



**To:** Commissioners for the Wellington City Council Proposed District Plan Hearing Stream 4 Part 3, Commercial and Mixed Use Zones

**From:** Ministry of Education – Te Tāhuhu o Te Mātauranga

**Date:** 20 June 2023

**Subject:** **Letter to be Tabled at Wellington City Council Proposed District Plan Hearing Stream 4**

### **To the Hearing Commissioners for the Wellington City Council Proposed District Plan Hearing Stream 4, Part 3**

The Ministry of Education – Te Tāhuhu o Te Mātauranga ('the Ministry') lodged a submission on the Wellington City Council ('the Council') Proposed District Plan ('PDP') on 12 September 2023, and provided a further submission on 2 December 2023 (submitter reference 400). The Ministry has chosen not to attend Hearing Stream 4 – Part 3, Commercial and Mixed Used Zones ('Hearing Stream 4') which will be held on 22 June to 7 July 2023, but instead requests that this letter be tabled at the hearing.

The Ministry has reviewed the Council's Section 42A report dated 26 May 2023 and supporting material for Hearing Stream 4 ('s42A report') and generally agrees with the Council's recommendations. The Ministry's response is set out below.

#### ***Reference to additional infrastructure***

In its submission, the Ministry requested an amendment of the objective and policy framework to explicitly reference '*additional infrastructure*' to recognise and provide for educational facilities within the City Centre Zone (CCZ) (submission points 400.142, 400.143). The reporting officer noted that '*additional infrastructure*' is a defined term in the PDP which includes explicate reference to "*social infrastructure such as schools*". The inclusion of the term into the overarching objective of the CCZ signifies that this zone is a suitable location for educational facilities. The s42A report states, "*In my view, this aligns with the purpose of the zone and it reflects that with a focus on accommodating residential growth in the CCZ, associated additional infrastructure such as schools... need to be enabled to service residential growth*". The s42A reporting officer recommended the acceptance of the relief sought by the Ministry.

The Ministry sought the same relief for the Metropolitan Centre Zone (MCZ) (400.138, 400.139), Local Centre Zone (LCZ) (400.127, 400.128), Neighbourhood Centre Zone (NCZ) (400.123, 400.124) and Mixed Use Zone (MUZ) (400.134 and 400.135) to include explicate reference to '*additional infrastructure*' within the overarching objectives. Council's s42A officer agreed with the relief sought by the Ministry as the MCZ, LCZ, NCZ and MUZ are also considered to be suitable locations for educational facilities, which aligns with the purpose of these zones. Overall, the s42A report recommended that the relief sought by the Ministry be accepted.

#### ***Reference to educational facilities in the Commercial Zone (COMZ)***

The Ministry requested the amendment of proposed policy COMZ-P1 to explicitly reference educational facilities as an enabled activity which is provided for by the zone (400.132). The

Ministry also requested the inclusion of an associated rule to provide for educational facilities within the COMZ as a permitted activity (400.133).

Council's s42A report does not support the Ministry's requested changes to COMZ-P1 as they have stated that educational facilities do not align with the purpose of the zone. Council s42A has also rejected the Ministry's request for the inclusion of a new permitted rule to enable educational facilities. The justification for the rejection was that educational facilities, which are typically larger in scale, have the potential to reduce the amount of land available to achieve the primary purpose of the COMZ. The COMZ is limited in extent throughout Wellington and educational facilities are already enabled in policy and rule framework of the CCZ, MCZ, LCZ, NCZ and MUZ.

The Ministry agrees with the reasoning made in Council's s42A. It is also noted that the establishment of educational facilities is provided for COMZ as a discretionary activity. Such an application will thus be judged on its own merits with the matters Council can consider being unrestricted when assessing an application for an educational facility in the zone.

Council's s42A report has recommended the rejection of the proposed relief sought. The Ministry accepts the recommendation of the report for this matter.

#### ***Reference to educational facilities in the General Industrial Zone (GIZ)***

The Ministry requested that educational facilities be excluded from the non-complying rule for 'sensitive activities' in GIZ-R5 (400.147), and sought the inclusion of a new discretionary activity rule for education facilities (400.148). The rationale for this is that educational facilities are considered an essential social infrastructure that may need to be located in industrial areas and the non-complying activity status is unreasonably restrictive.

Overall, Council's s42A report does not support the Ministry's requested relief. The Ministry acknowledges that it may not be appropriate to locate educational facilities in the GIZ given the definition of educational facilities extends to childcare services and schools. The establishment of educational facilities within the GIZ may compromise existing or permitted industrial activities. The Ministry accepts the recommendations presented in Council's s42A and recognise that specific educational activities (such as trade and industrial training facilities) have already been provided for within the rule framework of the GIZ.

Council's s42A report has recommended the rejection of the proposed relief sought. The Ministry accepts the recommendation of the report for this matter.

The Ministry requests that this letter be tabled at Hearing Stream 4, in order to confirm its position in relation to its submission points and the recommendations in Council's s42A report.

If you have any questions on this feedback, please contact the undersigned on behalf of the Ministry.



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