

2 March 2015

The Manager

Christchurch City Council

P.O. Box 73012

CHRISTCHURCH 8154

Attention: Alan Matheson

Dear Alan,

DESIGNATION OF 17 INTEGRATED STATE SCHOOLS (CATHOLIC DIOCESE)

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 17 Catholic Diocese Schools. A covering letter and attached Notices of Requirement will be submitted separately but simultaneously for 3 Catholic High Schools, and 5 Christian Schools, such that a total of 25 schools are to be designated.

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") which we understand to be 2 May 2015, we have concluded that it would be preferable to have these Notices of Requirement served on the Council pursuant to Clauses 4(7) and (8) 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 NOR's being received by the Council. Any hearings of any submissions on the NOR's would be before the Hearings Panel appointed pursuant to the OiC, who would also make the decision on the NORs.

We have attached in electronic form the signed Notices of Requirement for 16 of the 17 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 Mairehau Catholic Primary School (currently with the Minister for signature) will be served upon the Council as soon as possible.

We would appreciate the Council advising as soon as possible what charges are likely to be made, if any, and on what basis.



Robert Nixon

Director, Planz Consultants

## **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:

**Villa Maria College, 21 Peer Street** (Lot 2 DP 75040, a new lot being a resubdivision of existing Lots 1 and 2 DP 75040 by way of boundary adjustment).

### **Site Description**

Villa Maria College is a state integrated Catholic Secondary School (years 7-13) for girls established in 1918 and integrated as a state school in 1981. The site to be designated comprises a total area of 4.884 ha located between the Peer Street, Brodie Street and Yaldhurst Road. The area surrounding the school comprises mature residential dwellings, with the Upper Riccarton commercial area approximately 400m to the east.

The location of existing and proposed buildings on the site is shown on the plans 900A and 901A.

The school immediately adjoins the residential buildings and grounds of the Sisters of Mercy to the north, beyond which is a residential area and the Upper Riccarton 'New World' supermarket. These residential buildings are not part of the college land and therefore this land does not form part of the proposed designation (*The 'Sisters site' is currently included in the Cultural 3 Zone in the Operative City Plan, but will not be used for school purposes*). Between the Peer Street entrance to the school, and the building occupied by the Sisters, are two playing courts and a carparking area. A boundary adjustment is currently being undertaken whereby this land will be combined with the Sisters site, while land currently held by the Sisters between the school buildings and the swimming pool in the northwestern corner of the site will be combined with the school site. The area identified to be designated is consistent with this land exchange.

The school buildings are concentrated within the centre of the western (Brodie Street) side of the site. The large grassed area between Peer Street and the school buildings, and extending to the corner of Yaldhurst Road, comprises the school's playing fields. On the corner of Yaldhurst Road and Brodie Street is a large expanse of sports courts.

The post-earthquake redevelopment plan for the college is likely to include:

- A new two-storey block on the existing car park between the sports courts and Block C (the McCauley Block) towards the corner of Brodie Street and Yaldhurst Road.
- A new car parking area between the school buildings and the swimming pool site with access from Brodie Street.
- Demolition of the earthquake damaged convent followed by the eventual removal of the adjoining buildings.

The school campus includes an auditorium, administration building and library, a new science block and attached two-storey brick block, a single storey brick block, the school hall, the Arts Block and gymnasium. The school hall has a height of 9m, and the Arts Block and the gymnasium have a height of 9.5m. The McAuley Block is the highest building on the school site at 10.5m.

The school's maximum allowable roll in 2014 was 750 students, with an increase to 810 having recently been approved by the Ministry of Education. Of the current roll, 75 are year 7 and 8 students in the intermediate department. The school is intending to apply for a further increase to 832 in 2017. These numbers include international students. The school has 41 teaching spaces and a total of 50 full time equivalent (FTE) staff are employed at the school.

Current building coverage is 5730m<sup>2</sup>, or 11.7% of the site, including the pool buildings. The school buildings are primarily concentrated towards the western (Brodie Street) side of the site, with expansive school grounds along the Peer Street and Yaldhurst Road frontages. Ultimately with redevelopment, site coverage is expected to be approximately 5865m<sup>2</sup>, with the site coverage of 12.0% virtually the same as at present.

The school and its activities have been absorbed into the environment of the area. Schools 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.

#### Visual Effects

The primary physical impact of the school are the school buildings which occupy a central site on the Brodie Street frontage, and generally range from 1 to 2 stories in height. The location of this concentration of buildings is not expected to change significantly in the future, and will remain the built core of the school. The Yaldhurst Road and Peer Street frontages will remain occupied by the sports courts and grass sports fields as is the case at present. Consequently the aspect presented by the school to the external environment is unlikely to change significantly. The external residential environment to the east however beyond Peer Street, can be expected to develop a more medium density character.

#### Traffic and Parking

Yaldhurst Road west of Peer Street is part of State Highway 73 and is classified as a major arterial, Peer Street as a minor arterial, and Brodie Street as a local road. Bus services operate along Yaldhurst Road and used by a significant proportion of students with two stops, one adjacent to Peer Street and the other near Brodie Street.

The school serves a wide catchment extending across western Christchurch and into Selwyn District. The majority of students travel by bus or are delivered to, and picked up from the school in their parent's vehicles. Time restricted parking is available along the Peer Street frontage, and many students use the traffic lights to cross Peer Street adjacent to the school entrance. Some senior students also drive to the school but there is no provision for on-site student parking. There are currently a total of 112 carparks on the site, for staff and visitors. As part of the ongoing redevelopment of the school, and changes to car parking location and arrangements, there will ultimately be at least 104 carparks, which like at present, will be sufficient for staff and visitors.

Cycle parking is provided for on the school, but as part of the redevelopment programme, improved secured covered spaces will be provided within the site.

Primary access to the school is from Peer Street, and there are two further access points on Brodie Street. One of these will be relocated as part of the construction of the new teaching block near 'Block C', to a point to the north close to the existing convent building. Villa Maria School is now an established part of the local community, and any planning concerns typically associated with a school are the management of any additional traffic effects that may be created through expansion of the school, including increased traffic generation, staff carparking, temporary on street parking associated with parents dropping off and picking up students, and the safety of pedestrians and cyclists including children. These effects are confined to specific times of the day and school terms, and has become a long established part of the operations of the school.

### 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. Villa Maria School is of such a character, although its immediate environment on two sides is dominated by heavily trafficked arterial roads and the presence of commercial activities.

### Positive Effects

Villa Maria School provides for the educational needs of secondary schoolgirls in the western Christchurch and Selwyn areas in particular for those parents wanting a Catholic spiritual dimension to their children's education, and through the provision of a national educational curriculum. 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 secondary school students 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. Villa Maria College 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 Upper Riccarton 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.

1. A plan (labelled 900A) showing the current school site and the buildings located thereon.
2. A plan (labelled 901A) showing the site to be designated (Lot 2 DP 75040) including proposed building redevelopment on the site.



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

February 2015





rmbh architects ltd

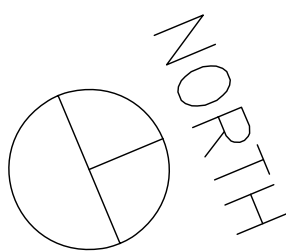
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YALDHURST ROAD

BRODIE STREET

PEER STREET



L O T 2 DP75040  
SCHOOL SITE  
(INTEGRATED)

AREA 48,840m<sup>2</sup>

BUILDING FOOTPRINT  
(APPROX) 5,730m<sup>2</sup>

- NOTES:
1. TBR – BUILDING TO BE REMOVED
  2. APPROX BUILDING HEIGHTS INDICATED ON 2 STORED BUILDINGS

L O T 1 DP75040  
SISTERS OF MERCY SITE  
(NON INTEGRATED)  
AREA 10,150m<sup>2</sup>

PROJECT

10029 B

CAMPUS  
SURVEY

VILLA MARIA COLLEGE

21 PEER STREET, RICcarton  
CHRISTCHURCH

DRAWING

PLAN  
PLAN  
EXISTING

SCALE

1:500 @ A1

REVISIONS

A 18/11/14 ISSUED FOR INFORMATION

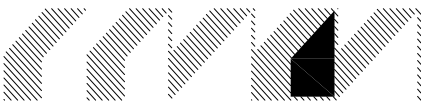
PRE DESIGN STAGE

SHEET

900A

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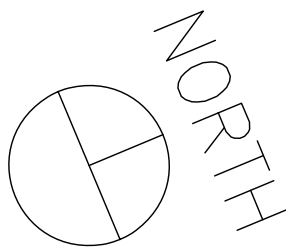
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YALDHURST ROAD

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SCHOOL SITE  
(INTEGRATED)

AREA 48,840m<sup>2</sup>

BUILDING FOOTPRINT  
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L O T 1 DP75040  
SISTERS OF MERCY SITE  
(NON INTEGRATED)

AREA 10,150m<sup>2</sup>

PROPOSED BOUNDARY REALIGNMENT

PROJECT

10029 B

CAMPUS  
SURVEY

VILLA MARIA COLLEGE

21 PEER STREET, RICcarton  
CHRISTCHURCH

DRAWING

PLAN

SITE  
PROPOSED 5 YEAR

SCALE

1:500 @ A1

REVISIONS

A 18/11/14 ISSUED FOR INFORMATION

PRE DESIGN STAGE

SHEET

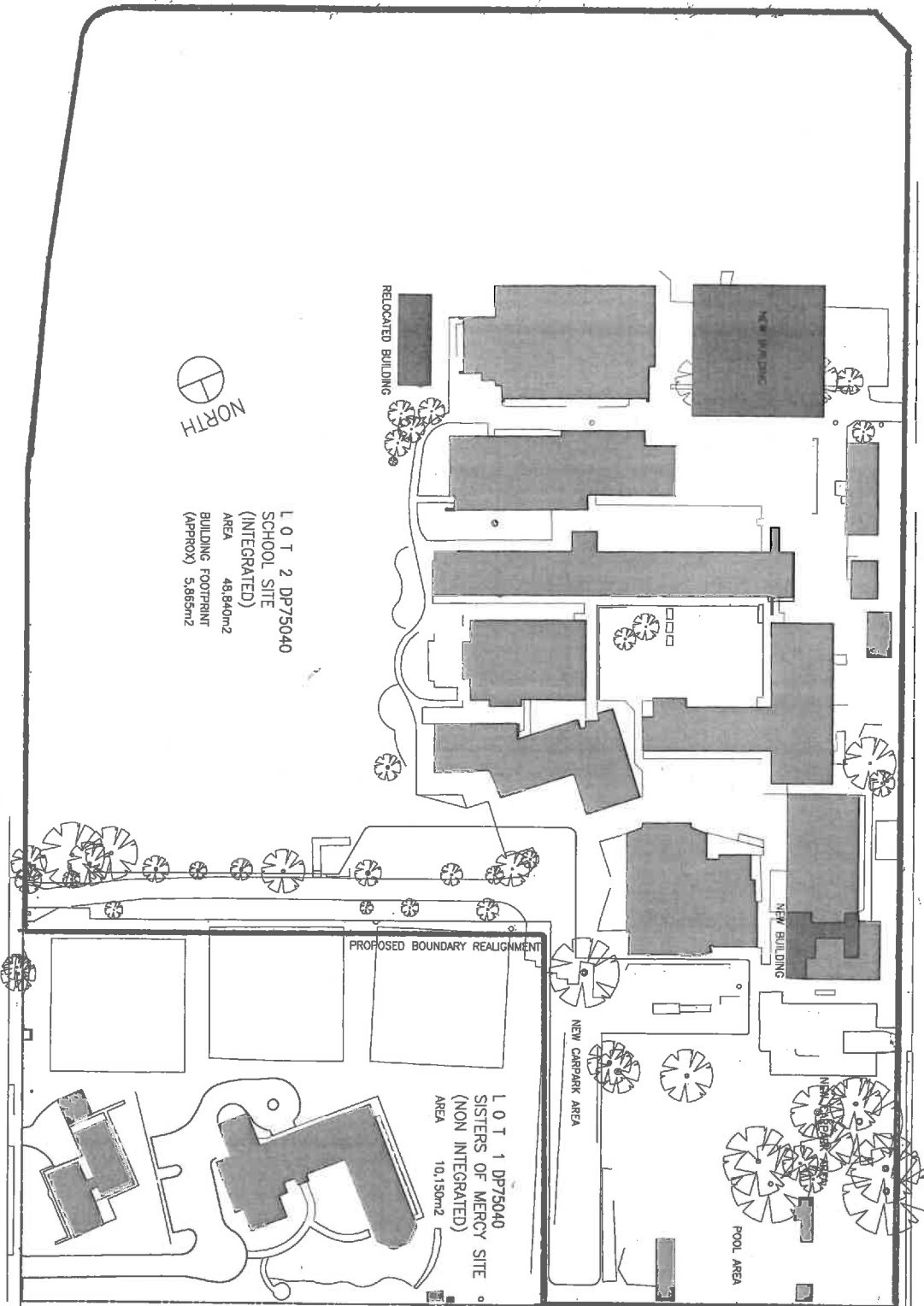
901A

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Land to be designated  
for Education Purposes



PROJECT  
10029 B  
CAMPUS  
SURVEY  
MILNABRA COLLEGE  
21 PEER STREET RELOCATION  
CHASTONARCH  
PLAN  
SITE  
PROPOSED 5 YEAR

DATE  
1500 @ A1  
10/11/2010

PROJECT STAGE  
901A

PROJECT DESCRIPTION  
MILNABRA COLLEGE  
21 PEER STREET RELOCATION  
CHASTONARCH