of site layout, thereby facilitating high standards in terms of design and landscaping.

The proposed roading network is considered able to cope well with increasing traffic and school-related demands, such as walking, cycling and set down areas in the neighbourhood. The Site is not one on which protected or other special features exist, and is one in which noise, glare and other effects which may result from any specific school activity can be easily site-contained.



7. Notification Assessment

Under Section 169(1) of the RMA, SDC must, within 10 working days of receiving the NOR, decide whether to notify the NOR. The notification assessment requirements are set out in subsection (1A) and sections 149ZCB(1) to (4), 149ZCC(1) to (4), 149ZCE, and 149ZCF. These apply with all necessary modifications as if-

- (a) a reference to an application or notice were a reference to the NOR; and
- (b) a reference to an applicant were a reference to the requiring authority; and
- (c) a reference to the Minister or the EPA were a reference to the territorial authority; and
- (d) a reference to an activity were a reference to the designation.

The conclusions from our assessment are that:

- Potential adverse effects of a school and ECE on the Site are considered to be less than minor;
- There are no adversely affected persons; and
- The NOR for educational purposes is consistent with relevant provisions of an NPS, the CRPS and the District Plan, and there are no rules requiring notification of the NOR.

The relevant notification requirements are identified and assessed below.

7.1 Public Notification

Pursuant to Section 149ZCB(1) SDC has discretion on whether to publicly notify an application. However, an application must be publicly notified if:

- The activity will have, or is likely to have, adverse effects on the environment that are more than minor, subject to the particular stipulations within Section 149ZCE (Section 149ZCB(2)(a)); or
- The applicant requests public notification of the application (Section 149ZCB(2)(b)); or
- A rule or national environmental standard requires public notification (Section 149ZCB(2)(c)); or



- Further information has been requested, but the applicant does not provide the information before the deadline concerned or refuses to provide the information (Section 149ZCD).

SDC also has discretion to publicly notify an application if it decides there are special circumstances in relation to the application (Section 149ZCB(4)).

The assessment undertaken in Section 6 above demonstrates that the activity will result in less than minor effects on the environment and therefore there are no effects-based reasons for the NOR to be publicly notified. In particular, we note the following:

- The NOR is well located within the AP Development which is currently being developed for urban expansion. The need for a school in this location is a response to the high levels of urban growth in the Rolleston locality, rather than the instigator of urban development.
- The Site is setback approximately 55m from the external boundaries of the AP Development, and will in time be separated from the external AP Development boundaries by residential allotments and formed road corridors.
- Schools are community facilities which are an integral and expected component of residential communities, it is considered entirely appropriate that a school be established in this location.
- The surrounding road network can easily accommodate the traffic generation associated with a school.
- The size of the Site is such that there are numerous options for site layout, such as building location, vehicle and pedestrian access areas and parking areas.
- The Site can be suitably serviced with infrastructure to be provided to the Site boundaries by the AP developers.

Further to the above, public notification is not requested by the Minister, notification is not required by a rule in a Plan or a NES, and any potential further information requests will be responded to in a timely manner. No special circumstances exist that would warrant notification, and as the effects will be less than minor, Section 149ZCE does not apply.

The assessment provided in support of the NOR is considered comprehensive, and more than sufficient for SDC to consider the NOR without public notification.



7.2 Limited Notification

Section 149ZCC identifies that if the application is not publicly notified, SDC must decide if there are any affected persons or any affected protected customary rights groups and serve notice on those persons.

Section 149ZCF of the RMA empowers SDC to determine who is “affected” by an application. A person must be considered “affected” if the effects of the activity on that person are minor or more than minor (but not less than minor), with SDC able to disregard an adverse effect of an activity on a person if a rule permits an activity with that effect (Section 149ZCF(2)(a)). In addition, SDC must decide a person is not an affected person if they have provided approval for the application by way of written notice (Section 149ZCF(3)(a)).

For the reasons outlined in Section 6 above, no persons are adversely affected by the NOR. In this regard the following comments are made:

- The Site is owned by the Crown and centrally located within the AP Development. The Ministry has worked closely with the owner of the AP Development to determine the location of the Site, and the nature of the road network and subdivision layout. To this end, any adverse effects of the NOR on the AP Development are considered to be appropriately avoided and mitigated such that they are less than minor.
- The written approval of the landowner of the AP Development has been obtained and is enclosed as **Attachment [J]**.
- The Site will be separated from the nearest external boundary of the AP Development by 20-24m legal road corridors (comprising 9-11m formed road carriageways) and a row of residential allotments with associated future permitted built form and activity across the same. The total separation distance between the Site and the external AP Development boundaries is approximately 55 metres, with any adverse effects beyond the boundaries of the AP Development less than minor.
- As the Site is located in a later stage of the AP Development where sales have yet to occur (refer commentary on sales as detailed in **Attachment [J]**), any future potential purchasers or owners will be well aware of the presence of the school.
- There are no affected protected customary rights groups or affected customary marine title groups in the vicinity of the Site.



- Any potential adverse effects of the school's construction and presence are short-term and less than minor.

Based on the assessment contained above and within Section 6, there are no potentially affected parties to the NOR.

7.3 Non-Notification

A comprehensive assessment of actual and potential adverse effects on the environment has been carried out in this report and accompanying assessments. All potential adverse effects on the environment will be less than minor. Accordingly, the Minister requests SDC consider the NOR on a **non-notified basis** because:

- a) As per the AEE, any actual or potential adverse effects on the environment are less than minor;
- b) There are no special circumstances that warrant notification;
- c) There are no affected persons, affected protected customary groups or customary marine title groups; and
- d) There are no rules or national environmental standards that require notification.

Notwithstanding this, the Ministry looks forward to working with SDC in order to clarify any matters raised in this assessment in an expedient manner.



8. Conclusion

The purpose of this NOR is to include a new designation in the District Plan to enable the future development and subsequent use of education facilities on the Site. This will be required in the near future to respond to both current demand and future growth projections in the Rolleston East locality.

The actual and potential environmental effects and the proposed mitigation measures have been assessed, the designation has been considered against the provisions of the relevant policy documents and plans, and alternatives, and the Minister's objectives and consultation undertaken are outlined.

Overall, the Site is considered eminently suitable for a school, effects can be avoided, remedied or mitigated and are less than minor, and the development is consistent with the relevant planning documents.

