



**Te Tāhuhu o
te Mātauranga**
Ministry of Education

Wellington City Council
12 Manners Street,
Te Aro
PO Box 2199
Wellington

26 July 2023

Attention: **Commissioners for the Wellington City Council Proposed District Plan Hearing Stream 5 – General District Wide Matters**

Dear commissioners,

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 5 – General District Wide Matters ('Hearing Stream 5') which will be held on 01 August 2023 to 07 August 2023, but instead requests that this letter be tabled at the hearing.

The Ministry has reviewed the Council's Section 42A Report ('s42A Report') dated 03 July 2023 and supporting material for Hearing Stream 5 and accepts the s42A Reporting Officer's recommendations in respect to the submission points raised.

The Ministry's response in relation to its submission points and the recommendations in the s42A Officer's Report is set out below. The Ministry considers that, subject to the adoption of the s42A Reporting Officer's recommendations discussed in this letter, the relevant submission points can be considered adequately resolved.

Natural Hazards Chapter

The Ministry requested the retention of the definition for a 'Hazard Sensitive Activity' as notified, which included educational facilities to be a listed land use provided for in the definition (submission point 400.07). The definition has been recommended to be retained by the s42A Reporting Officer with some minor amendments as requested by other submitters. This outcome is supported by the Ministry.

In its submission, the Ministry requested the amendment of proposed policy NH-P1 and NH-P2 to include the term 'operational need' explicitly as the Ministry may have an operational need to locate educational facilities in natural hazard areas to serve existing communities susceptible to natural hazards (submission points 400.4, 400.6, 400.47 and 400.48). The s42A Reporting Officer agreed with the relief sought and recommended its acceptance. The Ministry agrees with the recommendation.

The Ministry requested an amendment to policy NH-P12 to provide for development in Sheppard's Fault Overlay and Terawhiti Fault Overlay where there is an operational need to locate there (submission points 400.54 and 400.55), noting that the development of an educational facility within these overlays would still require resource consent as a Discretionary Activity, and assessed on its merits. The s42A Reporting officer stated that "*the introduction of operational need as a matter for consideration for new activities and buildings within the Shepherd's Fault Overlay and Terawhiti Fault Overlay is appropriate as there may be activities that can demonstrate that there is no practicable alternative location*". The s42A Reporting Officer recommended the acceptance of the relief sought by the Ministry. The Ministry agrees with this recommendation.

Noise Chapter

The Ministry sought to retain the definition for 'Noise Sensitive Activity' (submission point 400.8) as notified as educational facilities were a listed land use provided for in the definition. The definition has been recommended to be retained, with some minor amendments, by the s42A Reporting Officer. The Ministry agrees with this recommendation.

The Ministry requested the amendment of proposed policy NOISE-P4 to exclude educational facilities from the requirement for acoustic treatment for noise sensitive activities as the Ministry has its own internal acoustic treatment requirements for school use that differ from what was proposed under standards NOISE-S4 and NOISE-S5 (submission point 400.81). The s42A Officer considered it inappropriate for education facilities to be excluded from NOISE-P4 and advised that education facilities should remain within the definition of 'noise sensitive activities,' as education facilities often require critical listening conditions and rely on oral communication. Council's s42A report has recommended the rejection of the proposed relief sought. The Ministry accepts the recommendation of the s42A Reporting Officer for this matter.

The Ministry also sought to exclude educational facilities from proposed policy NOISE-P6 which restricts the development of noise sensitive activities in the Inner Air Overlay (submission point 400.82). For the same reasons set out in respect to proposed policy NOISE-P4, the s42A Reporting Officer recommended the rejection of the Ministry's relief sought. The Ministry accepts the recommendation of the s42A Reporting Officer for this matter.

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



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