

11 March 2015

The Manager

Christchurch City Council

P.O. Box 73012

CHRISTCHURCH 8154

Attention: Alan Matheson

Dear Alan,

DESIGNATION OF 8 INTEGRATED STATE SCHOOLS (CATHOLIC COLLEGES AND CHRISTIAN SCHOOLS)

You may recall discussions that were held with yourself and staff from the Council's Planning Administration section late last year with respect to this matter.

Subsequent to that, the Minister of Education has now approved Notices of Requirement for two Catholic Colleges, while that for Villa Maria College is currently with the Minister for signing. In addition, the Minister has agreed to the designation of 17 Catholic Diocese Schools. A covering letter and attached Notices of Requirement are being submitted separately but simultaneously for these schools.

Our initial inclination was that these NOR's be lodged with the Council and processed pursuant to section 168 of the Act. However following recent discussions with Council staff, and given the timing of notification for Phase 2 of the Replacement Christchurch District Plan ("the pRDP"), we have concluded that it will be preferable to have these Notices of Requirement served on the Council pursuant to Clauses 4(7) and (8) of the First Schedule of the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014. As you are aware, the NOR's may be included within the pRDP, if the pRDP is being notified within 50 days of the NORs being received. We understand notification of Phase 2 is to be 2 May 2015. Any hearings of submissions on the NOR's would be before the Hearings Panel appointed pursuant to the OIC, who would also make the decisions on the NORs.

We have attached in electronic form the signed Notices of Requirement for 7 of the 8 schools concerned, with a description of each of the schools. There is no intention to undertake any works on these sites as part of the Notice of Requirement in each case, as any works currently underway or proposed in the near future have already been authorised by resource consent. In future, works on these sites would be subject to the issue of an Outline Plan. The outstanding NOR for Villa Maria College will be served upon the Council as soon as possible.

Before initiating the necessary notification procedures, I would appreciate the Council advising as soon as possible what charges are likely to be made for processing these Notices of Requirement, if any, and on what basis.



Robert Nixon

Director, Planz Consultants

Form 18

Notice of requirement by the Minister of Education under Section 168 of the Resource Management Act 1991

The Minister of Education hereby gives notice of a requirement for a designation for Education Purposes in the Christchurch City Plan.

The site to which the requirement applies is as follows:

Christchurch Adventist School, 15 Grants Road, Papanui (Lot 1 DP 47350)

Site Description

Christchurch Adventist School is a state integrated primary school (years 1 to 13) established in 1925 and integrated in 1993. The site is adjoined to the north, south and east by residential housing fronting Gambia Street, Frank Street, and Grants Road on its eastern side. Adjacent to the northwest and fronting Frank Street and Papanui Road is the three-storey Elms Hotel complex and associated carparking. Along the western boundary of the school and fronting Papanui Road are the Tall Trees Motel, an Indian restaurant, and a preschool on the corner of Grants Road.

The 2014 school roll is 230 pupils, which is currently fixed at this level. There is significant demand for further places at the school, but this would need approval from the Ministry of Education and the relevant church authorities. Demand trends predict a potential roll of between 270 and 340 by 2021, and accordingly the school will seek to develop to accommodate future growth.

The total school site comprises 1.3919 ha. The school has five primary classrooms plus 2 small learning spaces for learning support groups, while the secondary component has 10 classrooms plus the library and a small senior tutorial room. The school in 2014 has 20.34 full time equivalent (FTE) staff.

Within the site itself is a large teaching block for the senior school and an administration area (Block A) with a ground floor area of 1603m², and an older and smaller junior school block (Block B) with a ground floor area of 526m² and an additional north facing canopy extending towards the playground of 323 m². Block H, a hall and classroom block of 592m² on the western boundary, is used for specialised activities and primary classrooms. These main school buildings including the modern senior block are located along the Grants Road frontage which is the primary point of access to the school. In the middle of the site is a grassed soccer field of 3757 m², and the shorter northern frontage to Frank Street comprises two basketball/tennis/netball courts with a total area of 936 m². There are also a chapel which is also used by the school for assemblies, music practice, and in part as an ESOL classroom.

Overall, the school buildings, including the chapel cover 3065 m², or approximately 22% of the site (24.35% including the areas under canopies). The maximum building height for the primary school is 6.05m and the secondary school 4.25m. The apex of the church is 8.8m in height. Over the whole site at present, including the large modern senior school/administration area, building height is single storey.

Primary access to the school is from Grants Road, including to the small off-site staff car park. Expansion of the school would be addressed through outline plan procedures or designation as appropriate in due course. It is anticipated that future growth will be accommodated through adding to the height of the existing senior school building on the site. Future growth may also be addressed by the school through the acquisition of adjoining land on a willing buyer/ willing seller basis, and designated subject to the agreement of the Ministry of Education.

The school and its activities have been absorbed into the environment of the area. In the future the school will need flexibility to balance coverage, height, and open space on site to satisfy future needs. When old school buildings are replaced by new buildings designed for modern needs, the required floorspace typically increases by up to 40%. In addition to changes in the school roll, the school must also accommodate changes and additions to the curriculum as required by the Ministry of Education which can also increase demands for teaching space. This school site is very small and constrained.

Visual effects

The Grants Road frontage is largely occupied by buildings, with the area in front of the main senior block being landscaped to create a pleasant outlook consistent with the residential area opposite. The northern part of the site contains playground and hard surfaced sports areas. The school makes intensive use of its site. The potential scale of building activity has to be considered in the context of adjoining commercial development and a three storey hotel on the western boundary, and provision for medium density development in the residential area to the east and south of up to 11m in height and with coverage of 45%.

The school is a long established part of the local residential area and has a pleasant but more 'urban' character than many suburban schools.

Traffic and Parking

The school has frontage to Grants Road and Frank Street, both of which are classified as local roads. The school buildings front Grants Road which is a primary point of access, and where parents drop-off and pickup their children. There is also a secondary access point off Frank Street. Grants Road is restricted to left in/left out movements at the intersection with Papanui Road because of the very close proximity of the signalised Blighs Road intersection. There are bus routes along Papanui Road to the west and Rayburn Street to the east.

Because this is the only Adventist school in Christchurch, it does serve a wide regional catchment and accordingly many children are transported to school in their parent's vehicles, although extensive use is made of the bus service along Papanui Road. Bike racks are provided at the school, but only a small number of students cycle to school.

The school site is, in relative terms, intensively developed and on site carparking is limited to six carparks off Grants Road at the main entrance to the school. More carparking on site would necessitate either multi – storey development, external expansion, or reduced areas for recreation and landscaping.

The 'effects' of the school and its operations have been absorbed into, and form part of, the amenity of the local community. Accordingly issues associated with increased traffic will not arise in this case. For those pupils who are taken to the school by private vehicle, parents park along the street

frontage. Grants Road is restricted to left turns out/left turns in, at the intersection with Papanui Road.

Noise

A characteristic feature of schools is noise associated with children's activities during outdoor play, at times when children are arriving at, and leaving the school, and irregular noise generation associated with other school events such as organised sports.

Schools by their very nature are an inherent part of a residential community and are almost invariably surrounded by residential activities. Christchurch Adventist School is a long-standing facility in the local community and noise levels are not expected to change significantly.

Positive effects

Christchurch Adventist School has long been part of providing for the educational needs of the primary and secondary school children in the Adventist community in Christchurch, through the provision of a national educational curriculum while also meeting the aspirations of those parents in the Adventist community who wish to maintain their spiritual element as part of their children's education. The school's activities are consistent with the purpose of the Act under Section 5, which seeks to enable people and communities to provide for their social and cultural wellbeing.

The nature of the proposed public work is:

The designation for education purposes under the Resource Management Act 1991 is to provide for the ongoing operation, maintenance, development of public education for primary and secondary school children on the site.

The nature of the work conducted and operated on the site subject to the designation notice is:

- the construction, undertaking, establishment, management, operation and maintenance of an integrated school; and
- the use of the land for educational public purposes where the relevant education authority constructs, undertakes, establishes, manages, operates, or maintains land for such work or use.

The nature of the proposed restrictions that would apply to the public work are:

No restrictions are considered necessary with respect to the operation of the school, and any future activities would be subject to the provisions of the Outline Plan provisions under section 176A of the Resource Management Act. Christchurch Adventist School is an integrated state school, and as such is subject to the same regulatory regime as other existing state schools, which are not subject to conditions. Any Council comments on Outline Plans could be guided by the underlying provisions of the Christchurch City Plan.

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

No consideration of alternative sites or routes is required in this case, as the proposed designation is required to recognise an existing long-standing school facility within the Papanui community, and within the current boundaries of the school.

The only alternative method is for the school to be subject to the planning controls under the City Plan. In *Ministry of Education versus Christchurch City Council, Environment Court Decision C130/03* the Environment Court decided that as a general principle this was an inappropriate method. The Court stated (*refer paragraph 41*) that it was "..... concerned with the methods in the sense of physical means of achieving the public work, not whether designation as opposed to plan provisions or a resource consent is the appropriate method of achieving the work".

This decision confirmed that designations for schools hold a significant number of benefits over district plan controls and are therefore a preferable planning method to be utilised when providing for the operation, maintenance and development of primary and secondary schools in New Zealand.

The Minister of Education, as the relevant requiring authority, has accepted that State integrated schools are part of the school system for which the Minister holds financial responsibility. Designation of schools which have been integrated pursuant to the Private Schools Conditional Integration Act 1975 is the most appropriate method for the purpose of Section 171(1) of the Resource Management Act.

The public work and designation are reasonably necessary for achieving the objectives of the requiring authority because:

The designation is reasonably necessary for achieving the objectives of the requiring authority because this efficiently provides for the continued operation, development and improvement of the school in a manner consistent with that of other integrated schools and State schools.

Under the Private Schools Conditional Integration Act 1975, an "*integrated school*" is defined in Section 2 "*Interpretation*" as meaning-

".....a private school originally established to provide education with a special character that, in accordance with the provisions of this Act, has, by the free choice of the proprietors of the school, been established as an integrated school, and has thereby become part of the State system of education in New Zealand; and includes any school that has been established as an integrated school with the consent of the Minister given pursuant to subsection (3) of section 5".

The Ministry of Education has confirmed that they are prepared to issue Notices of Requirement on behalf of Catholic Diocese schools, which all have integration agreements with the Ministry of Education. The same principle would apply to any integrated school which has an integration agreement with the Ministry. It can be noted that integrated schools are already designated in District Plans, an example being Wellington City.

Section 2(3)(b) goes on to provide that unless the context otherwise requires, every reference in any other enactment or document to a State school shall be read as including a reference to an integrated school.

In the Ministry of Education decision referred to above (*paragraph 44*), the Court went on to identify the benefits for the Minister for designation, including among other things that it provided a clear methodology for changes to occur through the outline plan procedure, a uniform approach throughout many different districts, that the existing (school) uses were well-established, and that educational requirements and student numbers changed regularly.

The Minister considers that these factors are relevant to the operation and management of the many Diocese schools in Christchurch and in other district councils within the area covered by the Diocese, and for integrated schools generally.

The technique of designation provides for greater consistency for the treatment of schools and greater certainty in terms of their future management. This certainty is considered to be important by the Minister of Education as a long-term commitment is made to the particular sites selected or used for the operation of a school. It also provides certainty to the local authority in terms of the presence of this and similar school activities, which is beneficial to other resource users.

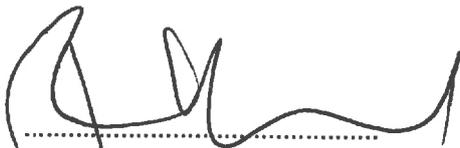
The following consultation has been undertaken with parties that are likely to be affected:

No consultation has been undertaken with parties that are likely to be affected, as the effects of operating the existing school will be no different to those existing prior to the requirement. However in the event that there were significant new works proposed on the site, consultation would be undertaken as required by the circumstances.

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.

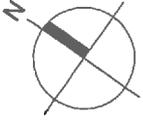
Attached is:

1. A plan showing the area of the site subject to the requirement
2. A site plan showing the arrangement of buildings on the site.



Jerome Sheppard
Group Manager Service Delivery
Education Infrastructure Service
Ministry of Education

16 February 2015



LEGAL DESCRIPTION

LOT 1
 DP 47530
 CT CB27A/31
 Area 13922m²

SITE PLAN
 CHRISTCHURCH ADVENTIST SCHOOL
 15 GRANTS ROAD
 PAPANUI
 CHRISTCHURCH 8053

New Zealand Seventh-day Adventist
 Schools Association Ltd
 Private Bag 76 900
 Manukau City
 Manukau 2241
 Ph 09 2625620