



FORM 13

Submission on a publically notified application concerning resource consent under section 96, Resource Management Act 1991

To: Canterbury Regional Council (Environment Canterbury)

Name of submitter: Ministry of Education ('the Ministry')

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This is a submission on the stormwater network discharge consent ('NDC') application by Christchurch City Council (CCC)(CRC190445). The Christchurch Stormwater NDC, if granted, will replace a previous application notified in 2016. The application is to discharge water and contaminants to land and water including coastal water, which will occur in accordance with Stormwater Management Plans (SMP) (as described in the CCC application).

The specific parts of the application that the Ministry's submission relates to are:

The lack of clarity around the future and potential effects of the NDC on Crown-owned sites administered by the Ministry particularly where it is proposed to provide stormwater facilities on Ministry land.

Background:

The Ministry is the Government's lead advisor on the education system, shaping direction for education agencies and providers and contributing to the Government's goals for education. The Ministry's overall purpose is:

"Lifting aspiration and raising education achievement for every New Zealander"

Amongst other educational matters, the Ministry has a responsibility for managing all education property owned by the Crown in order for education providers to have the resources and support they need to deliver services to students. As such, the Ministry monitors and responds to resource consent applications that may have a potential impact on the operation of a school including the safety of teachers and students. The Ministry manages over 150 school sites in the CCC area.

The Ministry of Education's submission is:

The Ministry's submission is neutral. The Ministry supports many of the objectives outlined with the CCC's application but seeks further clarity on key matters through this consent process.

Specifically, the Ministry would like to ensure co-ordination and consultation between CCC and the Ministry with regard to the planning of stormwater operations, particularly where these are likely to impact on Crown property. As infrastructure providers that support the social and physical operation of the Christchurch community, both CCC and the Ministry necessarily have integrated infrastructure objectives and outcomes.

In particular, the Ministry seeks strategic input into the management of stormwater infrastructure, where CCC proposes to utilise Crown (school land) to achieve the outcomes and stormwater management solutions of the NDC. It is noted that CRC190445 proposes that at least three school properties may be utilised for stormwater management purposes in three of the completed SMPs and that further stormwater management facilities may be included on school properties in future SMPs. In addition, use of school sites is likely to require appropriate legal instruments, particularly as the Crown is generally not bound by the Local Government Act, which relates to private land only. To this end it is suggested additional wording is added to the proposed conditions of CRC190445.

The desired outcome is that CCC engages with the Ministry early to help deliver the Council's NDC and the stormwater management plans for the city, including those projects that (directly or indirectly) impact on a school's ability to operate effectively and sustainably.

The Ministry of Education seeks the following decision from the consent authority:

The Ministry seeks the following relief or similar:

- a) That the Ministry be considered a key stakeholder in the development of stormwater management facilities, particularly where projects include the use of Ministry land.
- b) That the following new condition is added to the proposed conditions of CRC190445 (suggested after condition 5):
 6. Separate consultation will be undertaken with the Ministry of Education/Crown, with the objective of reaching agreement to an integrated approach around the use of school sites for stormwater management. That approach must involve and resolve
 - a) Licenses to Occupy (during construction); and
 - b) The creation/registration of legal instruments such as easements over Crown land (designated) for stormwater purposes

The Ministry wishes to be heard in support of their submission.



**Morgan Fallowfield
Planner- Beca Ltd**

(Consultant to the Ministry of Education)

Date: 31 August 2018