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**REPORT 1**  
*(1215/11/IM)*

## **APPROVAL OF RECOMMENDATION ON THE NOTICE OF REQUIREMENT FOR PROPOSED PRIMARY SCHOOL AND EARLY CHILDHOOD & CARE SERVICE – 48 AMESBURY DRIVE, CHURTON PARK**

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### **1. Purpose of Report**

To report to Council the recommendation of the Hearing Committee with regard to the Notice of Requirement for the proposed Primary School and Early Childhood Education & Care Service for approval.

### **2. Recommendations**

Officers recommend that Council:

- 1. Receives the information.*
- 2. Approves the recommendation of the Hearing Committee in respect of the Notice of Requirement for the proposed Primary School and Early Childhood Education & Care Service Designation as attached in Appendix One of this report.*

### **3. Background**

The Ministry of Education (MoE) has made a Notice of Requirement (NOR) for the designation of an area of Residential and Open Space A land in the suburb of Churton Park for educational purposes.

At this stage, the MoE has sought only to designate the site for “School Purposes”. Although some indicative plans were included with the NOR documentation, they are for information purposes only and do not form part of the NOR that the Council has been asked to process. The MoE plans to submit an Outline Plan to Council after the designation has been approved.

#### **4. Discussion**

The hearing of submissions was held on Wednesday 7 April 2010 before Councillor Leonie Gill, Commissioner. Following deliberations, the Commissioner has recommended that the NOR be submitted for approval with conditions.

The full discussion and recommendations of the Commissioner are included in the hearing report, attached as Appendix 1.

If the recommendation is confirmed by Council, it will then be forwarded to the MoE who will make a final decision on the designation. Once made, Council will publicly notify the decision and it will be served on the submitters. Submitters and the Council will have the option of appealing the decision to the Environment Court within 30 working days. If no appeals are made, the designation will become operative and be added to the District Plan.

#### **5. Conclusion**

This report relates to the hearing of submissions on the Notice of Requirement for a new Primary School and Early Childhood Education & Care Service received from the Ministry of Education. It is recommended that Council adopt the recommendation report of the Hearings Commissioner.

Contact Officer: *Lauren Neal, Planning Technician, City Planning*

## **Supporting Information**

### **1) Strategic Fit / Strategic Outcome**

*The District Plan supports a wide range of strategic outcomes, particularly those under the Built Environment, Natural Environment and Transport key outcome areas.*

### **2) LTCCP/Annual Plan reference and long term financial impact**

*Relates to the ongoing administration of the District Plan. Project C533 – District Plan*

### **3) Treaty of Waitangi considerations**

*All District Plan work is required to take into account the principles of the Treaty of Waitangi (refer to section 8 of the Resource Management Act 1991).*

### **4) Decision-Making**

*Council is required to confirm or reject the recommendation of the Hearings Commissioner, then the recommendation will be forwarded to the Minister of Education to make a final decision.*

### **5) Consultation**

#### **a) General Consultation**

*Consultation has been carried out with the relevant Council staff. Statutory consultation has been carried out in accordance with schedule 1 of the RMA (1991).*

### **6) Legal Implications**

*The proposed designation has been assessed in accord with the Resource Management Act 1991.*

### **7) Consistency with existing policy**

*The proposed designation is consistent with existing Council Policy, hence the recommendation to confirm.*