



MEMO

From: Natural & Built Environments Team
Date: May 2022
Subject: Conditions used in Minister of Education Designations

Background

Te Tāhuhu o te Mātauranga | The Ministry of Education's ("The Ministry") Natural & Built Environments ("N&BE") team has undertaken a review of conditions on existing education designations within district plans across the country and has prepared guidance on what conditions should be included on new or amended designations.

This document sets out the conditions that should typically be included in all education designations applying to new designations, alteration of existing designations, or roll-over of existing designations through district plan review processes. These "typical" designation conditions are listed below with the full drafting included in **Appendix A**:

- Education purpose explanation
- Outline Plan of Works exemption
- Construction conditions
- Operational conditions

Conditions that address specific environmental effects of a designation should also be included as appropriate. As Notices of Requirement or rollover notices are prepared these additional conditions should be drafted to support these "typical" education conditions. The Ministry's N&BE team can provide support to drafting of site specific conditions. The N&BE team can be contacted at Resource.Management@education.govt.nz

Appendix A

Conditions typically included in education designations

Education purposes explanation

Topic	Condition
Educational purposes explanation	<p><i>“Educational Purposes” for the purposes of [this/these] designation[s] shall, in the absence of specific conditions to the contrary:</i></p> <ol style="list-style-type: none"> <li data-bbox="443 526 1342 645"><i>i. Enable the use of the facilities on the designated site by and for the educational benefit of any school age students (i.e.: years 0 to 13) and early childhood children regardless of whether they are enrolled at any institution located on that designated site.</i> <li data-bbox="443 667 1302 723"><i>ii. Enable the provision of supervised care and study opportunities for students outside school hours in school facilities</i> <li data-bbox="443 745 1326 864"><i>iii. Enable the provision of community education (e.g.: night classes for adults) outside school hours in school facilities, and which will not be restricted to the primary syllabus taught to school age children during school hours</i> <li data-bbox="443 887 1394 1205"><i>iv. Include but not be limited to the provision of academic, sporting, social and cultural education including through:</i> <ul style="list-style-type: none"> <li data-bbox="507 958 1362 1014"><i>• Formal and informal recreational, sporting and outdoor activities and competitions whether carried out during or outside school hours;</i> <li data-bbox="507 1037 1310 1093"><i>• Formal and informal cultural activities and competitions whether carried out during or outside school hours;</i> <li data-bbox="507 1115 1334 1205"><i>• The provision of specialist hubs and units (including language immersion units and teen parent units) for students with particular educational requirements or special needs; and</i> <li data-bbox="443 1227 1394 1323"><i>v. Enable the use of facilities for purposes associated with the education of students including school assemblies, functions, fairs and other gatherings whether carried out during or outside school hours.</i> <li data-bbox="443 1346 1386 1442"><i>vi. Enable the provision of associated administrative services; carparking and vehicle manoeuvring; and health, social service and medical services (including dental clinics and sick bays).</i> <li data-bbox="443 1464 1318 1507"><i>vii. Enable the housing on site for staff members whose responsibilities require them to live on site (e.g.: school caretaker) and their families.</i>

Outline Plan of Works exemption

Topic	Condition
Outline Plan exemptions	<p><i>That an outline plan of works shall not be required for:</i></p> <p><i>a) Any internal building works other than those that result in a net increase in the number of classrooms or classroom equivalents;</i></p> <p><i>b) General building maintenance and repair work including but not limited to re-painting, re-cladding and re-roofing;</i></p> <p><i>c) Installing, modifying and removing playground furniture, sports structures (e.g. goal posts), and shade canopies;</i></p> <p><i>d) Amending any internal pedestrian circulation routes/pathways;</i></p> <p><i>e) Installing, maintaining or repairing any in ground infrastructure services such as stormwater, sewerage and water lines and connections, including any ancillary earthworks;</i></p> <p><i>f) Provision of landscaping and gardens, provided that it does not conflict with any designation condition or alter landscaping required as mitigation as part of an outline plan for other works;</i></p> <p><i>g) General site maintenance and repair work, or boundary fencing otherwise permitted by the [XYZ District Plan]; or</i></p> <p><i>h) Installing, modifying or removing minor ancillary buildings and structures (e.g. garden / storage sheds, temporary construction buildings / offices).</i></p>

Construction conditions

Topic	Condition
Construction Management Plans	<i>A Construction Management Plan shall be prepared and submitted with any outline plan for major site works.</i>
Construction Noise	<i>Noise from construction shall not exceed the limits recommended in, and shall be measured in accordance with, New Zealand Standards NZS 6803:1999 "Acoustics – Construction Noise".</i>

Operational conditions

Topic	Condition								
Noise (operational)	<p><i>The noise level arising from the operation of the school must comply with the following noise levels when measured within the boundary of any residentially zoned site, or within the notional boundary 20m from any dwelling on any site in any rural zone:</i></p> <table border="1"> <thead> <tr> <th>Time</th> <th>Noise Level</th> </tr> </thead> <tbody> <tr> <td><i>Monday to Saturday 7am to 10pm</i></td> <td><i>55 dB L_{Aeq}</i></td> </tr> <tr> <td><i>Sunday 9am to 6pm</i></td> <td></td> </tr> <tr> <td><i>All other times</i></td> <td><i>45 dB L_{Aeq} 75 dB L_{AFmax}</i></td> </tr> </tbody> </table> <p><i>These noise limits do not apply to noise from school sports and school recreational activities occurring between 8am and 6pm Monday to Saturday.</i></p>	Time	Noise Level	<i>Monday to Saturday 7am to 10pm</i>	<i>55 dB L_{Aeq}</i>	<i>Sunday 9am to 6pm</i>		<i>All other times</i>	<i>45 dB L_{Aeq} 75 dB L_{AFmax}</i>
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Noise levels shall be measured and assessed in accordance with NZS 6801:2008 "Measurement of Environmental Sound" and NZS 6802:2008 "Environmental Noise".

Travel Plan

Prior to opening of the school, the Requiring Authority shall, either directly or through the School Board of Trustees, develop a Travel Plan which provides specifically for measures to reduce private motor vehicle dependence, including walking school buses, carpooling, encouragement of the use of public transport, the use of remote pick up and drop off locations if appropriate, and the encouragement of walking and cycling. The Travel plan shall be maintained and regularly updated to respond to changes to the school and transport system while the school is operating under this designation.

Lapse date

The designation shall lapse on the expiry of 10 years from the date on which it is included in the District Plan if it has not been given effect to before the end of that period.