

## 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 Waimakariri District Plan.

The site to which the requirement applies is as follows:

**Rangiora New Life School, 2 Denches Road, Rangiora (Lot 1 DP 301664 and Lot 3 DP 301333).**

#### Site Description

Rangiora New Life School is a state integrated composite school (years 1 to 13) established in 1979 and integrated in 1994 under the Private Schools Conditional Integration Act 1975. The site is in a predominantly residential area of Rangiora.

On 1<sup>st</sup> of March 2019 the school roll was 470 pupils. There are a total of 34 classrooms with 36.2 full time equivalent (FTE) staff employed at the school. The entire school site to be designated amounts to 4.7653ha.

There are seven classroom blocks, one school administration block and a gymnasium/stadium. The school buildings are primarily centred in the south western corner of the site near Denches and Southbrook Road and the main entrance.

The school has 74 on-site car parks located along the southern site boundary and accessed via a right of way from Denches Road. There are two separate hard surfaced areas both containing two playing courts each. One set of playing courts is adjoins the main classroom blocks in the west and the other is located close to the eastern boundary. The primary grassed area containing the playing fields is located in the northern most area of the school site adjoining residential properties and the Main North Railway Line. The school also has two adventure playgrounds and is bisected by the Middlebrook Stream running between two classroom blocks in the southwest of the property. The site coverage by buildings is approximately 10%, and buildings on site are all single storey.

Rangiora New Life School has been an integral part of the local community for the past 40 years. The school has been growing and this is expected to continue as a result of strong residential growth in the District, and the large catchment of the school, which extends well beyond the town itself. The school hopes to extend their maximum roll to 600-650 students, subject to approval from the Ministry of Education. 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. This reflects changes in the quality and quantity of facilities expected to be provided to students and to 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 site adjoins residential properties on the northern boundary including 2, 4, 9, 11, 17A, and 21 South Belt and 58 and 60 Southbrook Road. The school is also bounded by Southbrook Road to the west and a further two residential properties at 62A and 68A Southbrook Road. The southern boundary adjoins Denches Road as well as a reserve owned by the Waimakariri District Council. Southbrook School is located on opposite side of Denches Road. The Main North Railway Line extends along the sites eastern boundary.

The school is readily visible from the surrounding streets with low metal railing fencing along the western boundary adjoining Southbrook Street and a combination of different types/ no fencing along Denches Road to the south. Timber paling fencing exists along the northern and north western boundary to partially screen the school site from its residential neighbours, with the exception of the boundary of 21 South Belt which contains a simple wire fence. It is noted that the dwelling on this site is well setback from the school by a small paddock and dense vegetation.

The residential properties on South Belt adjoin the school at the northern extremity of the playing fields, well away from existing buildings. It is not anticipated that future building developments will occur in this area of the site. It is proposed however, that development will occur adjacent to residential properties on Southbrook Road. Four standard classrooms are to be completed in 2020 to replace the 'Ward' technology block on the north-western boundary. A new technology block is also proposed in the southern area of the site amongst existing classrooms.

The existing school buildings are a long established part of the local residential environment and are characteristic of a typical school with modest single storey classroom blocks with associated grassed play areas and boundary trees.

The school is within the Residential 1 zone under the Operative Plan which anticipates a residential site coverage of 50% and a height of 8m. Any redevelopment or additional buildings on the school site are expected to be of a scale consistent with these parameters.

### Traffic and Parking

Southbrook Road is classified as an urban strategic road, while Denchs Road is a local road. Pedestrian access to the school is available from both roads. The catchment for the school is predominately urban and extends as far as Oxford, Amberley, Rangiora, Kaiapoi, Ohoka and the Ashley area.

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. Four buses carry approximately 170 students to and from the school (approximately 37% to and from rural areas), while the remaining students travel by foot, bike or private car.

The administration block and onsite car parking for the school is accessed off Denchs Road being the primary point of access for the school. Cycle and scooter 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 activities outside normal school hours. School buildings and hard surface play areas are orientated away from residential neighbours. Schools by their very nature are an inherent part of a residential community and are almost invariably surrounded by residential activities. Rangiora New Life School is an established facility in the local community in the same manner as local state schools, and noise levels are not expected to change given the school is remaining within its current boundaries.

#### Positive effects

Rangiora New Life School has long been part of providing for the educational needs of primary and secondary school students in the North Canterbury area, through the provision of a national educational curriculum while also meeting the aspirations of those parents in the Christian 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 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 school, and any future development would be subject to the provisions of the Outline Plan provisions under section 176A of the Resource Management Act. Rangiora New Life School is a state integrated school, and as such should be subject to the same regulatory regime as other existing state schools. Any Council comments on Outline Plans could be guided by the underlying provisions of the Waimakariri District Plan.

#### **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 Rangiora community, and within the current boundaries of the school.

The only alternative method is for the school to be subject to the planning controls under the District Plan. 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, as the relevant requiring authority, has accepted that State integrated schools are part of the school system for which the Minister holds financial responsibility. Designation of schools which have been integrated pursuant to the Private Schools Conditional Integration Act 1975 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.

Under the Private Schools Conditional Integration Act 1975, a significant number of schools, including this one, became State Integrated Schools under the State system. An "*integrated school*" is defined in Section 2 "*Interpretation*" as meaning-

*".....a private school originally established to provide education with a special character that, in accordance with the provisions of this Act, has, by the free choice of the proprietors of the school, been established as an integrated school, and has thereby become part of the State system of education in New Zealand; and includes any school that has been established as an integrated school with the consent of the Minister given pursuant to subsection (3) of section 5".*

As part of the 2017 amendments to the Education Act, provisions relating to State integrated schools were incorporated under a new Part 33 of the Act. Section 414 "*Interpretation*", subclause (2)(b) states that:

*"every reference in the other Parts of this Act and in any other enactment or document to –*

*(i) a State primary school is to be treated as including a State integrated school that is a primary school:*

*(ii) a State secondary school is to be treated as including a State integrated school that is a secondary school:*

*(iii) a State school is to be treated as including a reference to a State integrated school".*

Section 417(1)(a) of the Education Act provides that "*on integration, a State integrated school becomes part of the State system of education in New Zealand; and .....*"

The Ministry of Education has confirmed that they are prepared to issue Notices of Requirement on behalf of Catholic Diocese schools, which all have integration agreements with the Minister of Education. The same principle would apply to any integrated school which has an integration agreement with the Ministry. It can be noted that integrated schools are already designated in other District Plans, examples being Wellington City and Christchurch City.



Section 2(3)(b) goes on to provide that unless the context otherwise requires, every reference in any other enactment or document to a State school shall be read as including a reference to an integrated school.

In the Ministry of Education decision referred to above (*paragraph 44*), the Court went on to identify the benefits for the Minister for designation, including among other things that it provided a clear methodology for changes to occur through the outline plan procedure, a uniform approach throughout many different districts, that the existing (school) uses were well-established, and that educational requirements and student numbers changed regularly.

The Minister considers that these factors are relevant to the operation and management of the two Catholic state integrated schools, as well as this Christian state integrated school in the Waimakariri District, and in other district councils within the area covered by the Diocese, and for integrated schools generally.

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. However in the event that there were significant new works proposed on the site, consultation would be undertaken as appropriate in the circumstances, depending on the nature and scale of the works proposed.

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.



.....  
Sandra Orr  
**Regional Infrastructure Manager**  
Under delegated authority

Date: 11 September 2020

**Notice of Requirement to Waimakariri District Council for a Designation  
under Section 168 of the Resource Management Act 1991**

**Rangiora New Life School**

4.7653 hectares being:

Lot 1 DP 301664

Lot 3 301333 and described in title CB32F/200

