

Appendix 4 – Notices of Requirement

CNZ-14 Hilton Exchange

REVIEW OF THE TIMARU DISTRICT PLAN – DESIGNATIONS

NOTICE OF REQUIREMENT FOR DESIGNATIONS UNDER CLAUSE 4 OF THE FIRST SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991

To: Timaru District Council

From: Chorus New Zealand Limited
C/- P O Box 632
Wellington

Notice of Requirement

Chorus New Zealand Limited (Chorus) hereby gives notice of its requirement that a new designation for telecommunication and radiocommunication and ancillary purposes be included in the Proposed Timaru District Plan.

Reasons for Requirement

Chorus New Zealand Limited (Chorus), as a network utility operator, has been approved as a requiring authority under section 167 of the Resource Management Act 1991. The designation of this site is required in order to reflect the existing use of the site and allow for the continued operation and maintenance of the utilities, to secure the site for the designated purpose, and to provide notice to the community of the intention of Chorus to use this land for telecommunication, radiocommunication and ancillary purposes.

Description of the Site to Which This Notice Applies

The site to be included in the Proposed Timaru District Plan is one Chorus designation.

Table 1: Proposed designated site to be included (Chorus)

Site No.	Site Name	Site Address	CT	Legal Description	Designated Purpose
	Hilton Exchange	Brenton Road, Hilton, Geraldine	33A/491	Part Lot 1 DP 795	Telecommunications and Radio Communications and Ancillary

The site identified in Table 1 is an established telecommunications site. There is an existing building and structure on the site which is within a small parcel of forested land. The exterior of the building is white weatherboard with a small window. There is an existing vehicle crossing for the site. A Certificate of Title is attached in Appendix A.

Nature of the Proposed Works

The proposed designation relates to an already existing site which is a strategic asset of the Chorus network. Designation of this existing facility is required to ensure the on-going security and resilience of essential services, and to provide for flexibility for the network to adapt to changing technologies and community expectations.

A range of different equipment may be required on this site to support telephone and internet services which may be by fixed line and/or wireless means. This may include:

- A building for housing equipment
- A mast or masts to support antennas
- Antennas
- Back up electricity generators (engine alternators) and associated diesel fuel storage
- Air conditioning plant
- On-site parking for technicians

This site would require ongoing maintenance, upgrades and replacement of equipment and other ancillary works as necessary and as required for the continued provision and evolution of telecommunications and radiocommunications services to meet the needs of the community, and to support a modern knowledge economy.

Proposed Designation and Effects on the Environment

Timaru District Plan Objectives and Policies

A brief assessment of the objectives in the operative Timaru District Plan is included. The primary objectives relating to utilities are as follows:

1.
 - a. *Avoid, remedy, or mitigate the adverse effects of development, including servicing infrastructure, on the environment.*
 - b. *Ensure that an adequate level of infrastructure is provided to enable the efficient use and development of natural and physical resources by the recovery of the costs of providing that infrastructure directly from developers and, where appropriate, by apportioning costs between the developer and the community in accordance with the relative benefits of providing that infrastructure.*
2.
 - a. *“An effective and efficient telecommunications and radiocommunications system which is capable of meeting social and economic needs”.*

The proposal does not include any physical changes to the proposed designation site. The existing buildings and structures on the site are of a small scale and are part of the existing environment. The designation is to provide for activities specific to the purpose of the designation and will ensure

protection and efficient use of infrastructure. The site is already well managed for the purpose of the designation, and currently avoids, remedies or mitigates any adverse effects. The proposal is therefore in line with the objectives of the operative Timaru District Plan. Any future changes will be subject to an outline plan process.

Assessment of Effects

Visual Effects

The proposed designation is for existing buildings, structures and infrastructure. The visual effects are therefore existing and are unaffected by the proposal to designate the site. The designation proposal will allow for activities related to the purpose of the designation to continue to occur and any further effects of future proposals will be assessed at the time of an outline plan.

Noise Effects

On-site air conditioning units may emit noise but that would be less than minor and is part of the existing environment.

Maintenance

The ongoing maintenance of the existing site will mean visits by Chorus technicians. However, as this site is rurally located, and maintenance will be of a temporary nature and are inherent to the ongoing functioning of the infrastructure, the effects from will be less than minor. Visits are not expected to exceed once or twice per month.

Overall, the designation proposal will allow for activities related to the purpose of the designation to occur and any effects of future proposals will be assessed at the time of an outline plan.

Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2008

In this situation, the telecommunication and radiocommunication site is existing. Therefore the radiofrequency emissions from the equipment are not changing. Any changes in the future will be assessed at the time of outline plan submission.

Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

The NES applies to land that currently has, or historically had, an activity or industry undertaken on it that is included in the Hazardous Activities and Industries List (HAIL). No excavation and soil disturbance is proposed because the site is existing; therefore the NES for assessing and managing contaminants in soil to protect human health is not relevant.

Alternatives

As the requirement relates to an existing telecommunication and radiocommunication site, under the ownership of the requiring authority, a consideration of alternative sites has not been undertaken.

The principle alternative method would be to not designate the site, which is not favoured as it would not give Chorus the long term certainty it requires for ongoing operation and upgrading of the site.

Consultation

As the requirement relates to a site with radiocommunication and telecommunication facilities that have been established for some time, no specific consultation is considered necessary. Other than the required notification of the designation through the District Plan review process.

Other Resource Consents

No other resource consents are required at this stage.

Additional Information

Appendix A: Certificate of Title for Chorus Designated Site.

Signed:



Date: 11 August 2015

Gretchen Joe

Head of Property Operations

Chorus New Zealand Limited

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Chorus

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MEDU-24 St Joseph's School, Timaru

Form 18

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 Timaru District Plan.

The site to which the requirement applies is as follows:

St Joseph's School, 50 Kelvin Street, Timaru (Lot 1 DP 46091).

Site Description

St Joseph's School is a state integrated primary school (years 1 to 8) established in 1958 and integrated under the Private Schools Conditional Integration Act 1975. The school site is located on the corner bounded by Pages Road to the north and Kelvin Street to the east. Its surrounding environment is entirely residential, directly adjoining housing on its western and southern boundaries, with further residential development on the opposite sides of Pages Road and Kelvin Street.

The 1st July 2017 the school roll was 200 pupils. There are a total of 8 classrooms with a 9.98 full time equivalent (FTE) staff employed at the school. The school site to be designated is 8196m².

There are three classroom blocks, one containing the administration area on the site. The classrooms and hardstand playing areas are centred around the main entrance off Kelvin Street at the southern end of the site. Unlike many other Catholic Schools, St Joseph's is not co-located with a Catholic Church. With the exception of one disabled carpark, the school does not have an onsite parking area, instead angle parking is situated on Kelvin Street to the east of the site. There is an extensive hard surfaced area in front of the classroom blocks including playing courts. Beyond the playing courts to the north is a large adventure playground and a grassed area containing the playing fields adjoining Pages Road and occupying the northern half of the site.

The buildings on site are all single storey and their site coverage amounts to approximately 17.9%.

St Joseph's School has been an integral part of the local community for the past 58 years, and is not anticipated to have a significantly greater roll in the future. However in the future the school will need flexibility to balance coverage, height, and open space on site to satisfy future needs. For example, when the Ministry of Education school property guide changed in the early 2000's, the required school floor space for any given school roll increased by around 40%, without any change to student numbers, reflecting changes in the quality and quantity of facilities expected to be provided to students and staff. Accordingly, where existing building stock has reached the end of its economic life, its replacement floor space may be larger. In addition to potential future changes in the school roll, schools 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 school buildings directly adjoin residential properties on Kelvin Street, Pages Road and Arun Street, and are screened by vegetation and established fencing. The school is visible from Pages Road on the northern boundary of the site adjoining the playing field through wire mesh fencing. The eastern boundary fronting Kelvin Street is largely screened from the street by a retaining wall, fence

and hedges extending along virtually all of the street boundary, except for the main entrance. There is a secondary pedestrian entrance to the school from Pages Road. The school buildings are a long established part of the local residential environment and are characteristic of a typical school site with relatively modest buildings with associated grassed play areas and boundary trees. The scale of any future redevelopment on the site would be consistent with the scale and height of surrounding development in the Residential 1 Zone, which allows building heights up to 10m. The overall visual impact of the school and its effects on the surrounding environment are not untypical of those of a typical state school in a suburban neighbourhood.

Traffic and Parking

Kelvin Street is classified as a local road, while Pages Road is a principal road. Primary pedestrian access to the school is available from Kelvin Street with secondary pedestrian access from Pages Road. While the catchment for St Joseph's is mostly urban, the bus service Aoraki School Transport Network caters to both urban and rural students.

Traffic effects including increased traffic generation, and temporary on street parking associated with parents dropping off and picking up children, are typical of schools generally and of limited duration.

Apart from one disabled car park, there is no car parking space on the site to be designated. However there are approximately 15 angle parks on the western side of Kelvin Street adjacent to the school, as well as a number of time restricted parking spaces on both sides of Kelvin Street for drop-off purposes. Cycle spaces are available for the students and staff on the site.

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 and events outside school hours. School buildings and hard surface play areas are located within the southern half of the site. Those residential properties affected by the schools activities including active play areas include the houses at the northern end of the site adjacent to Pages Road and those on the eastern boundary adjacent to Kelvin Street. Schools by their very nature are an inherent part of a residential community and are almost invariably surrounded by residential activities. St Joseph's School is an established facility in the local community and noise levels are not expected to change given the school is remaining within its current boundaries and its roll is not expected to increase significantly.

Positive effects

St Joseph's School has long been part of providing for the educational needs of primary school students in the Timaru area, through the provision of a national educational curriculum while also meeting the aspirations of those parents in the Catholic community who wish to maintain a spiritual element as part of their children's education. The schools 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 primary 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 primary 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 existing school on this site.

Any future development would be subject to the provisions of the Outline Plan provisions under section 176A of the Resource Management Act. St Joseph's School is a state integrated school, which due to the Education Act Amendments 2017 is now subject to the same regulatory regime as other existing state schools, which the Minister of Education has financial responsibility for.

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 school facility within the Timaru community, and within the current boundaries of the school.

This state integrated school was established under the now repealed Private Schools Conditional Integration Act 1975 where the alternative method for establishment of the school is via a resource consent application and therefore subject to the planning controls under the District Plan.

However, 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, is the relevant requiring authority with financial responsibility for state and state integrated schools. Designation of schools which have been integrated pursuant to the Private Schools Conditional Integration Act 1975 (now repealed) 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.

Since the repeal of the Private Schools Conditional Integration Act 1975, the Minister confirms that Notices of Requirement are appropriate to be sought for Catholic Diocese schools, which all have integration agreements with the Minister of Education; in the same way existing state integrated schools are already designated in District Plans, such as the Wellington City and Christchurch City Plans respectively.

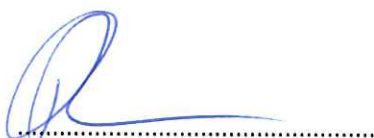
The technique of designation provides for greater consistency for the treatment of schools and greater certainty in terms of their future management. This certainty is considered to be important by the Minister of Education as a long-term commitment is made to the particular sites selected or used for 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, as the effects of operating the existing school will be no different to those existing prior to the requirement.

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 showing the area of the site subject to the requirement and its immediate surroundings, and the legal description.
2. A site plan showing the arrangement of buildings on the site, and describing the extent of existing facilities.



(Signed under delegated authority May 2018)

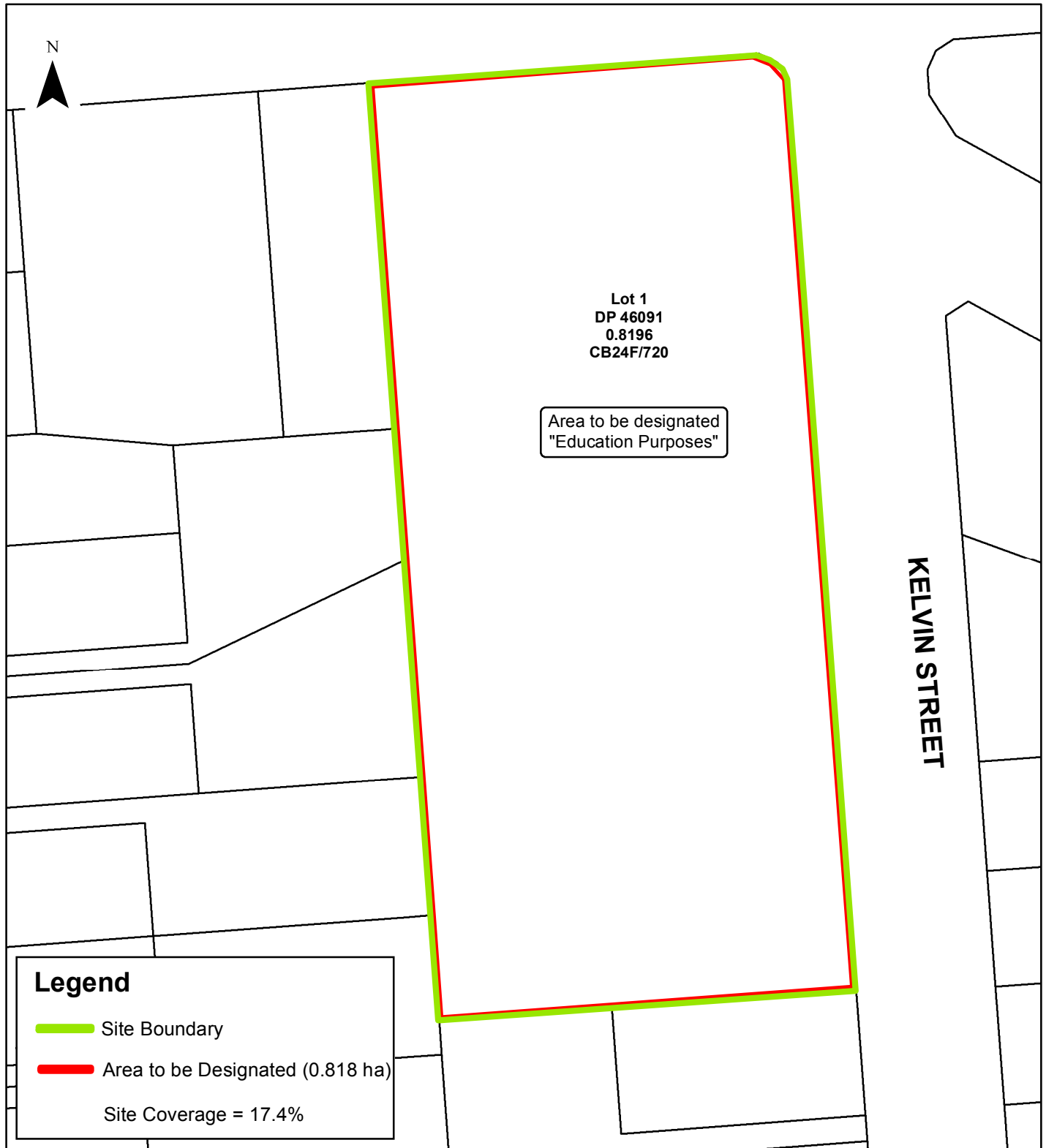
Simon Cruickshank
Ministry of Education

26/8/18

Date

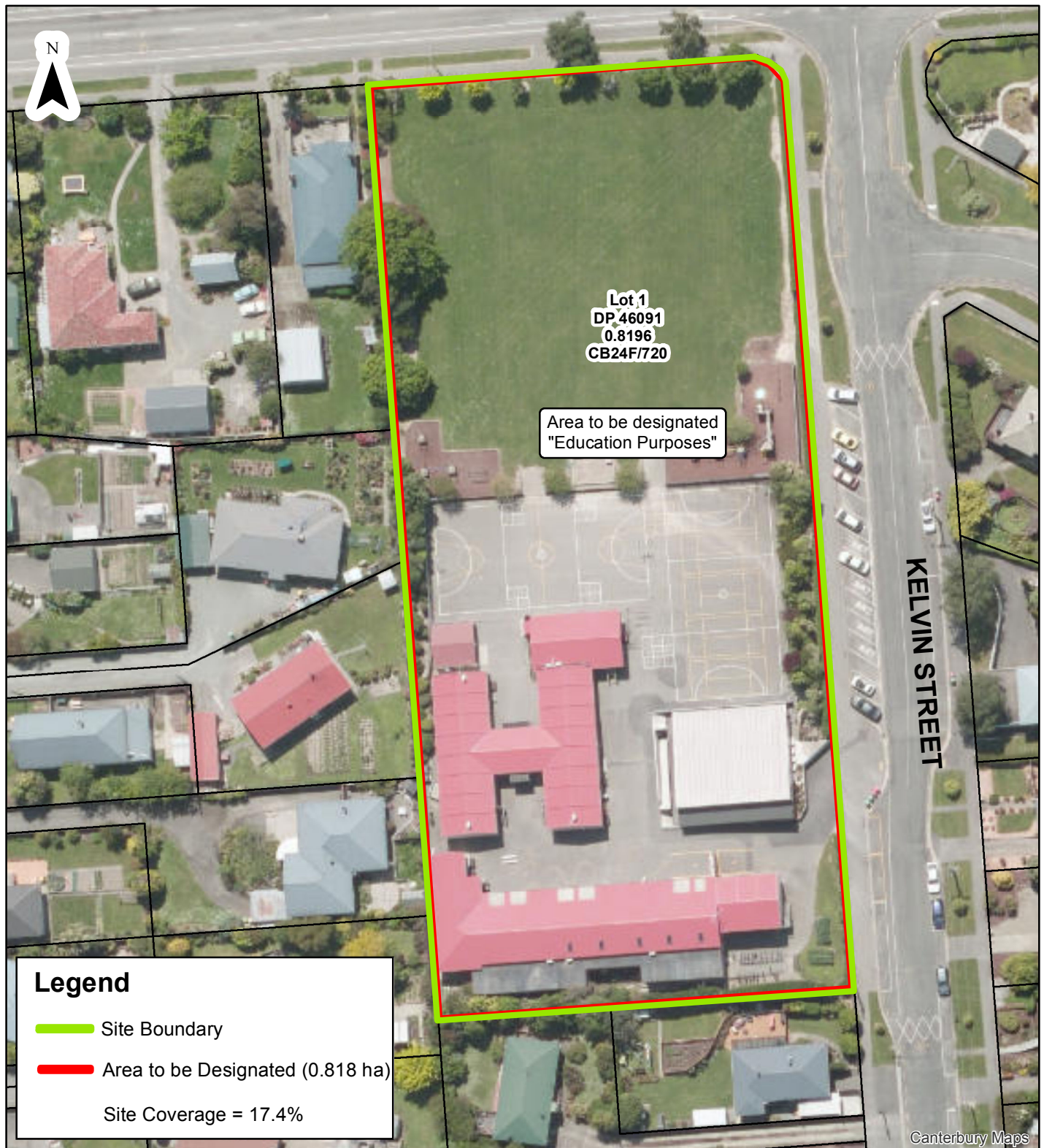
NOTICE OF REQUIREMENT TO TIMARU DISTRICT COUNCIL
FOR A DESIGNATION UNDER SECTION 168 OF THE
RESOURCE MANAGEMENT ACT 1991

0.818 hectares being Lot 1 Deposit Plan 46091 and described in title CB24F/720.



NOTICE OF REQUIREMENT TO TIMARU DISTRICT COUNCIL
FOR A DESIGNATION UNDER SECTION 168 OF THE
RESOURCE MANAGEMENT ACT 1991

0.818 hectares being Lot 1 Deposit Plan 46091 and described in title CB24F/720.



MEDU-25 St Joseph's School Pleasant Point

Form 18

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 Timaru District Plan.

The site to which the requirement applies is as follows:

St Joseph's School, 29 Afghan Street, Pleasant Point (Part Lot 11 DP 365, and Lots 12, 13, and 14 DP 365).

Site Description

St Joseph's School is a small state integrated primary school (years 1 to 8) established in 1928 and integrated under the Private Schools Conditional Integration Act 1975. The site is in a predominantly residential area of Pleasant Point and is bounded by Afghan Street to the north, Khan Street to the east and Kabul Street to the south. This is one of those relatively common situations where the Catholic Church is co-located with the School. Immediately adjoining the site to the west is St Mary's Catholic Church, and beyond that towards Khyber Street are sealed playing courts, and two other buildings, all on Lots 9 – 11 DP 365. Except for a small part of Lot 11, this land is not to form part of the designation. On the opposite side of Khan Street to the east is an open grassed area which is also owned by the Diocese (Lots 15 and 16 DP 365), and is occasionally used for sports activities by the school. However the designation is to be confined to the school site on Part Lot 11 and Lots 12 – 14 as set out above. The land to the south of Afghan Street, including the school site, rises gently in height towards Kabul Street and beyond. Beyond to the north, is the historic Pleasant Point railway line, State Highway 8, and the commercial centre of the township.

The 1st July 2017 the school roll was 50 pupils. There are a total of 4 classrooms with a 3.78 full time equivalent (FTE) staff employed at the school. The school site to be designated is 3550m².

There is one extended classroom block, and a separate administration area and staffroom on the site. These are primarily centred around the entrance off Khan Street. The school has no onsite parking area. There is a hard surfaced area in front of the classroom blocks and a playing field and playground at the north end of the site.

Site coverage by buildings is approximately 16.8% and the school buildings are all single storey.

St Joseph's School has been an integral part of the local community for the past 88 years, and is anticipated to have a stable roll in the future. The school and its activities are a long standing and established part of the environment of the area. In the future the school may need flexibility to balance coverage, height, and open space to satisfy future needs. For example, when the Ministry of Education school property guide changed in the early 2000's, the required floor space for any given school increased by around 40%, without any change to student numbers, reflecting changes in the quality and quantity of facilities expected to be provided to students and staff schools. Where existing building stock has reached the end of its economic life, its replacement floor space may be larger. In addition to potential future changes in the school roll, schools 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 School is separated from adjoining residential properties on the eastern and southern boundaries by Kabul and Khan Street respectively. The residential lot east of the school is currently vacant. The church and the original school building adjoin the western boundary screening any visual effects on properties on Kyber Street. The school is surrounded by low, transparent metal fencing and is readily visible from the surrounding roads. The school buildings are characteristic of a typical small school site with relatively modest buildings with associated grassed play areas and boundary trees. Any redevelopment of facilities on the site in the future is most unlikely to have any discernible adverse effect on the surrounding area.

Traffic and Parking

Afghan, Kabul and Khan Streets are all classified as local roads. As St Joseph's has a large catchment extending to the rural area, there are school bus services operating to and from the school and a bus stop is located on the eastern side of the school beside the main entrance. Pedestrian access to the school is available from both Afghan Street and Khan Street.

Traffic effects including increased traffic generation, and temporary on street parking associated with parents dropping off and picking up children, are typical of schools generally and of limited duration. In addition, the very small scale of the school means that traffic effects are very transitory and minor in nature.

Car parking for the school site is on the surrounding streets as there is no onsite area provided. 10 cycle spaces are available for the students on the site.

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 and activities outside school hours. School buildings and hard surface play areas are orientated towards the north. No residential properties will be affected by the schools activities including active play areas, and the school site is physically isolated from residential neighbours by open space, intervening streets, and church buildings. Schools by their very nature are an inherent part of a residential community and are almost invariably surrounded by residential activities. St Joseph's School is an established facility in the local community and noise levels are not expected to change given the school is remaining within its current boundaries and its roll is not expected to remain stable.

Positive effects

St Joseph's School has long been part of providing for the educational needs of primary school students in the Pleasant Point area, through the provision of a national educational curriculum while also meeting the aspirations of those parents in the Catholic community who wish to maintain a spiritual element as part of their children's education. The schools 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 primary 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 primary 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 existing school on this site.

Any future development would be subject to the provisions of the Outline Plan provisions under section 176A of the Resource Management Act. St Joseph's School is a state integrated school, which due to Education Act Amendments 2017 is now subject to the same regulatory regime as other existing state schools, which the Minister of Education has financial responsibility for.

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 school facility within the Pleasant Point community, and within the current boundaries of the school.

This state integrated school was established under the now repealed Private Schools Conditional Integration Act 1975 where the alternative method for establishment of the school is via a resource consent application and therefore subject to the planning controls under the District Plan.

However, 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, is the relevant requiring authority with financial responsibility for state and state integrated schools. Designation of schools which have been integrated pursuant to the Private Schools Conditional Integration Act 1975 (now repealed) 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.

Since the repeal of the Private Schools Conditional Integration Act 1975, the Minister confirms that Notices of Requirement are appropriate to be sought for Catholic Diocese schools, which all have integration agreements with the Minister of Education; in the same way existing state integrated schools are already designated in other District Plans, such as the Wellington City and Christchurch City Plans respectively.

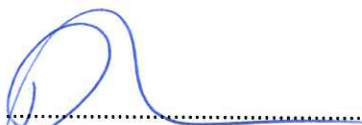
The technique of designation provides for greater consistency for the treatment of schools and greater certainty in terms of their future management. This certainty is considered to be important by the Minister of Education as a long-term commitment is made to the particular sites selected or used for 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, as the effects of operating the existing school will be no different to those existing prior to the requirement.

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 showing the area of the site subject to the requirement and its immediate surroundings, and the legal description.
2. A site plan showing the arrangement of buildings on the site, and describing the extent of existing facilities.



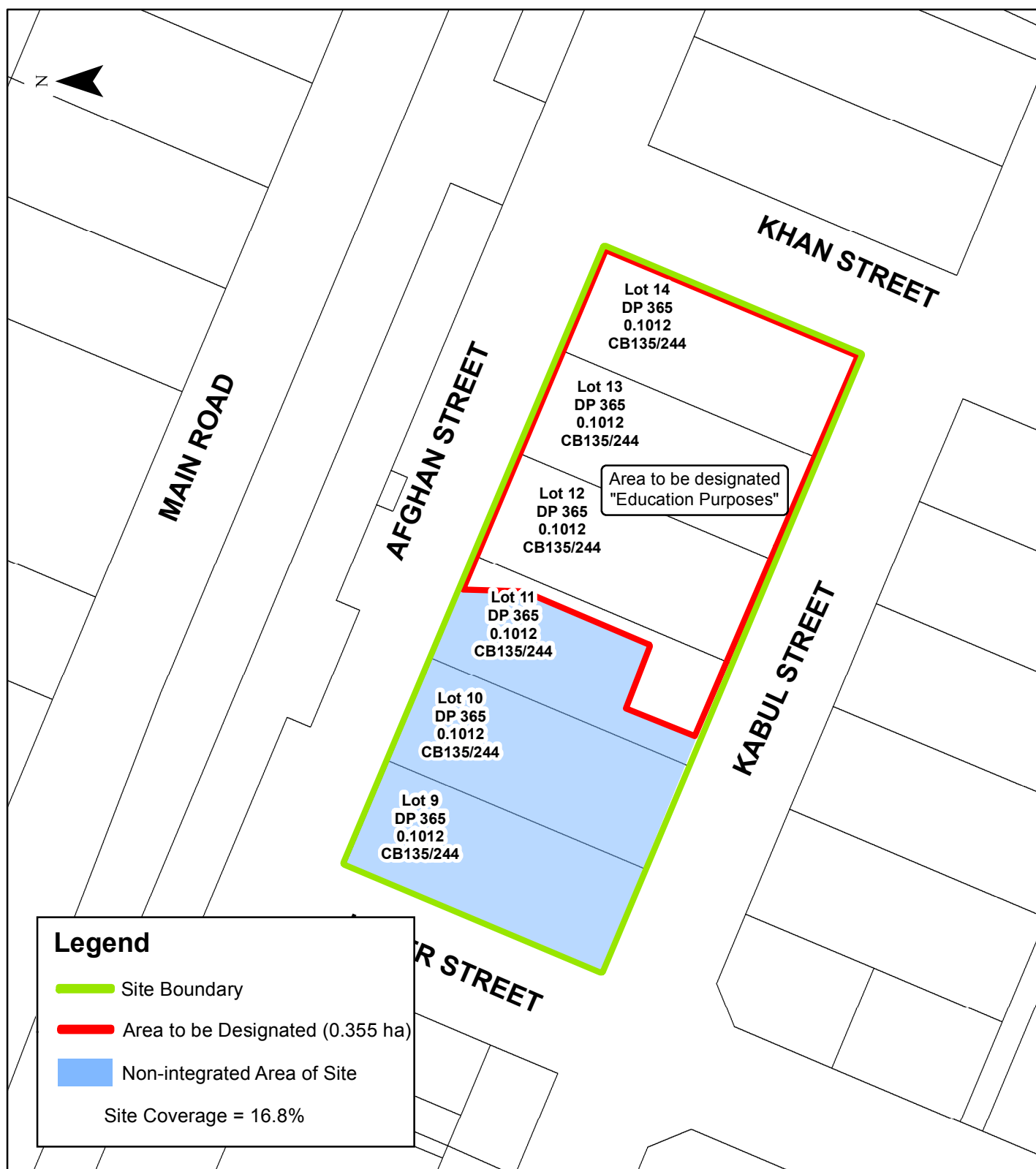
(Signed under delegated authority May 2018)

Simon Cruickshank
Ministry of Education

26/8/18
Date

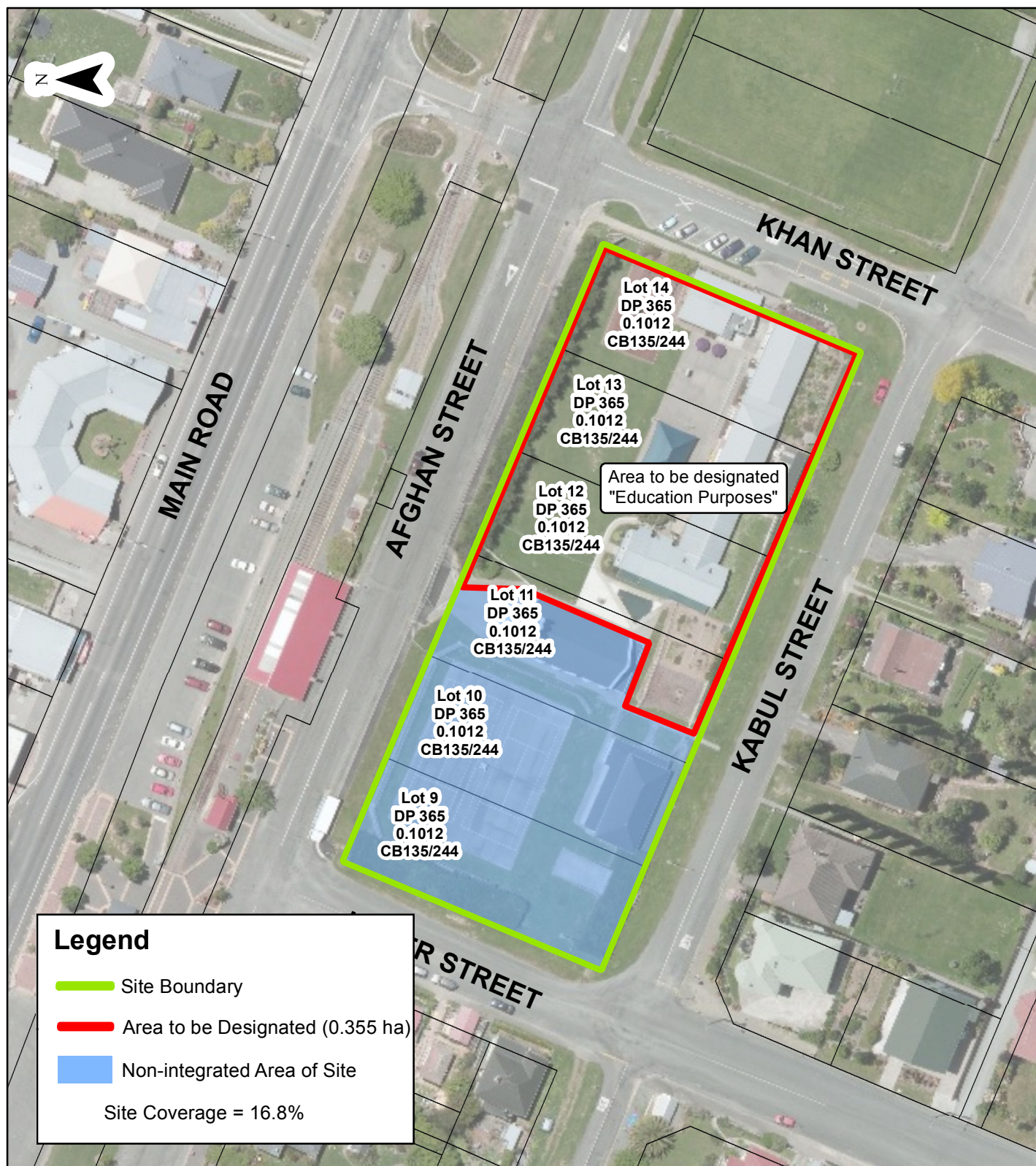
NOTICE OF REQUIREMENT TO TIMARU DISTRICT COUNCIL FOR A DESIGNATION UNDER SECTION 168 OF THE RESOURCE MANAGEMENT ACT 1991

0.355 hectares being Pt Lot 14 Deposit Plan 365 and described in title CB135/244, and
Pt Lot 13 Deposit Plan 365 and described in title CB135/244, and
Pt Lot 12 Deposit Plan 365 and described in title CB135/244, and
part of Pt Lot 11 Deposit Plan 365 and described in title CB135/244.



NOTICE OF REQUIREMENT TO TIMARU DISTRICT COUNCIL FOR A DESIGNATION UNDER SECTION 168 OF THE RESOURCE MANAGEMENT ACT 1991

0.355 hectares being Pt Lot 14 Deposit Plan 365 and described in title CB135/244, and
Pt Lot 13 Deposit Plan 365 and described in title CB135/244, and
Pt Lot 12 Deposit Plan 365 and described in title CB135/244, and
part of Pt Lot 11 Deposit Plan 365 and described in title CB135/244.



MEDU-26 St Joseph's School, Temuka

Form 18

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 Timaru District Plan.

The site to which the requirement applies is as follows:

St Joseph's School, 31 Wilkin Street, Temuka (Sections 130 - 137, 143 – 145 TN of Arowhenua; and Part Sections 138 – 142 TN of Arowhenua).

Site Description

St Joseph's School is a state integrated primary school (years 1 to 8) established in 1914 and integrated under the Private Schools Conditional Integration Act 1975. The school is bounded by Studholme Street to the west, Denmark Street to the south, and Wilkin Street to the east, with its primary access from Wilkin Street. The school's surrounding environment comprises a residential area of Temuka, with adjoining housing immediately adjoining the northern boundary, and on the opposite side of the street with remaining boundaries. The large stone St Joseph's Church is located on the corner of Denmark and Wilkin streets to the east.

The 1st July 2017 the school roll was 127 pupils. There are a total of 6 classrooms with a 8.14 full time equivalent (FTE) staff employed at the school (*at the time of writing planning is underway for a new two-classroom teaching block*). The school site to be designated is 1.453 ha.

There are three classroom blocks, one containing the administration area on the site. These blocks, along with hard surface playing areas are all located towards the southern (Denmark Street) end of the school site. Within the school site is a residential dwelling on the western side accessed off Studholme Street which is owned by the Diocese, but will not be designated. The school has no onsite parking area. There is an expansive hard surfaced area in front of the classroom blocks at the southern end of the site including playing courts.

The buildings on site are all single storey and the total coverage by buildings is approximately 5.8%.

St Joseph's School has been an integral part of the local community for the past 102 years, and it is anticipated that the roll may gradually extend beyond its current maximum of 130 students in coming 10-year period. The school and its activities are a long established part of the environment of the area. In the future the school will need flexibility to balance coverage, height, and open space on site, to satisfy future needs. For example, when the Ministry of Education school property guide changed in the early 2000's, the required school floor space for any given school increased by around 40%, without any change to student numbers, reflecting changes in the quality and quantity of facilities expected to be provided to students, and to staff schools. Accordingly, where existing building stock has reached the end of its economic life, its replacement floorspace may be larger. In addition to potential future changes in the school roll, schools 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 School is primarily separated from adjoining residential properties, the St Joseph's Catholic Church and Hall on the eastern, southern and western boundaries by Studholme, Denmark and Wilkin Streets respectively. The school is predominantly surrounded by low corrugated iron fencing, especially along the Studholme Street and Denmark Street frontages. The Wilkin Street frontage comprises a mixture of corrugated iron fencing, a block wall, a short section of mesh fencing and a low wooden railing fence. This results in the school site being visually permeable from most street frontages. Dwellings directly adjoining the school playing field to the north are screened from the grassed playing field by fencing and mature vegetation. The school buildings are a long established part of the local residential environment and are characteristic of typical small primary school sites with relatively modest buildings and associated hard surfaced and grassed play areas.

The school is considering establishing a new two classroom block, depending on the roll numbers, in 2017. Given the size of the site, in the scale density and nature of existing residential development and other buildings in the immediate area, any redevelopment will be consistent with the existing pattern and would not have an adverse effect on the surrounding residential environment.

Traffic and Parking

Studholme Street is classified as a local road, while Denmark and Wilkin Streets are collector roads. St Joseph's catchment is mostly urban but extends into the surrounding rural area. Bus services are available to transport both urban and rural students to the school site. Pedestrian access to the school is available from both Studholme Street and the primary access point off Wilkin Street.

Traffic effects including increased traffic generation, and temporary on street parking associated with parents dropping off and picking up children, but these are typical of primary schools generally and of limited duration.

Car parking for the school site is on the surrounding streets as there is no onsite area provided. The street frontage of the school however is very long. There is a pedestrian crossing on Wilkin Street adjacent to the main school entrance. Approximately 30 cycle spaces are available within the school grounds for the students.

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 and activities on the school site after hours. School buildings and hard surface play areas are orientated towards the south. Those residential properties affected by the schools activities including active play areas, are the houses beyond the northern end of the site at 41 Wilkin Street and 46 Studholme Street. These properties are separated from the playing field by a strip of mature vegetation and boundary fencing. Schools by their very nature are an inherent part of a residential community and are almost invariably surrounded by residential activities. St Joseph's School is an established facility in the local community, and noise levels are not expected to change given the school is remaining within its current boundaries and its roll is not expected to increase substantially.

Positive effects

St Joseph's School has long been part of providing for the educational needs of primary school students in the Temuka area, through the provision of a national educational curriculum while also meeting the aspirations of those parents in the Catholic community who wish to maintain a spiritual element as part of their children's education. The schools 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 primary 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 primary 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 existing school on this site.

Any future development would be subject to the provisions of the Outline Plan provisions under section 176A of the Resource Management Act. St Joseph's School is a state integrated school, which due to Education Act Amendments 2017 is now subject to the same regulatory regime as other existing state schools which the Minister of Education has financial responsibility for.

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 school facility within the Temuka community, and within the current boundaries of the school.

This state integrated school was established under the now repealed Private Schools Conditional Integration Act 1975 where the alternative method is for established of the school is via a resource consent application and therefore subject to the planning controls under the District Plan.

However, 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, is the relevant requiring authority with financial responsibility for state and state integrated schools. Designation of schools which have been integrated pursuant to the Private Schools Conditional Integration Act 1975 (now repealed) 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.

Since the repeal of the Private Schools Conditional Integration Act 1975, the Minister confirms that of Notices of Requirement are appropriate to be sought for Catholic Diocese schools, which all have integration agreements with the Minister of Education; in the same way existing state integrated schools are already designated in other District Plans, such as the Wellington City and Christchurch City Plans respectively.

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, as the effects of operating the existing school will be no different to those existing prior to the requirement.

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 showing the area of the site subject to the requirement and its immediate surroundings, and the legal description.
2. A site plan showing the arrangement of buildings on the site, and describing the extent of existing facilities.



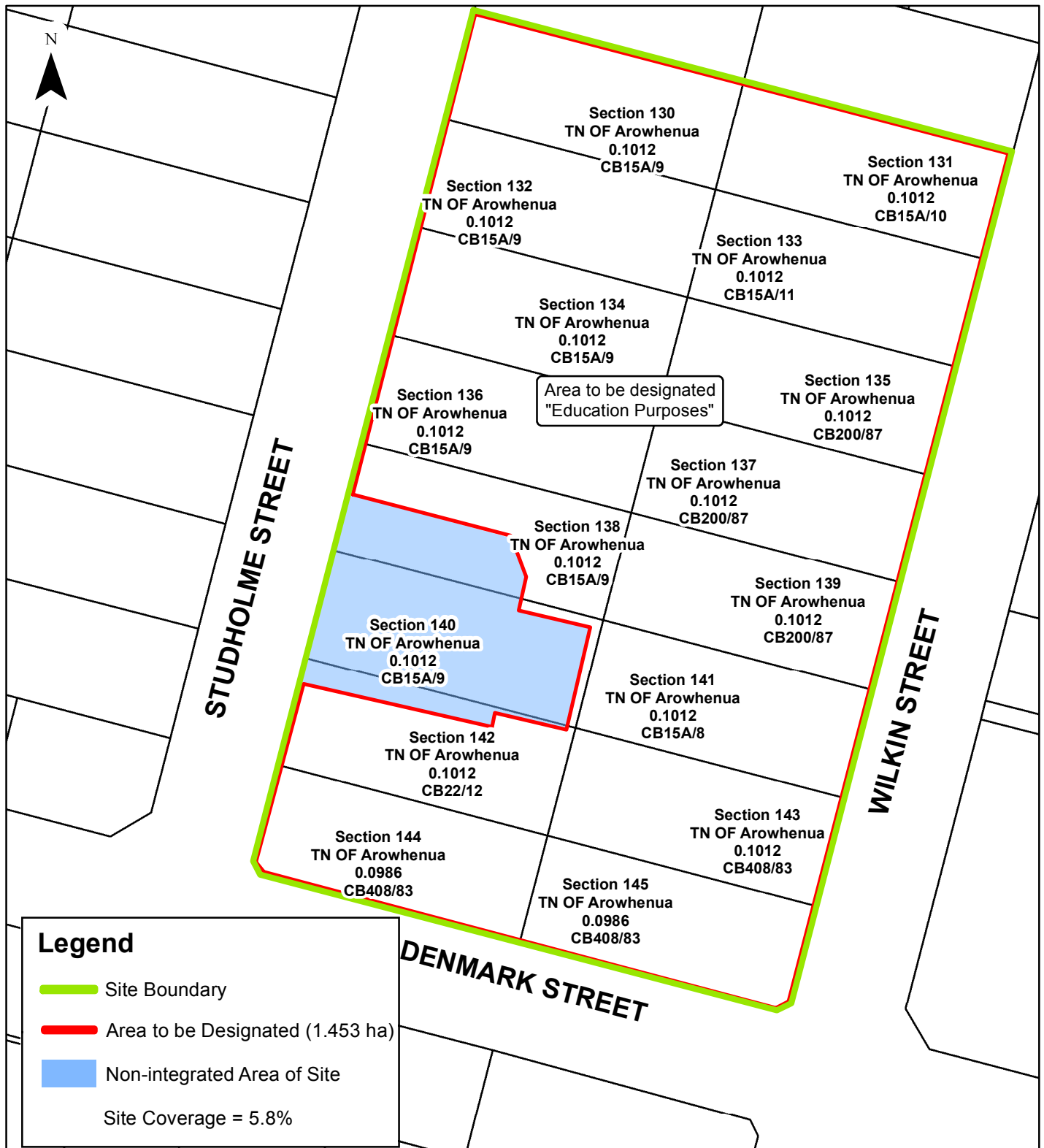
(Signed under delegated authority May 2018)

Simon Cruickshank
Ministry of Education

26/5/18
Date

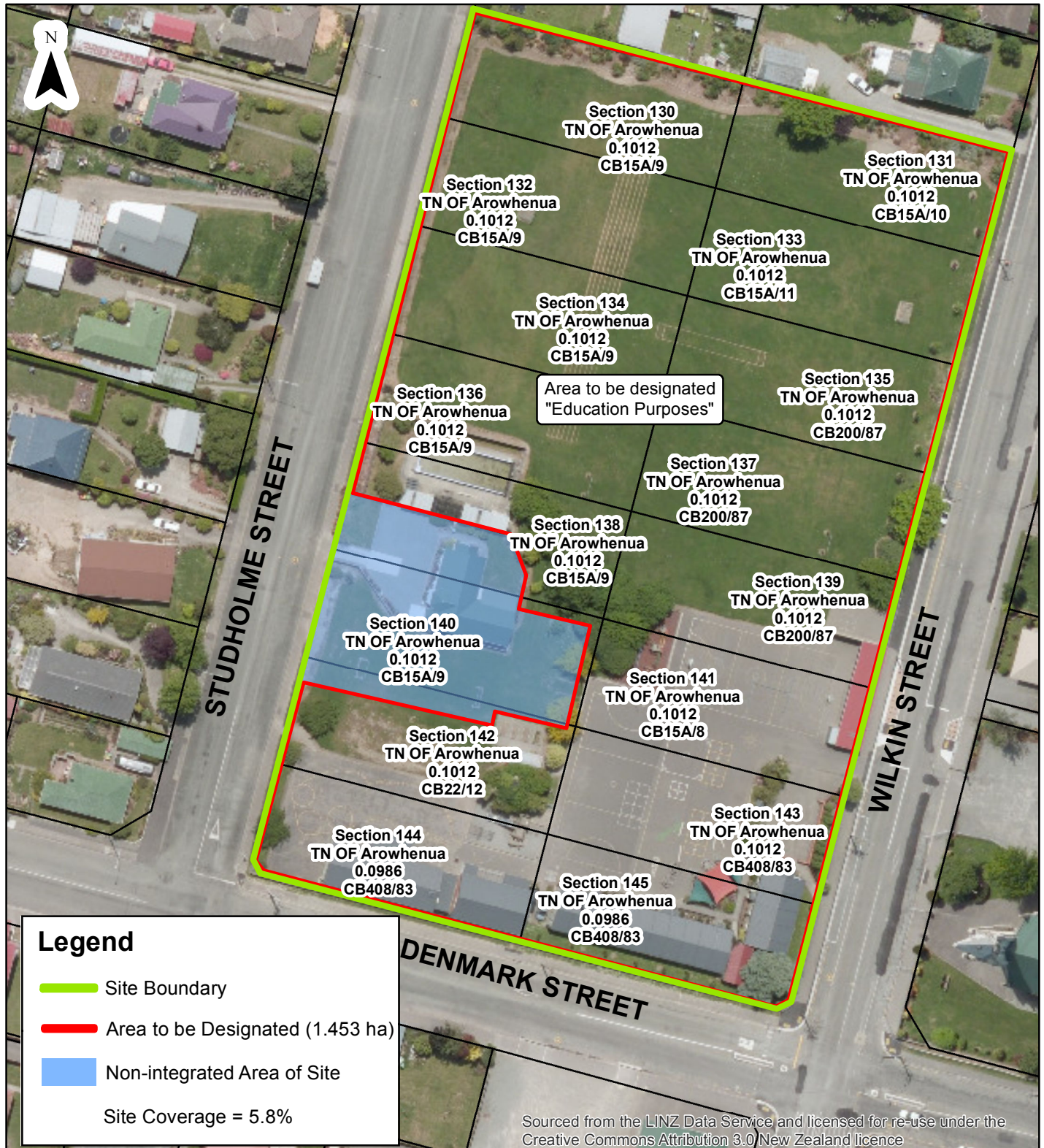
**NOTICE OF REQUIREMENT TO TIMARU DISTRICT COUNCIL
FOR A DESIGNATION UNDER SECTION 168 OF THE
RESOURCE MANAGEMENT ACT 1991**

1.453 hectares being Sections 130, 132, 134 & 136 in TN of Arowhenua and described in title CB15A/9, and
 Section 131 in TN of Arowhenua and described in title CB15A/10, and
 Section 133 in TN of Arowhenua and described in title CB15A/11, and
 Sections 135, 137 & 139 in TN of Arowhenua and described in title CB200/87, and
 part of Sections 138 & 140 of TN of Arowhenua and described in title CB15A/9, and
 Section 141 in TN of Arowhenua and described in title CB15A/8, and
 Section 142 in TN of Arowhenua and described in title CB22/12, and
 Sections 143, 144 & 145 in TN of Arowhenua and described in title CB408/83.



NOTICE OF REQUIREMENT TO TIMARU DISTRICT COUNCIL FOR A DESIGNATION UNDER SECTION 168 OF THE RESOURCE MANAGEMENT ACT 1991

1.453 hectares being Sections 130, 132, 134 & 136 in TN of Arowhenua and described in title CB15A/9, and
Section 131 in TN of Arowhenua and described in title CB15A/10, and
Section 133 in TN of Arowhenua and described in title CB15A/11, and
Sections 135, 137 & 139 in TN of Arowhenua and described in title CB200/87, and
part of Sections 138 & 140 of TN of Arowhenua and described in title CB15A/9, and
Section 141 in TN of Arowhenua and described in title CB15A/8, and
Section 142 in TN of Arowhenua and described in title CB22/12, and
Sections 143, 144 & 145 in TN of Arowhenua and described in title CB408/83.



MEDU-27 Roncalli College, Timaru

Form 18

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 Timaru District Plan.

The site to which the requirement applies is as follows:

Roncalli College, Wellington Street, Timaru (part Lot 2 DP 45190, Lot 3 DP 10699, part Lots 21, 22, and 23, DP 76).

Site Description

Roncalli College is a state integrated high school (years 9 to 13) established and integrated in 1982 under the Private Schools Conditional Integration Act 1975. The site is in a predominantly residential area of Timaru and adjoins housing on its northern, western and southern boundaries, and State Highway 1 on its eastern side.

The 1st July 2017 the school roll was 483 pupils and an additional component of 22 international students. There a total of 29 classrooms with a 37.33 full time equivalent (FTE) staff employed at the school. The school site to be designated is 4.410 ha.

There are 9 classroom blocks, one containing the administration area on the site. These buildings are primarily centred around the primary entrance off Wellington Street, with the exception of the large gymnasium building which is midway between Wellington Street and Craigie Avenue. The school site is adjoined by the Sacred Heart Basilica and the Parish Hall on the north-eastern side fronting Craigie Avenue, which however is not part of the area to be designated. The Diocese also owns two residential properties beyond the northern end of the site on Napier Street, but these are also not to be designated.

The school has two on-site parking areas, one extending from the end of Wellington Street on the western site of the site, and the other off State Highway 1. The latter is used for both staff and limited student parking. There is an extensive hard surfaced area in front of the classroom blocks and playing courts towards the northern end of the site. There is a grassed area with some trees in the northern corner of the school site to the rear of the basilica. The primary grassed area containing the playing fields are located along the southern side of the school adjacent to the rear boundary of houses fronting Hassall Street and Cain Street.

The school buildings on the site occupy a ground floor area of 1194 m², the grass playing fields 6283 m² and two adventure playgrounds totalling 860 m². Site coverage by buildings is approximately 11.5%. The buildings comprise a mix of single and two storey structures.

Roncalli College has been an integral part of the local community for the past 34 years, and even with the roll recovery anticipated over the next three years is not anticipated to have a significantly greater roll in the future. The school and its activities have been absorbed into the environment of the area.

In the future however, the school will need flexibility to balance coverage, height, and open space on site to satisfy future needs. For example, when the Ministry of Education school property guide changed in the early 2000's, the required school floor space for any given school increased by around 40%, without any change to student numbers, reflecting changes in the quality and quantity of facilities expected to be provided to students and staff at schools. Where existing building stock reaches the end of its economic life, its replacement floorspace may need to be larger. In addition to potential future changes in the school roll, schools 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 school buildings are primarily clustered across the centre of the site and to a large extent are isolated from directly adjoining neighbours by the playing fields, Craigie Avenue (State Highway 1) Wellington Street and the Basilica precinct. The Basilica is of course the dominant physical feature in this area. Otherwise residential dwellings on Hassall Street, Cain Street, Wellington Street, and Napier Street and are largely screened by fencing and vegetation. The school buildings are a long established part of the local residential environment and are characteristic of a typical secondary school, with a significant cluster of buildings and associated grassed play areas and boundary trees.

The surrounding area is predominantly residential, and in the Residential 2 zoning provided for under the Operative Plan, permitted building heights are 12m and there is no specific building coverage requirement. Any redevelopment on the school site is will fall comfortably within the scale of buildings anticipated in this area.

Traffic and Parking

State Highway 1 is classified as a national route, and Wellington Street is a local road. As Roncalli College has a large catchment extending into the rural area, there are extensive school bus services operating to and from the school, which is reflected in the large bus parking area parallel but separate to the carriageway of State Highway 1 in Craigie Avenue. Pedestrian access to the school is available from both Wellington Street and Craigie Avenue, and also by way of a narrow access way from Cain Street which is not available for general vehicular access.

Traffic effects including increased traffic generation, and temporary on street parking associated with parents dropping off and picking up children, are typical of schools generally, and of limited duration. Transport arrangements associated with bus movements in Craigie Avenue are well established and are undertaken clear of the traffic stream.

There is substantial car parking space available on the site to be designated. There are 50 car parks located to the east of the gymnasium off State Highway 1 and another 50 carparks off Wellington Street and adjacent to the three small classroom blocks. Cycle spaces are available for the students and staff on the site, but these do not appear to be extensively utilised.

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 and occasional activities outside school hours. School buildings and hard surface play areas are orientated towards the north. Those residential

properties most affected by the schools outdoor activities would be the houses off the southern end of Wellington Street, but these do not adjoin any active play areas. Schools by their very nature are an inherent part of a residential community and are almost invariably surrounded by residential activities. Roncalli College is an established facility in the local community and noise levels are not expected to change, given the school is remaining within its current boundaries and its roll is not expected to increase significantly.

Positive effects

Roncalli College has long been part of providing for the educational needs of high school students in the Timaru area, through the provision of a national educational curriculum while also meeting the aspirations of those parents in the Catholic community who wish to maintain a spiritual element as part of their children's education. The schools 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 high 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 primary 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 existing school on this site.

Any future development would be subject to the provisions of the Outline Plan provisions under section 176A of the Resource Management Act. Roncalli College is a state integrated school, which due to Education Act Amendments 2017 is now subject to the same regulatory regime as other existing state schools which the Minister of Education has financial responsibility for.

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 school facility within the Timaru community, and within the current boundaries of the school.

This state integrated school was established under the now repealed Private Schools Conditional Integration Act 1975 where the alternative method for establishment of the school is via a resource consent application and therefore subject to the planning controls under the District Plan.

However, 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, is the relevant requiring authority with financial responsibility for state and state integrated schools. Designation of schools which have been integrated pursuant to the Private Schools Conditional Integration Act 1975 (now repealed) 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.

Since the repeal of the Private Schools Conditional Integration Act 1975, the Minister confirms that Notices of Requirement are appropriate to be sought for Catholic Diocese schools, which all have integration agreements with the Minister of Education; in the same way existing state integrated schools are already designated in other District Plans, such as the Wellington City and Christchurch City Plans respectively.

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, as the effects of operating the existing school will be no different to those existing prior to the requirement.

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 showing the area of the site subject to the requirement and its immediate surroundings, and the legal description.
2. A site plan showing the arrangement of buildings on the site, and describing the extent of existing facilities.

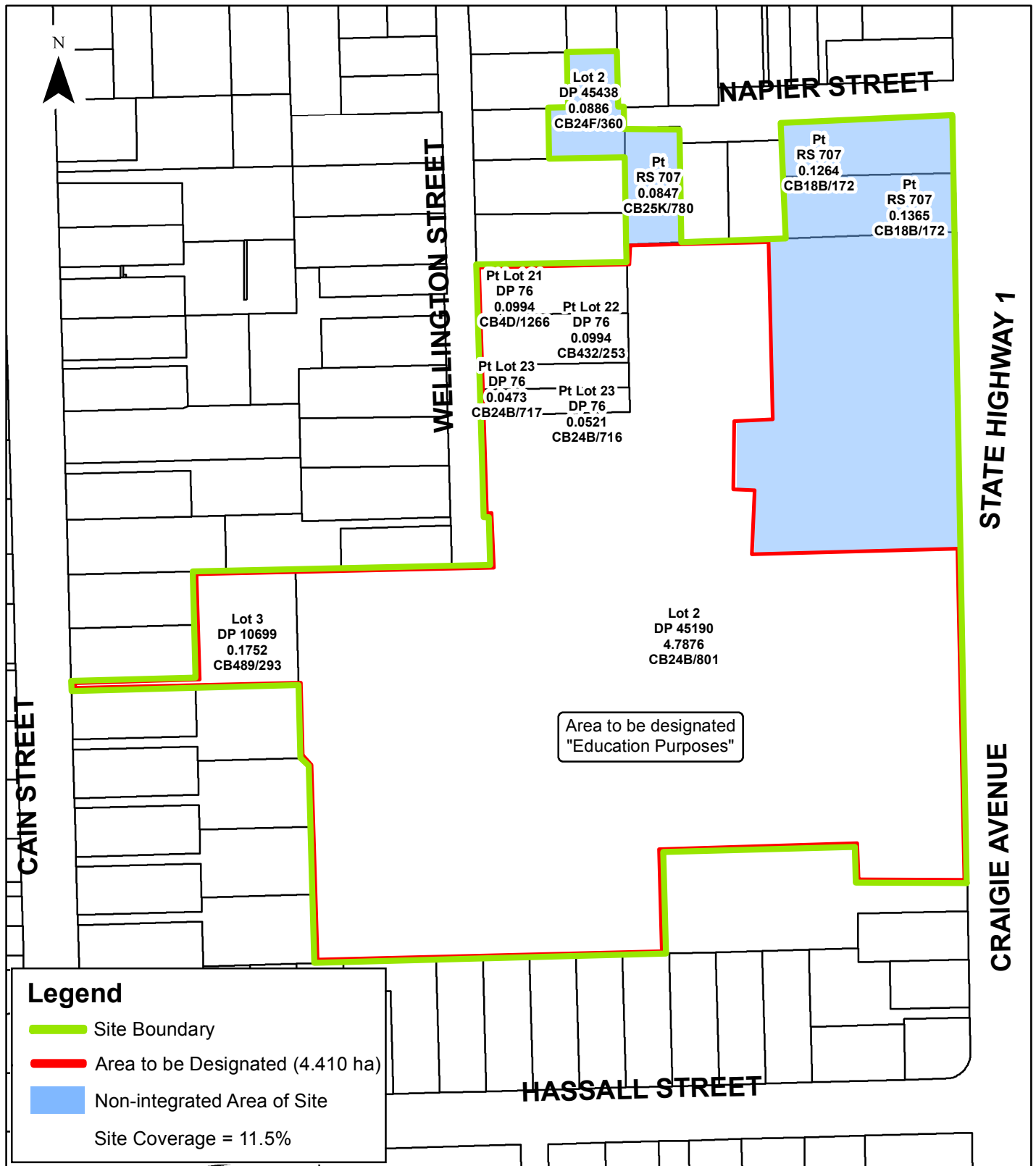

.....
(Signed under delegated authority May 2018)
Simon Cruickshank

Ministry of Education


.....
Date

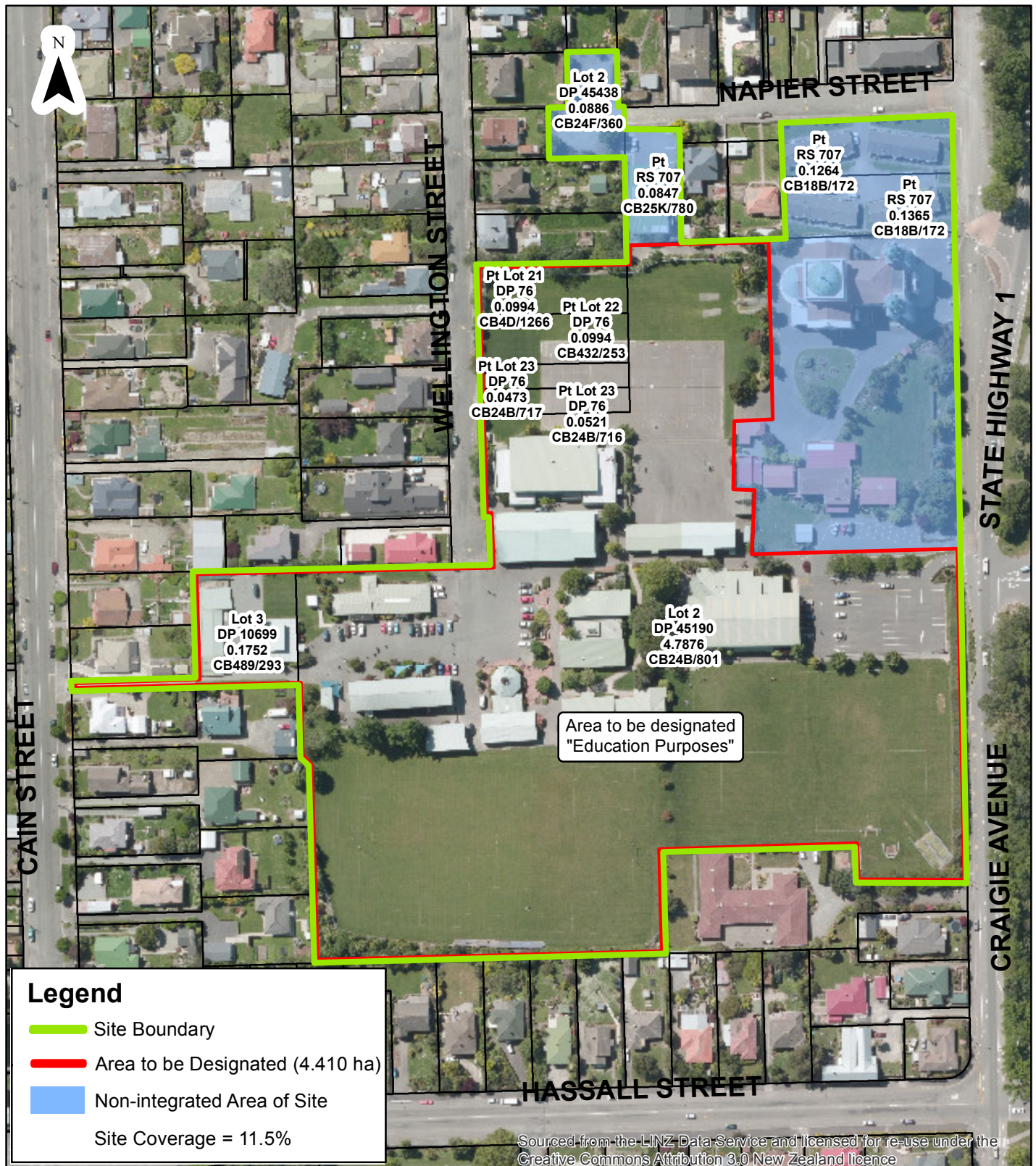
NOTICE OF REQUIREMENT TO TIMARU DISTRICT COUNCIL FOR A DESIGNATION UNDER SECTION 168 OF THE RESOURCE MANAGEMENT ACT 1991

4.410 hectares being part of Lot 2 Deposit Plan 45190 and described in title CB24B/801, and Lot 3 Deposit Plan 10699 and described in title CB489/293, and Pt Lot 21 Deposit Plan 76 and described in title CB4D/1266, and Pt Lot 22 Deposit Plan 76 and described in title CB432/253, and Pt Lot 23 Deposit Plan 76 and described in title CB24B/717, and Pt Lot 23 Deposit Plan 76 and described in title CB24B/716.



NOTICE OF REQUIREMENT TO TIMARU DISTRICT COUNCIL FOR A DESIGNATION UNDER SECTION 168 OF THE RESOURCE MANAGEMENT ACT 1991

4.410 hectares being part of Lot 2 Deposit Plan 45190 and described in title CB24B/801, and Lot 3 Deposit Plan 10699 and described in title CB489/293, and Pt Lot 21 Deposit Plan 76 and described in title CB4D/1266, and Pt Lot 22 Deposit Plan 76 and described in title CB432/253, and Pt Lot 23 Deposit Plan 76 and described in title CB24B/717, and Pt Lot 23 Deposit Plan 76 and described in title CB24B/716.



MEDU-28 Sacred Heart School, Timaru

Form 18

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 Timaru District Plan.

The site to which the requirement applies is as follows:

Sacred Heart School, 54 Heaton Street, Timaru (Lot 1 DP 60274).

Site Description

Sacred Heart School is a state integrated primary school (years 1 to 8) established in 1983 and integrated under the Private Schools Conditional Integration Act 1975. The site only directly adjoins one other property, being the premises of the Celtic Rugby Football Club on the south-western boundary. The school itself and the smaller Celtic Club site occupy the entire block bounded by Craigie Avenue (State Highway 1) to the west, Heaton Street to the north, Rose Street to the east, and Browne Street to the south. Beyond this to the north and east are residential housing areas, opposite Browne Street to the south is Anzac Park, while on the opposite side of Craigie Avenue to the west is Roncalli College and the Catholic Basilica.

On the 1st July 2017 the school roll was 188 pupils and student numbers are expected to remain around this level in the near future. There are nine classrooms and a total of 9.88 full time equivalent (FTE) staff are employed at the school. The school site to be designated is 8550m².

Grassed playing fields occupy most of the north-eastern corner of the site adjacent to Rose/Heaton Street, with sealed playing courts adjacent to the south eastern end of the site on Rose and Browne Streets. The school is partially screened from the surrounding road network on the northern, southern and eastern boundaries by wire mesh fencing and scattered boundary planting. The western boundary adjoining Craigie Ave (State Highway 1) is screened by a concrete block fence. There are 4 classroom blocks and a separate administration area on site. The adjoining Celtic Sports Clubrooms occupy a large two storey brick building which overlooks the southern part of the school.

There is no on-site parking for the school and instead, on street angle parking services the school on Heaton Street. There are extensive hard surfaced areas in front of the classroom blocks and playing courts are in the south-east corner of the site, along with an adventure playground. A separate playground fronts Heaton Street in the north-west corner. The main grassed area is bordered by trees is located the north-east corner of the school site.

The buildings on site are all single storey and their total site coverage is approximately 15.1%, despite the relatively small size of the school site. The school has an arrangement with the Timaru District Council to use Anzac Park to the south for some school recreational activities.

The District Plan anticipates dwellings in the nearby Residential 2 Zone of up to 12m in height with no specified limit on site coverage. Sacred Heart School has been an integral part of the local community for the past 33 years and the impact of its activities have been absorbed into the environment of the area. In the future the school may need flexibility to balance coverage, height, and open space on site

to satisfy future needs when existing buildings and facilities require modernisation or upgrading. For example, when the school property guide changed in the early 2000's the required school floor space required for modern teaching needs increased by around 40%, without any change to a given student numbers at a school.

In addition to changes in the school roll, and the modernisation of facilities, schools 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 school site is effectively 'isolated' by a buffer zone created by the adjoining four streets. Any future redevelopment on the site, having regard to the relatively modest school roll, can be readily accommodated without creating any adverse effects on the surrounding neighbourhood. The Celtic clubrooms are not regarded as a sensitive adjoining activity. Sacred Heart is characteristic of a typical older school site containing relatively modest buildings with associated grassed play areas, sealed playing courts and boundary trees. The scale and height of any future redevelopment on the site will be well within the parameters of that permissible in the adjoining living zones.

Traffic and Parking

State Highway 1 is classified as State Highway, and Heaton, Rose and Browne Streets are local roads. Pedestrian access to the school is from Heaton and Browne Streets. Bus services are shared with Roncalli College to transport students to and from the site. There is limited vehicular access to the site, however Heaton Street is confined to one-way traffic eastbound between Craigie Avenue and Rose Street, and there are over 20 angle carparks along the school frontage of Heaton Street. However traffic effects including increased traffic generation, and temporary on street parking associated with parents dropping off and picking up children, are typical of primary schools generally, and of limited duration.

There are 20 cycle spaces available for the students and staff.

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 and activities outside school hours. The school separated from the adjoining residential activities by the intervening streets, with the rugby club being the only directly adjoining neighbour. The school is also close to the major north-south artery of Craigie Avenue, and the nearby residential area is in turn close to commercial areas adjacent to the central city, such that this is not a particularly noise sensitive environment. Any use of the school site outside normal school hours is unlikely to have a significant adverse effect on the surrounding area.

Schools by their very nature are an inherent part of a residential community and are almost invariably surrounded by residential activities. Sacred Heart School is a long-standing facility in the local community and noise levels are not expected to change given the school is remaining within its current boundaries and its roll is not expected to increase significantly.

Positive effects

Sacred Heart School has long been part of providing for the educational needs of high school students in the Timaru area, through the provision of a national educational curriculum while also meeting the

aspirations of those parents in the Catholic community who wish to maintain a spiritual element as part of their children's education. The school's activities are consistent with the purpose of the Act under Section 5, that 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 high 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 primary 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 existing school on this site.

Any future redevelopment would be subject to the provisions of the Outline Plan provisions under section 176A of the Resource Management Act. Sacred Heart is a state integrated school, which due to Education Act Amendments 2017 is now subject to the same regulatory regime as other existing state schools which the Minister of Education has financial responsibility for.

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 Timaru community, and within the current boundaries of the school.

This state integrated school was established under the now repealed Private Schools Conditional Integration Act 1975 where the alternative method for establishment of the school is via a resource consent application and therefore subject to the planning controls under the District Plan.

However, 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, is the relevant requiring authority with financial responsibility for state and state integrated schools. Designation of schools which have been integrated pursuant to the Private

Schools Conditional Integration Act 1975 (now repealed) 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.

Since the repeal of the Private Schools Conditional Integration Act 1975, the Minister confirms that Notices of Requirement are appropriate to be sought for Catholic Diocese schools, which all have integration agreements with the Minister of Education; in the same way existing state integrated schools are already designated in other District Plans, such as the Wellington City and Christchurch City Plans respectively.

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.

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 showing the area of the site subject to the requirement and its immediate surroundings, and the legal description.
2. A site plan showing the arrangement of buildings on the site, and describing the extent of existing facilities.



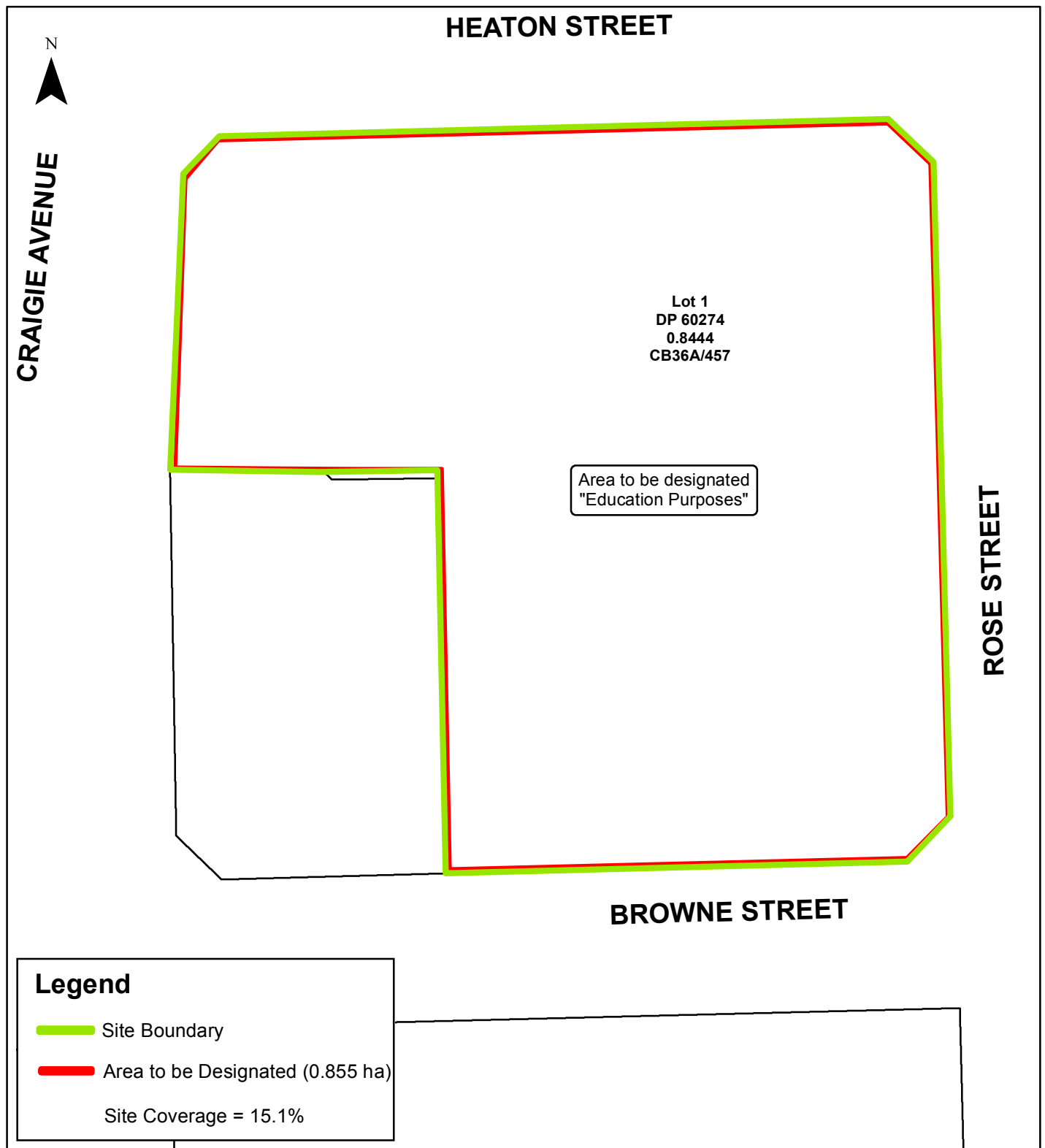
(Signed under delegated authority May 2018)

Simon Cruickshank
Ministry of Education

26/8/18
Date

NOTICE OF REQUIREMENT TO TIMARU DISTRICT COUNCIL
FOR A DESIGNATION UNDER SECTION 168 OF THE
RESOURCE MANAGEMENT ACT 1991

0.855 hectares being Lot 1 Deposit Plan 60274 and described in title CB36A/457.



NOTICE OF REQUIREMENT TO TIMARU DISTRICT COUNCIL
FOR A DESIGNATION UNDER SECTION 168 OF THE
RESOURCE MANAGEMENT ACT 1991

0.855 hectares being Lot 1 Deposit Plan 60274 and described in title CB36A/457.

