

19 January 2023

**The Property Group Limited**  
Christchurch Office  
PO Box 7240, Sydenham  
Christchurch 8240

Selwyn District Council  
Attn: rcapps@selwyn.govt.nz

**Notice of Requirement for a Minor Alteration to Designation reference ME18 for Burnham Primary School**

The Minister of Education (the Minister) hereby gives Notice of a Requirement (NoR) for a minor alteration to the Designation for Burnham Primary School (Designation reference ME18) for a *Primary School* purpose under the Operative Selwyn District Plan. The Designation boundary will be altered to include some land that has been acquired by the Minister, and to exclude some land that has been disposed of by the Minister.

It is expected that the alteration to the Designation under the Operative Selwyn District Plan will be rolled over into the Proposed Selwyn District Plan and that the corresponding Designation for Burnham School – Te Kura o Tiori (Designation reference MEDU-22) for *Education Purposes - Primary School* will be modified accordingly.

Attached to this letter is the required Form 18 and all necessary documentation required to satisfy the requirements as set out in the *Resource Management (Forms, Fees & Procedure) Regulations 2003*. These documents appropriately detail the proposed Designation alteration and assessment of effects.

The address for service for the requiring authority is:

**The Property Group Limited**  
PO Box 7240, Sydenham  
Christchurch 8240  
Attn: Penny Weng

Should you have any questions with respect to this alteration of Designation, please do not hesitate to contact me.

Yours sincerely,



**Penny Weng**  
Senior Planner

**NOTICE OF REQUIREMENT FOR A MINOR ALTERATION TO  
DESIGNATION**

FOR

BURNHAM PRIMARY SCHOOL

AT

Godley Road, Burnham

**MINISTER OF EDUCATION**

19 January 2023



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## Quality Control

Title	Notice of Requirement for a Minor Alteration to Designation at Burnham Primary School
Client	Minister of Education
Job No.	718185
Prepared by	Penny Weng (BPlan(Hons), MNZPI), Senior Planner
Signature	
Reviewed by	Bill Harrington, Senior Planner
Signature	

**Form 18**  
**Notice of requirement by Minister, local authority, or requiring authority for  
designation or alteration of designation**

*Sections 168(1), (2) and 181 and clause 4 of First Schedule, Resource Management Act 1991*

**To:** Selwyn District Council

The Minister of Education ('the Minister') gives Notice of a Requirement (NoR) for a minor alteration to Designation ME18 for a public work.

The site to which the requirement applies is as follows:

The Burnham Primary School land at Godley Road, Burnham. The site is legally described as:

- RES 4809 - General Education Purposes New Zealand Gazette 1955 p 1845,
- RES 4810 - General Education Purposes New Zealand Gazette 1955 p 1845,
- RES 4654 - General Education Purposes New Zealand Gazette 1952 p 1714, and
- Part RS 13523 Block II, Leeston Survey District - Public School New Zealand Gazette 1964 p 1290.

The nature of the proposed public work (*or* project or work) is:

To alter the boundary of the existing designation to include two allotments at the road frontage and to adjust the overall school boundary to align with the location of the existing military security fence, in order to reflect the land area, which is currently used by the School and the Minister of Defence.

The nature of the proposed restrictions that would apply are:

The proposed restrictions of the designation are detailed in the Assessment of Environmental Effects documentation.

The effects that the public work will have on the environment, and the ways in which any adverse effects will be mitigated, are:

Detailed in the Assessment of Environmental Effects documentation provided in accordance with the provisions of the Fourth Schedule of the Resource Management Act 1991. The public work is well considered and will result in no significant adverse effects. Where any adverse effects are identified, measures to avoid, remedy or mitigate those effects are also proposed, or able to be appropriately addressed as part of the subsequent outline plan process.

Alternative sites, routes, and methods have been considered to the following extent:

As the proposed change to the designation is considered to be a minor alteration, no alternative sites, routes, and methods are required to be considered.

The public work (or project or work) and designation (or alteration) are reasonably necessary for achieving the objectives of the requiring authority because:

The proposed change to the designation is necessary as a transfer of land has occurred between the Minister of Education and the Minister of Defence. This is detailed in this NoR and the supporting Assessment of Environmental Effects document and is considered reasonably necessary to achieve the objectives of the requiring authority, the Minister of Education.

The following resource consents are needed for the proposed activity and have (or have not) been applied for:

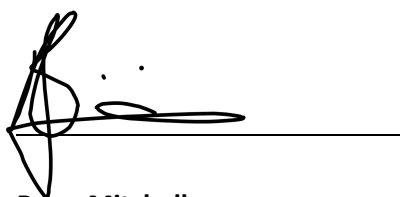
No additional resource consents have been identified as required at this stage.

The following consultation (or No consultation) has been undertaken with parties that are likely to be affected:

The New Zealand Defence Force has provided a letter confirming that the proposal to designate these land parcels will not “prevent or hinder” the Burnham Military Camp. Te Taumutu Rūnanga has been consulted, and has not raised any cultural-related concerns to date. No other parties are considered to be adversely affected by the proposal. As the proposed change to the designation is considered to be a minor alteration, no further formal consultation or notification is required.

The Minister of Education attaches the following information required to be included in this notice by the district plan, regional plan, or any regulations made under the Resource Management Act 1991:

- i. Form 18
- ii. Assessment of Environmental Effects Report
- iii. Gazette Notices for Existing School Land
- iv. Title Plan – SO 568209
- v. Proposed Designation Alterations Plan
- vi. Gazette Notices for Education Purposes and Military and Defence Purposes
- vii. Letter from New Zealand Defence Force
- viii. Educational Hub Cultural Narrative Tauwharekākaho / Rolleston



**Brian Mitchell**

Group Manager National Property Services  
Te Puna Hanganga, Matihiko | Infrastructure & Digital  
Te Tāhuhu o te Mātauranga, The Ministry of Education

*Under delegated authority from the Minister of Education*

T: 6444634803  
E: Brian.Mitchell@education.govt.nz

Date: 19 January 2023

## 1. NOTICE OF REQUIREMENT DETAILS

Requiring Authority: Minister of Education (refer to Form 18 on previous pages)

Territorial Authority: Selwyn District Council

Address for Service: The Property Group Limited

PO Box 7240, Sydenham, Christchurch, 8240

Attention: Penny Weng

### Operative Selwyn District Plan – Designation ME18 (Rural Volume)

Site Identifier: Burnham Primary School

Site Address: Godley Road, Burnham

Legal Descriptions: Res 4809, 4810, 4654, Pt RS 13523 Block II, Leeston Survey District Area (refer to **Appendix 1** for Gazette Notices)

Total Designation Site Area: Approximately 2.1734ha

Designation Purpose: Primary School

Conditions: None

### Additional Site Details

District Plan Map Ref: 13

<b><i>Legal Description</i></b>	<b><i>Site Area</i></b>	<b><i>Gazette Notice:</i></b>
RES 4809	2,368m <sup>2</sup>	General Education Purposes New Zealand Gazette 1955 p 1845
RES 4810	8,334m <sup>2</sup>	General Education Purposes New Zealand Gazette 1955 p 1845
RES 4654	1.0193ha	General Education Purposes New Zealand Gazette 1952 p 1714
Part RS 13523	569m <sup>2</sup>	Public School New Zealand Gazette 1964 p 1290

Underlying Zoning: Rural (Outer Plains)

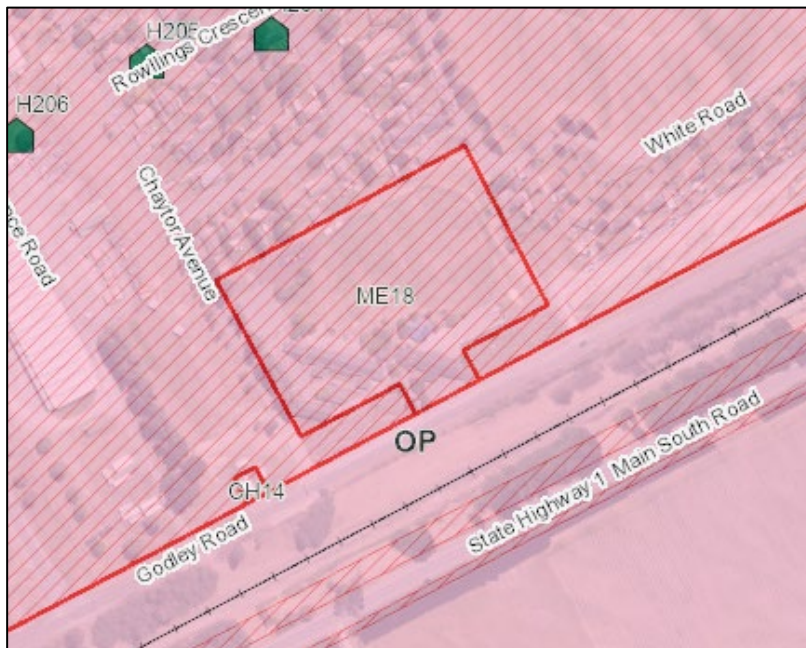
Natural Hazards: 200-year ARI rainfall flood depth <0.2m and 0.2m to 0.5m  
(Source: Canterbury Maps, Selwyn Flooding Map)

An aerial photo of the designation site and an extract of the zoning map from the District Plan are shown in Figures 1 and 2.



**Figure 1 – Aerial photo of the Designation Site, outlined in red**

(Source: GRIP)



Zone	
	Outer Plains
Designation	
	Number: ME18
Site Name: Burnham Primary School	
Purpose: Primary School	
Location: Godley Road, Burnham	
Conditions:	
Status: Operative	

**Figure 2 – School Site Zoning and Designation ME18**

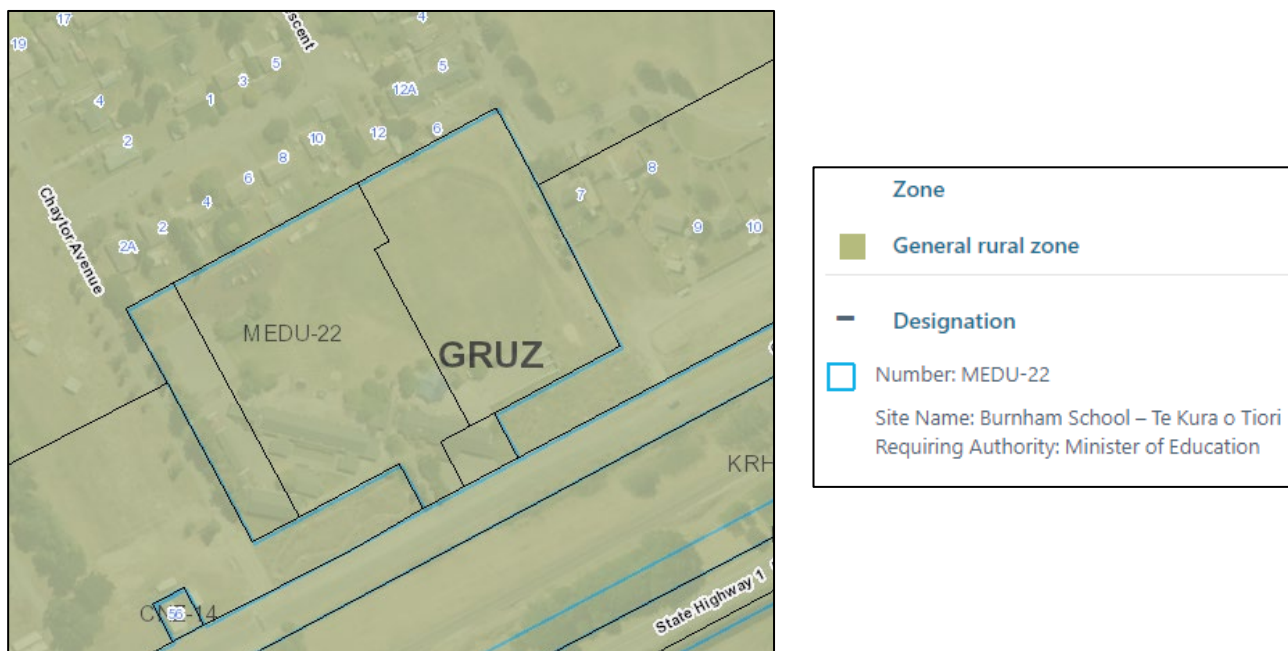
(Source: Operative Selwyn District Plan)

## Proposed Selwyn District Plan – Designation MEDU-22

Site Identifier:	Burnham School – Te Kura o Tiori
Site Address:	3 Chaytor Avenue, Burnham
Legal Descriptions:	Res 4809, 4810, 4654, Pt RS 13523 Block II, Leeston Survey District
Designation Purpose:	Education Purposes - Primary School
Conditions:	None
Proposed Underlying Zoning:	General Rural Zone
Natural Hazards:	Plains Flood Management Overlay Liquefaction Damage Unlikely Overlay
Other notations:	EIB Management Overlay: EIB Canterbury Plains Area Rail Corridor Noise Control Overlay State Highway Corridor Noise Control Overlay Rural density: East Plains / Te Waihora ki Waimakariri

Pages 62 and 63 of the Selwyn District Council's 'Proposed Selwyn District Plan Overview Report Designations' states that the modification includes:

1. Update the site name from 'Burnham Primary School' to 'Burnham School – Te Kura o Tiori'
2. Update the designation purpose from 'Primary School' to 'Education Purposes – Primary School'
3. Update the site identifier with updated street address to reflect school entrance
4. Add additional information defining the activities that may occur on the site in its use as a primary school



**Figure 3 – Proposed Zoning and Designation to be rolled over**

(Source: Proposed Selwyn District Plan, December 2022)

## 2. INTRODUCTION

The Minister of Education (the Minister) seeks a minor alteration to the Designation for Burnham Primary School (Designation ME18) that is located at Godley Road, Burnham. The current designation area is 2.1734ha and is legally described as Res 4809, 4810 and 4654 and Pt RS 13523 Block II, Leeston Survey District. Land has recently been transferred from the New Zealand Defence Force (NZDF) to the Minister to both extend the school site, and reflect the area of land inside of the military fence, which is being used by the school.

There are two key components to this proposed alteration to the Designation:

1. The existing Designation boundary will be altered to include two new allotments at the Godley Road frontage, which is land that was formally used as part of the Burnham Military Camp by the NZDF.
2. The existing Designation boundary will also be altered so that the eastern, western and northern boundaries better align with the location of the existing military security fence, and the area inside of this that is being used for a *Primary School* purpose.

The proposal is detailed further in Section 4 below.

## 3. SITE DESCRIPTION AND LOCALITY

### 3.1 Existing site and surrounds

#### 3.1.1 Existing Site

The subject site and the existing Designation area are situated at Godley Road, Burnham, on the eastern side of Chaytor Avenue. The site contains Burnham Primary School, which has a total roll of approximately 124 students (as of July 2022<sup>1</sup>) and caters to students in Year 0 (new entrants) and Years 1 through to 8.

The site currently has a main frontage and pedestrian entrance to Godley Road to the south. On-street parking is available on Godley Road, albeit unmarked.

The school grounds currently contain the main school buildings within the south-western portion of the site, along with car parking areas and hard surface courts. A large playing field is located within the

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<sup>1</sup> (Source: Burnham School - Te Kura o Tiori, <https://www.educationcounts.govt.nz/find-school/school/population/age?district=&region=&school=3304>, webpage accessed January 2023).

northern and eastern portions of the site. A playground is located near the north-western corner of the site.

The natural hazards across the site, as recorded in Canterbury Maps, Selwyn Natural Hazards include: 200-year ARI rainfall flood depth <0.2m and 0.2m to 0.5m.

### **3.1.2 Surrounding Land**

The school site is surrounded by land on all sides that is occupied and used as part of the Burnham Military Camp by the NZDF for Military and Defence Purposes. Burnham Military Camp hosts around 1,300 military and civilian personnel who work on the base and occupies an area of approximately 441ha.

The adjoining land to the east (Part RS 13523) comprises residential dwellings off White Road. The adjoining land to the west (Part RS 13523) comprises accessory buildings off Godley Road.

The adjoining land to the north, north-east and north-west (Part RS 13523 held in record of title CB519/103) comprises a range of dwellings, training facilities and buildings, amenities, fields and grounds. It also comprises a number of internal roads.

The Burnham Military Camp is located in the Rural (Outer Plains) Zone. It is also subject to Designation reference DE1, with the Minister of Defence as the requiring authority.

On the southern side of Godley Road is a railway line and Main South Road (State Highway 1), which runs parallel to Godley Road. The combination of Godley Road, the railway line and Main South Road provide a 100m wide buffer from the existing activities to the south. On the southern side of Main South Road are medium to large-size rural allotments that are used for viticulture. These properties are largely screened from view from the road by a row of tall trees along the front boundary.

## **3.2 Zoning and Designation**

Under the Operative Selwyn District Plan, the underlying zoning of the school site and the immediate surrounding area is Rural (Outer Plains) Zone. The underlying zoning is a rural zone that comprises the Canterbury Plains and which anticipates one dwelling per a minimum 20ha of land.

The school site is encompassed entirely within Designation ME18 for a *Primary School* Purpose. There are no conditions that apply to this Designation. The Minister of Education is the requiring authority for this Designation.

The two allotments at the Godley Road frontage and the two narrow areas of land on each of the eastern and western boundaries are to be included in Designation ME18. This land is located in the Rural (Outer Plains) Zone and is currently subject to Designation DE1.

## 4. PROPOSED ALTERATION TO THE DESIGNATION

### 4.1 Description of proposal - Land to be included in the designation

The land to be included in Designation ME18 is shown on the Title Plan (refer to **Appendix 2**) and the Proposed Designation Alterations Plan (refer to **Appendix 3**). The land has been acquired by the Minister of Education from the Minister of Defence for education purposes. This is confirmed in the gazette notices that were published on 11 January 2023 (refer to **Appendix 4**).

The two allotments at the Godley Road frontage to be included in Designation ME18 are currently vacant of any buildings. These allotments were formerly part of larger allotments that made up the premises for the adjoining Burnham Military Camp. These allotments are currently fenced off from public access.

Section 4 is 1,530m<sup>2</sup> in area, rectangular-shaped and adjoins Res 4809 and Res 4654 to the south. In recent years, the school has used the land contained within Section 4 as a BMX track for use by the students. Although the land today is flat in topography and comprises overgrown grass.

It is intended that the use of Section 4 will remain unchanged from how it currently exists. The land will continue to be used as land forming the frontage of the site.

Section 5 is 1,410m<sup>2</sup> in area, rectangular-shaped and adjoins Res 4180 to the south and Part RS 13523 to the east. It is flat in topography and comprises overgrown grass.

For the time being, it is intended that the use of Section 5 will remain unchanged from how it currently exists. The land will continue to be used as land forming the frontage of the site.

There are also four narrow areas of land along the outside of the eastern and western boundaries of the current designation, that will be included in Designation ME18. Section 2 – 91m<sup>2</sup>, Section 6 – 66m<sup>2</sup>, Section 7 – 7m<sup>2</sup> and Section 9 – 53m<sup>2</sup>, as shown on Title Plan SO 568209, will be included in Designation ME18.

A separate notice of requirement will be made by the Minister of Defence to alter Designation DE1 in due course. Therefore, there will be a period of time where Designation ME18 will overlap part of Designation DE1. The New Zealand Defence Force (on behalf of the Minister of Defence) has provided a letter confirming that the proposal will not “prevent or hinder” the Burnham Military Camp (refer to **Appendix 5**).

### 4.2 Description of proposal - Land to be excluded from the designation

The land to be excluded from Designation ME18 is shown on the Title Plan (refer to **Appendix 2**) and the Proposed Designation Alterations Plan (refer to **Appendix 3**). The land has been disposed of by the Minister of Education and transferred to the Minister of Defence for military and defence purposes. This is confirmed in the gazette notices that were published on 19 December 2022 (refer to **Appendix 6**).

There are four narrow areas of land along the inside of the northern and western boundaries that are owned by School that will be removed from Designation ME18. Section 3 – 16m<sup>2</sup>, Section 8 – 116m<sup>2</sup>, Section 15 – 33m<sup>2</sup> and Section 16 – 72m<sup>2</sup>, as shown on Title Plan SO 568209, will be excluded from Designation ME18.

No other alterations to Designation ME18 are proposed. No conditions are proposed.

#### **4.3 Purpose of the proposal**

As of January 2023, the Minister of Education and the Minister of Defence have completed some land transfers (purchase of areas of land) between each other. This includes the transfer of two allotments at the road frontage from the Minister of Defence to the Minister of Education.

The land that comprises Sections 4 and 5 is not currently being used by the NZDF due to its location adjoining the front of the school. Therefore, it is considered practical to include Sections 4 and 5 in the Designation ME18 for the school.

The proposal also includes the transfer of four small areas of land along the eastern and western boundaries from the Minister of Defence to the Minister of Education; and the transfer of four small areas of land along the northern and western boundaries from the Minister of Education to the Minister of Defence. This enables Designation ME18 to better align with the location of the existing military security fence, in order to reflect the land area, which is currently used by the School and the NZDF. The existing military security fence will be located in the centre of the altered common boundary.

Once the Minister's altered Designation ME18 is confirmed, should any construction and / or development of this land along Godley Road be required in the future, an Outline Plan of Works (OPW) will be submitted to detail any proposed development. The OPW will be submitted as per the requirements of s176A of the RMA. The RMA defines the Outline Plan as *"an outline plan of the public work, project, or work to be constructed on designated land must be submitted by the requiring authority to the territorial authority to allow the territorial authority to request changes before construction is commenced"*. The Council can be satisfied that it will receive this level of detail and any mitigation required to be assessed and applied at this future OPW stage.

### **5. STATUTORY ASSESSMENT**

#### **5.1 Statutory Assessment**

The subject site is designated for a *Primary School* Purpose (Designation ME18) and there are no conditions that apply to this designation.

Section 181 of the Resource Management Act 1991 (the Act) relates to an Alteration of Designation. Specifically, Section 181(3) states the following:

- 3) *A territorial authority may at any time alter a designation in its district plan or a requirement in its proposed district plan if—*
  - (a) the alteration—*
    - (i) involves no more than a minor change to the effects on the environment associated with the use or proposed use of land or any water concerned; or*
    - (ii) involves only minor changes or adjustments to the boundaries of the designation or requirement; and*
  - (b) Written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners or occupiers agree with the alteration; and*
  - (c) Both the territorial authority and the requiring authority agree with the alteration—*

*and sections 168 to 179 and 198AA to 198AD shall not apply to any such alteration”.*

With respect to Section 181(3)(a), given the additional land to be included within Designation ME18 is vacant land that is not actively being used for any military and defence purposes; it is considered that the proposed alteration involves no more than a minor change to the effects on the environment associated with the proposed future use of the land. Section 6 of this report includes an assessment of any potential effects on the environment that are applicable to the subject site and concludes that any effects on the environment are less than minor. The proposed alteration to the existing designation is of a relatively small scale with respect to the scale and area of the existing school site (approximately 3,157m<sup>2</sup> of land gained and approximately 237m<sup>2</sup> of land transferred).

With respect to Section 181(3)(b), the land that falls within the proposed designation alteration is owned by the Minister of Education with the settlement of the purchase from the Minister of Defence completed in January 2023. The Minister of Defence (through the New Zealand Defence Force) has been provided with written notice of the Minister of Education’s intention to alter the existing designation boundary. The Minister of Defence will serve a separate Notice of Requirement to the Council to alter Designation DE1 in due course and the NZDF confirms that the proposal will not “prevent or hinder” the Burnham Military Camp.

For many years, the subject site has been designated and used for a Primary School Purpose, and the adjoining land has been designated and used for Military and Defence Purposes. It is therefore considered that any effects are limited to these two parties that are involved in the land transfer. Section 6 of this report includes an assessment of any potential effects on persons and concludes that there are no affected parties or landowners.

Pursuant to Section 181(3)(c), the Selwyn District Council<sup>2</sup> has confirmed that the territorial authority agrees that this alteration to the designation is considered minor.

Given the above, it is therefore considered that the tests outlined in Section 181(3) are met and that that Sections 168 to 179 of the Act shall not apply to this alteration to designation. Consequently, an assessment of Part 2 of the Act is not required. In addition, it should be noted that by virtue of Section 176(2) of the Act, the provisions of the Operative Selwyn District Plan (including rules, policies, or objectives) shall not apply in relation to any land subject to a designation.

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<sup>2</sup> The Council provided verbal confirmation to the Ministry of Education and The Property Group Limited at the meeting on 26/10/2022 that the proposed alteration is minor in nature.

## 5.2 Statutory Approvals

Should the Minister wish to carry out works or upgrade any part of the designated school site (such as a future carpark on Section 5), an Outline Plan of Works or a request for an Outline Plan Waiver will need to be prepared and submitted to Selwyn District Council for consideration.

### 5.2.1 HAIL considerations

The Environment Canterbury Listed Land Use Register shows that the search area comprising Part RS 13523 held in Record of title CB519/10 (which includes Sections 4 and 5) is identified as being subject to a HAIL activity.

The following **Investigations** were found within your search area. [What is an Investigation?](#) 

No.	Type	Investigation Title	Report Date
INV309942	Preliminary Site Investigation	PFAS Preliminary Site Investigation: Burnham Military Camp	1 May 2019
INV309936	Preliminary Site Investigation	NZDF HAIL Investigation Report	1 Mar 2018

S. Quirke (Deputy Director Property Rationalisation of Defence Estate and Infrastructure) of the New Zealand Defence Force has supplied the following information:

- *PFAS Preliminary Site Investigation: Burnham Military Camp Report*: None of the areas of Part RS 13523 being transferred are identified as HAIL in this Report.
- *Preliminary Site Investigation: NZDF HAIL Investigation Report*: A copy of this Report has been provided to the Minister of Education to review.

Figure 4 shows the potential HAIL areas in close proximity to the land being transferred to the school.



Figure 4 – Potential HAIL areas

(Source: Extract from page 145 of the NZDF HAIL Investigation Report, prepared by Engeo Limited, dated March 2018)

There is one polygon adjacent to Part RS 13523 in close proximity to Section 6, as shown by the yellow circle in Figure 4 (Site ID: HL\_273\_BHM). This area is considered potentially HAIL due to the identification of a 'building with potential lead based paint present'. It is classed as 'low priority', which indicates a low risk to human health and/or the environment.

Based on the above information in the NZDF HAIL Investigation Report, the HAIL activity (Site ID: HL\_273\_BHM) relates to the existing building within that polygon. The building within that polygon remains outside of the altered designation boundary. No soil disturbance within the land comprising Section 6 is proposed as part of this application. Accordingly, the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESC) does not apply and an assessment under the NESC is not required.

### **5.2.2 Regional Consents**

As part of any future Outline Plan of Works, the need for any regional consents may need to be investigated and a resource consent(s) obtained, if required.

### **5.2.3 Summary**

No other statutory approvals are applicable to this NoR, as there are no works that are proposed on the designated school site concurrently at this stage.

## **6. ASSESSMENT OF ENVIRONMENTAL EFFECTS**

The alteration to the Designation boundary will allow the Minister to efficiently manage the use of the site for a *Primary School* Purpose.

The following potential effects are considered relevant to the minor alteration to Designation.

### **6.1 Visual, character and amenity effects**

The inclusion of the two allotments at the road frontage will enable the school to have an altered boundary with Godley Road.

There is no planned change to the land use on Sections 4 and 5 as part of this NoR and therefore no associated visual effects. The military fence along Godley Road is likely to be removed in due course. There is the option to implement landscaping and fencing to create a formal boundary and interface with Godley Road. The use of landscaping and fencing as part of maintaining privacy and safety for the school is not unexpected and can be undertaken in such a way as to maintain the rural appearance and streetscape amenity along Godley Road.

It is specifically noted that these two allotments are zoned Rural (Outer Plains) Zone, where these could accommodate some of the permitted activities in Part C of the Rural Volume of the District Plan. These rules set an anticipated baseline for the type, scale and bulk of rural activity / development for the allotments and the immediate area. The inclusion of additional land for the existing Designation is unlikely to have adverse visual, character and amenity effects beyond this anticipated baseline on the adjoining Burnham Military Camp.

The alteration to the side and rear boundaries will not result in any discernible visual effects, as the alteration follows the position of the existing military security fence.

Overall, the scale of the proposed altered boundaries, in the context of the surrounding environment, will not interfere or detract from the character or amenity of the surrounding environment. The proposal is considered to have less than minor adverse visual, character and amenity effects with no persons being adversely affected.

## **6.2 Noise effects**

Given the nature of the existing school facilities, the existing activity will be generating some degree of noise, particularly during pick up and drop off times, play times, lunch hours and during some outdoor activities. As the current use of the land within Section 4 and Section 5 will likely remain unchanged, the timing and levels of noise emitted from the school are anticipated to remain unchanged and no additional noise effects would be generated from the proposed alteration of the boundaries.

Overall, the minor alteration of the Designation is considered to have less than minor noise effects, with no persons being adversely affected.

## **6.3 Traffic effects**

As no physical changes are proposed as part of this minor alteration to the Designation, traffic effects will remain unchanged. Any capital works, which could result in any changes to the current vehicle accesses, car parking provision and onsite vehicle circulation for the school would be assessed at the OPW stage.

Overall, the minor alteration of the Designation is considered to have less than minor traffic-related effects, with no persons being adversely affected.

## **6.4 Natural hazards effects**

As identified in Section 1 above, a flooding hazard (in the event of rainfall) applies across the school site, which extends into the land to be included in the designation.

In the event that capital works (for any new buildings) are proposed on Sections 4 and 5, the flooding considerations and any requirement for a building to be designed to avoid flooding effects will be assessed during any OPW and building consent stage, which does not form part of this NoR.

Overall, the minor alteration of the Designation is not expected to exacerbate the potential risk of natural hazards, with no persons being adversely affected.

## **6.5 Infrastructure effects**

As no physical changes are proposed as part of this minor alteration to the Designation, the current servicing of the school will remain unchanged.

Overall, the minor alteration of the Designation is considered to have less than minor servicing-related effects, with no persons being adversely affected.

## 6.6 Cultural effects

The site is not subject to any cultural features or notations in the District Plan.

Representatives of the Minister of Education have communicated with Te Taumutu Rūnanga at regular intervals in 2022. Te Taumutu are the relevant rūnanga and their takiwā centres on the Rolleston area.

While Te Taumutu Rūnanga and Te Ngāi Tūāhuriri (traditionally based at the Kaiapoi Pā) have shared interests in the Selwyn District as part of the Education portfolio agreement, Te Taumutu is recognised as the kaitiaki of the educational institutions in the district.

Te Taumutu have advised that they do not have capacity to engage with representatives of the Minister on any land acquisition or designation projects at this stage. Te Taumutu have referred the Minister to a Cultural Narrative of the area, which had already been prepared for initial guidance for a previous project (refer to **Appendix 7** - Educational Hub Cultural Narrative Tauwharekākaho / Rolleston). This narrative did not raise any cultural concerns over the proposal at Burnham Primary School.

In an effort to keep Te Taumutu Rūnanga informed on what the Minister has been doing past this point, and to allow for more specific concerns to be raised, representatives of the Minister have been providing regular updates on all land acquisition and designation projects to Te Taumutu via email throughout 2022. No concerns have ever been raised in response to these emails.

Te Taumutu have also attended meetings with representatives of the Minister to discuss wider educational issues and aspirations across the Selwyn District. No concerns about the proposal on the land at and around Burnham School have been raised in this forum either.

Based on the above, the minor alteration of the Designation is considered to have less than minor effects on the cultural values of Te Taumutu Rūnanga.

## 6.7 Positive effects

The effects to be considered may include any positive effects on the environment. The proposed alteration to the designation will ensure that the currently underutilised land is efficiently used for a *Primary School* Purpose. It will enable the school to achieve a formal boundary to the road and with respect to the military security fence. It will enable the land to be used in a manner that supports the operation of the school, which enables the community to provide for their wellbeing.

## 6.8 Effects conclusion

For the reasons discussed above, the minor alteration to the Designation boundaries to include two allotments to serve as the amended road frontage for the school site will have less than minor effects on the environment, with no persons being adversely affected. It will also include amended side and rear boundaries, which will have no effects upon the Minister of Defence, who is party to the completed land transfer settlement agreement.

Overall, the proposed minor alteration presents positive effects for the school and the local community. Specific detailed design and engineering matters can be readily addressed at the OPW and building consent stages.

## 7 OTHER NECESSARY RESOURCE CONSENTS

There are no other necessary resource consents required to be renewed or obtained as part of this proposal.

## 8 CONSULTATION

Under Section 181(3)(b) of the Act - *“written notice of the proposed alteration should be given to every owner or occupier of the land directly affected and those owners or occupiers agree with the alteration”*. As described in the assessment of effects in Section 6 of this NoR, no persons (owners or occupiers) are deemed to be directly affected by the alteration.

The Minister has consulted with the following parties.

### Minister of Defence

The Minister of Defence is party to the land transfer and the New Zealand Defence Force has provided a letter confirming that the proposal will not “prevent or hinder” the Burnham Military Camp.

The Minister of Defence has shared the NZDF HAIL Investigation Report. This report indicates that no HAIL activity will be transferred to the school, as part of the proposed alteration to the designation.

### Selwyn District Council

A pre-lodgement meeting was held with Selwyn District Council on 26 October 2022<sup>3</sup>. The Council concurred that the proposed alteration to Designation ME18 is a ‘minor’ alteration to the designation.

### Te Taumutu Rūnanga

The Minister has broadly communicated with the relevant rūnanga, Te Taumutu Rūnanga, about its projects in the Selwyn District over the past year. Te Taumutu Rūnanga have not raised any concerns over the proposed altering of the site designation boundary (refer to Section 6.6 of this report).

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<sup>3</sup> Online meeting between E. Larsen, Planning Manager of Selwyn District Council and The Ministry of Education and The Property Group via Microsoft Teams on 26 October 2022.

### Other persons

As described in the assessment of effects in Section 6 of this NoR, no persons (owners or occupiers) are deemed to be directly affected by the alteration. Therefore, consultation with other landowners is not considered to be required.

Further, as Sections 168 to 179 of the Act do not apply to a minor alteration of a designation, the territorial authority shall not notify the notice of requirement / alteration to designation.

## **9 CONCLUSION**

The additional land proposed to be included within Designation ME18 includes land adjacent to the road frontage of Godley Road. It also involves the inclusion and exclusion of small areas of land adjacent to the existing military security fence, so that the area inside of the fence can be used for a *Primary School* purpose. As no changes are proposed to the use of this land at this stage; it is considered that the proposed alteration involves no more than a minor change to the effects on the environment. The Minister therefore requests that the Council proceed to process this NoR as a minor alteration to Designation ME18.

This NoR addresses all the relevant matters under Section 181 of the Act. The Minister has consulted with the Council and the New Zealand Defence Force; the latter has provided a letter confirming that the proposal will not “prevent or hinder” the Burnham Military Camp. The Minister has also broadly communicated with Te Taumutu Rūnanga, who have raised no concerns over the proposal. The assessment of effects in Section 6 confirms that the effects of the alteration to the designation will have less than minor effects on the environment, with no persons being adversely affected.

Given the above, it is therefore considered that the tests outlined in Section 181(3) are met and that that Sections 168 to 179 of the Act shall not apply to this alteration to designation. Consequently, an assessment of Part 2 of the Act is not required. In addition, it should be noted that by virtue of Section 176(2) of the Act, the provisions of the Operative Selwyn District Plan (including rules, policies, or objectives) shall not apply in relation to any land subject to a designation.