

Decision Report

Plan Change 24 – Education Facilities in Commercial and Industrial Zones

Important Note

The Proposed District Plan May 2011 Annotated Version was the current version of the District Plan when Plan Changes 1-27 were notified in November 2011 and this version was therefore used as the base document for preparing the Plan Changes and the Section 32 and Planning Reports.

Since then the District Plan has been made operative (16 June 2012). The Operative District Plan 2012 is now the current version of the District Plan and therefore Plan Changes 1-27 are proposed to change this version only.

For the purpose of understanding how decisions on this Plan Change relate to the Section 32 and Planning Report and to both versions of the District Plan discussed above, this Decision Report is divided into three parts.

Part A contains the decisions made on the topics in the Planning Report and uses the Proposed District Plan May 2011 Annotated Version as the base document.

Part B shows how the full notified Plan Change and subsequent decisions on topics would change the Proposed District Plan May 2011 Annotated Version Base Document.

Part C shows how the full notified Plan Change and subsequent decisions on topics are proposed to change the Operative District Plan 2012.

Advice to Submitters:

Submitters will be familiar with the rule and map numbers from the Proposed District Plan May 2011 Annotated Version and so should refer to Parts A and B of this report to understand the decisions on their submission points.

However any submitter wishing to make an appeal will need to refer to the rule and map numbers of the Operative District Plan 2012 in Part C and reference these in their appeal.

Part A: Decisions on Topics in the Planning Report

Any changes to rules are shown as follows; existing District Plan text in black, proposed changes as included in the Section 32 Report in [red](#), and any changes resulting from decisions on the topics in the Planning Reports in [blue](#).

Topic 1: Permitted Activities 17.3.4(g) Education Facilities

Decision

That there is no change to Rule 17.3.4(g) as was notified.

That the definition of Education Facilities is amended as follows:

“Education Facilities” means land and/or buildings used to provide regular instruction or training and includes pre schools, schools, tertiary education institutions, work skills training centres, outdoor education facilities, ~~and~~ sports training establishments [and facilities for the care of children under the age of five, such as daycare facilities.](#)

The following submissions are therefore:

Accepted

Submission	Point Number	Name
13	7	Aurecon

Accepted in Part

Submission	Point Number	Name
48	10	Toi Te Ora Public Health
FS72	5	Ministry of Education

Reason for Decision

The submission made by Toi Te Ora Health raised concern with the fact that by deleting childcare centres from the Commercial Zone they will not be provided for in any zone in the District Plan. This is due to the definition for Education Facilities clearly stating that it includes only those facilities which provide for regular training and instruction, and not all childcare centres provide for this. The intention of the definition of Education Facilities and rules was that daycare and childcare facilities that do not offer formal instruction be included. In the past childcare and daycare facilities have been assessed under the Education Facility definition, however by making the above proposed amendment to the definition it adds clarity for District Plan users and prevents those particular facilities from being assessed as potential non-complying activities in all zones.

Topic 2: Permitted Activities 18.3.8(d) Education Facilities

Decision

That there is no change to Proposed Rule 18.3.8(d) as was notified.

The following submissions are therefore:

Accepted

Submission	Point Number	Name
13	6	Aurecon
48	9	Toi Te Ora Public Health
FS72	7	Ministry of Education

Rejected

Submission	Point Number	Name
33	2	Magee, Brendon John
FS72	6	Ministry of Education

Reason for Decision

The amendment will ensure that Education Facilities which have compatible affects as other activities within Industrial Zones will be able to establish providing that any adverse effects can be mitigated through consent conditions. Council will be able to consider applications on a case by case basis to ensure appropriate mitigation.

With regard to the Rangiuru Business Park there will be further fine tuning to the planning provisions prior to development commencing.

Part B: Changes to the Proposed District Plan May 2011 Annotated Version Base Document

Any changes to rules are shown as follows; existing District Plan text in black and changes (being the culmination of the notified Plan Change and subsequent decisions) are shown in red.

That the definition of Education Facilities be amended to read as follows:

“Education Facilities” means land and/or buildings used to provide regular instruction or training and includes pre schools, schools, tertiary education institutions, work skills training centres, outdoor education facilities, sports training establishments and facilities for the care of children under the age of five, such as daycare facilities.

That Rule 17.3.4(g) be amended to read as follows:

(g) Education Facilities ~~Childcare Centres~~

That a new Rule 18.3.8(d) be added as follows:

(d) Education Facilities – Tertiary Education Institutes only

Part C: Changes to the Operative District Plan 2012

Any changes to rules are shown as follows; existing District Plan text in black and changes (being the culmination of the notified Plan Change and subsequent decisions) are shown in red.

That the definition of Education Facilities be amended to read as follows:

“Education Facilities” means land and/or *buildings* used to provide regular instruction or training and includes pre schools, schools, tertiary education institutions, work skills training centres, outdoor education facilities, sports training establishments and facilities for the care of children under the age of five, such as daycare facilities.

That Rule 19.3.4(g) be amended to read as follows:

(g) Education Facilities ~~Childcare Centres~~

That a new Rule 21.3.9(d) be added as follows:

(d) Education Facilities – Tertiary Education Institutes only