

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

The site to which the requirement applies is as follows:

The parcels of land described in Titles Referenced WND142/296, WN119/87, WN8B/1162, WN491/155, WN5B/1487 in the Wellington Registry being part of the land at 183 Waterloo Road, Lower Hutt as shown on the designation plan attached.

The land is occupied by St Bernard's College which is a state integrated full Catholic secondary school.

St Bernard's College is a single sex boy's state integrated Catholic secondary school (years 7 to 13). The school is currently capable of accommodating 660 students. The current roll is approximately 657, which is an increase from 637 over the last five years.

The college has 35 teaching spaces, paved hard courts and grassed playing areas a cafeteria, music suite, technology block, and gymnasium. The site has frontage to Waterloo Road and also vehicle access to Marina Grove and Anderson Grove. The site is largely within a residential area, however, immediately to the west is the Lower Hutt Central Fire Station. The school has 20 on site car parks and there is also parking on both sides of Waterloo Road.

The college has over the last ten years been going through a progressive programme of redevelopment authorised through resource consents and replacement of buildings through existing use rights. The most recent is the replacement of Blocks C and D which are part of the main teaching block fronting Waterloo Road.

The nature of the proposed public work is:

Designation for education purposes under the Resource Management Act 1991 to enable the ongoing operation, maintenance and development of public education on the site.

The nature of the work conducted and operated on the site and to which the designation notice is given is:

- The use of the facilities on the designated site by and for the educational benefit of school age students of years 7 to 13 and early childhood children regardless of whether they are enrolled at any institution located on that designated site.
- The provision of supervised care and study opportunities for students outside school hours in school facilities.
- The provision of community education (eg night classes for adults) outside school hours in school facilities . The classes are not restricted to the primary syllabus taught to school age children

during school hours.

- The provision of academic, sporting, social and cultural education including through:
 - Formal and informal recreational, sporting and outdoor activities and competitions whether carried out during or outside school hours;
 - Formal and informal cultural activities and competitions whether carried out during or outside school hours; and
 - The provision of specialist hubs and units (including language immersion units and teen parent units) for students with particular educational requirements or special needs.
- 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.
- The provision of associated administrative services; car parking and vehicle maneuvering; and health, social service and medical services (including dental clinics and sick bays).
- The housing on site for staff members whose responsibilities require them to live on site (eg: school caretaker) and their immediate family.

The nature of the proposed restrictions that would apply are:

There are no proposed restrictions given the long established educational purposes and operation presently conducted upon the land.

The effects that the public work will have on the environment, and the ways in which any adverse effects will be mitigated, are:

The educational activities on the land have no deleterious or adverse environmental effect. The school is located east of the centre of Lower Hutt. The people in this community benefit from having access to a state education with a special Catholic character.

General

Four principal environmental effects of the continued operation of the school can be identified as:

- The positive contribution made to the local communities
- The modification made to the visual amenity

- The effects on local traffic flows; and
- The effect on the local noise environment.

Contribution to Communities

Schools are a long established and integral component of the Lower Hutt environment, and the availability of adequate educational facilities of this nature is a reasonable expectation of both urban and rural dwellers.

This effect is considered to be entirely consistent with the Resource Management Act's purpose of allowing people and communities to provide for their "*social economic and cultural wellbeing.*"

Visual Effects

Schools are typical of structures in the urban environment and school facilities are well accepted as an integral component and no special mitigation measures are considered necessary. St Bernard's College buildings and associated structures have existed on site for many years. Additions and building replacements have taken place during the life of the school and will continue to do so. The school presents a high level of visual amenity to the street and general area.

Traffic Flows

Schools interact with local traffic in two main ways:

- By general additional traffic (largely vehicular) and;
- By having the potential to disrupt traffic flows (through both vehicular and pedestrian actions).

The first factor does not warrant consideration in this evaluation since the school has been in place for many years.

Adverse effects may be created by traffic either crossing some major roads or merging with other traffic using those roads. In order to mitigate potential effects created either by crossing a major road or merging with traffic on that road, the school has appropriate roadside signage in the vicinity; and has systems in place for ensuring that school traffic arrives and leaves the school without creating a hazard to traffic. There is kerb side parking available on Waterloo Road. There is good visibility in both directions. In addition there is a pedestrian crossing specifically for the school's needs.

Noise

Schools modify the local noise environment in three ways:

- Through the introduction of an additional concentrated local noise source at regular times of the day when pupils are outside the classroom environment;
- Through the introduction of an additional concentrated local noise source at regular times of the day as pupils arrive at and depart from the school; and
- Through the introduction of an irregular local noise source with other school based activities.

The activity which is subject to this notice is existing, and is an accepted part of the noise

environment of the area. Accordingly, there are no significant adverse effects on the environment from noise generated on the school site as a result of this Notice of Requirement. No proposed mitigation measures are therefore called for.

Alternative sites, routes, and methods have been considered to the following extent:

The site which is the subject of this Notice of Requirement is currently an established school that was acquired for educational purposes. Accordingly, it is not necessary to assess alternative sites, routes or methods.

The public work and designation are reasonably necessary for achieving the objectives of the requiring authority because:

Designation of existing schools is a technique used nationally by the Minister of Education and is seen by the Minister as being the most effective way of ensuring that the Minister's interest in a site is protected. The primary reasoning for adopting this technique is the greater certainty provided in terms of future management options for the site relative to other available methods. This certainty is considered to be very important by the Minister since a longer term commitment is traditionally made to any particular site selected for the operation of a school.

Designation also clearly identifies the likely long term location of this particular activity and this is seen as beneficial to both other resource uses and to the Hutt City Council.

The principal alternative means of protecting the Minister's long term interest in a particular site would be to seek to have an appropriate rule included in the District Plan which classifies the operation of school and other related activities as "permitted activities" within the given area.

This alternative approach would leave the Minister exposed to future proposed plan changes, which may not be directly related to the carrying out of these specific activities but which nevertheless would cause the Minister to incur unnecessary cost and to reduce uncertainty as to future operations. Consequently, designation is regarded by the Minister as the most appropriate method for protecting his interests.

The following consultation has been undertaken with parties that are likely to be affected:


No consultation has been undertaken in respect of this Notice of Requirement as the site is existing with established college and associated activities thereon. Notwithstanding this, there is a commitment to consulting affected parties as appropriate with respect to new works on this site.

The following information is attached to this notice as required to be included by the district plan, regional plan, or any regulations made under the Resource Management Act 1991.

- a) Copies of Titles

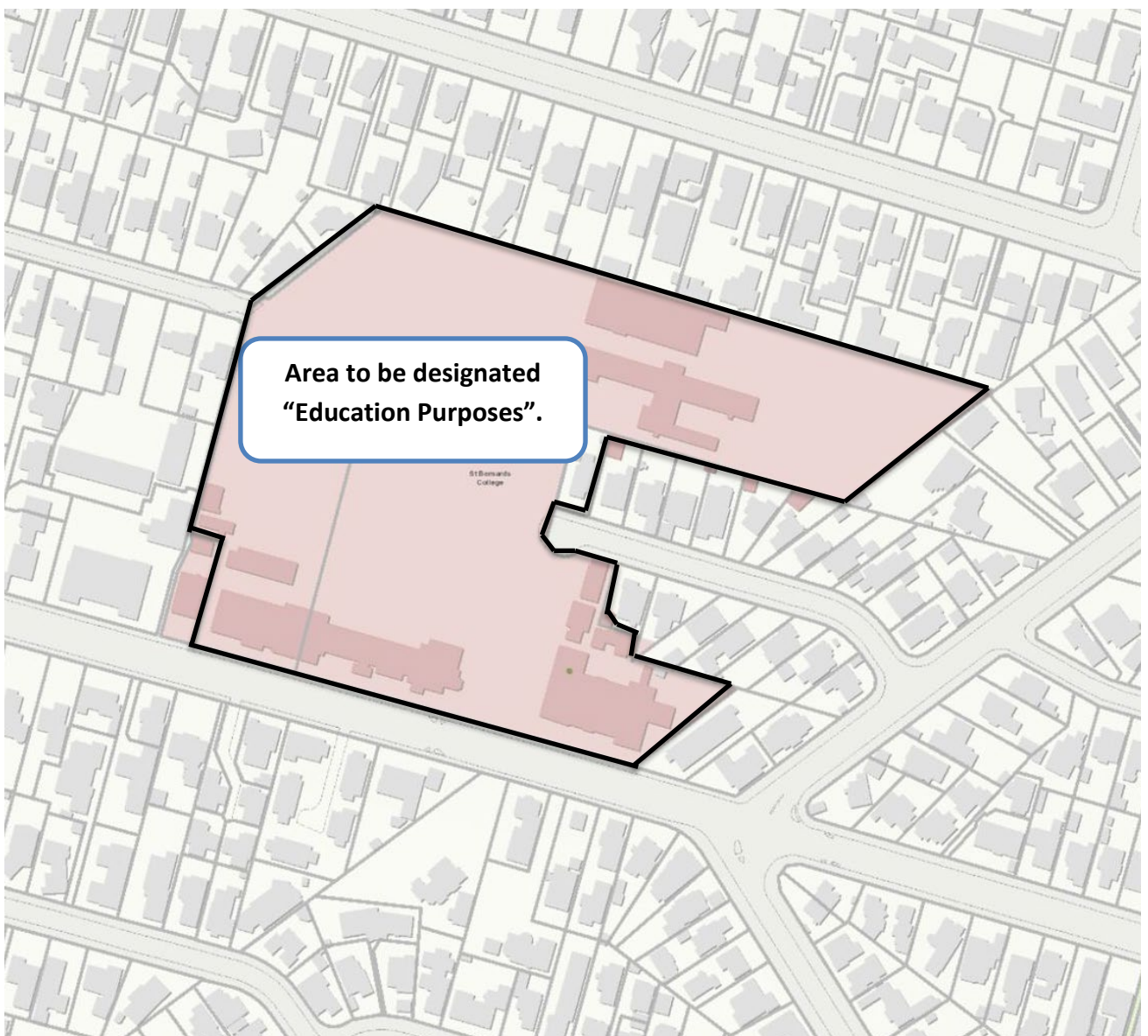
Clive Huggins
Director Land Investment and Planning
Education Infrastructure Services
Ministry of Education
(Pursuant to an Instrument of Delegation as at June 2016)

Date: 1 October 2024.....


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

4.1675 hectares being Lot 2 Deposited Plan 1262 described in title WN142/296, Lot 1 Deposited Plan 1262 described in title WN119/87, Part Lot 8 Deposited Plan 12406 described in title WN8B/1162, Lot 1 Deposited Plan 12406 described in title WN491/155, and Part Lot 1 Application Plan 1927, Lot 38-39 and Part Lot 40-41 Deposited Plan 1377, Part Lot 19 Deposited Plan 11212, Lot 2 and Part Lot 3 Deposited Plan 12082 and Lot 1-4 Deposited Plan 12363 described in title WN5B/1487.





**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R. W. Muir
Registrar-General
of Land

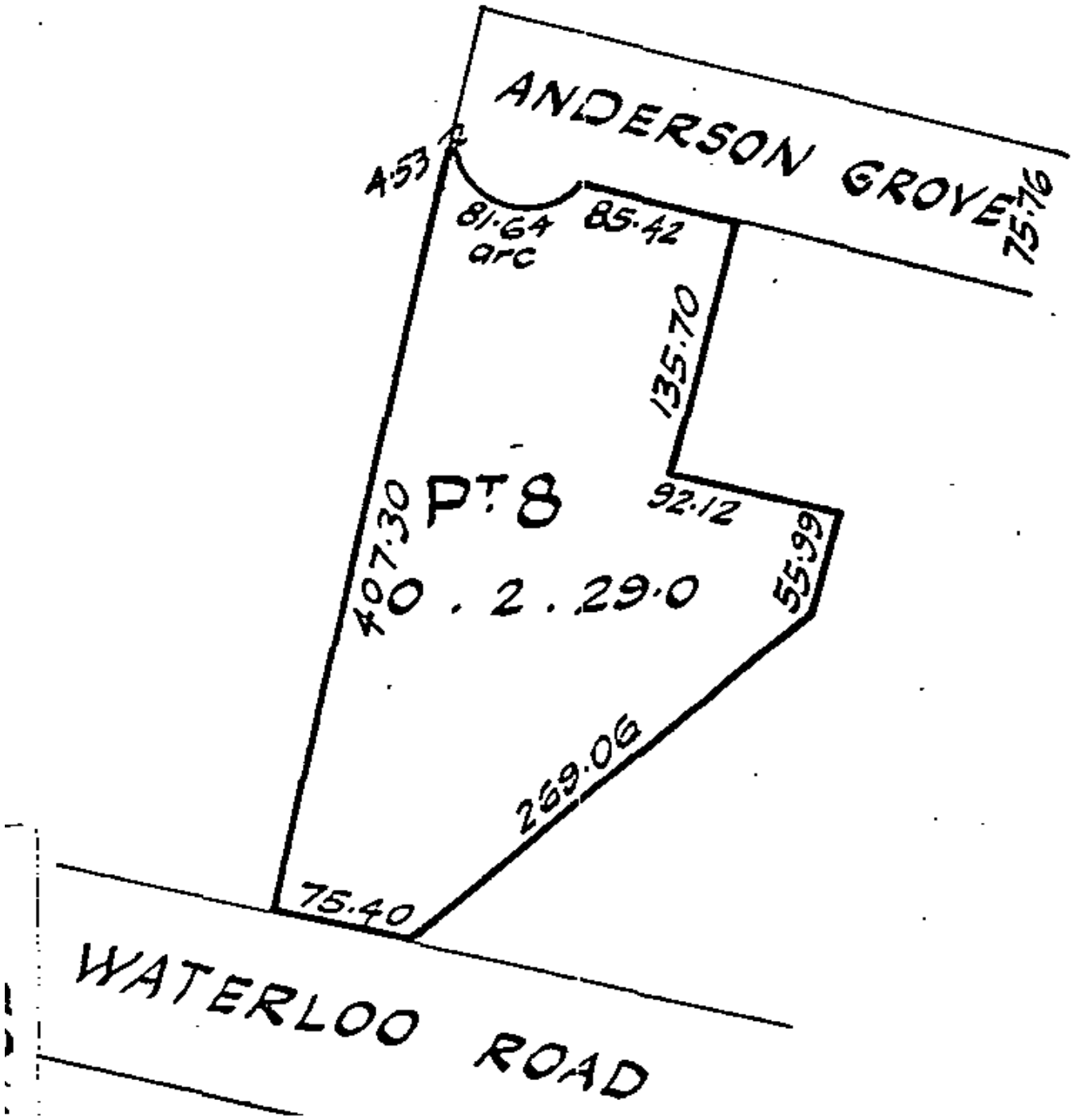
Identifier **WN8B/1162**
Land Registration District **Wellington**
Date Issued 22 September 1970

Prior References
WN489/275

Estate Fee Simple
Area 2757 square metres more or less
Legal Description Part Lot 8 Deposited Plan 12406
Registered Owners
The Roman Catholic Archbishop of the Archdiocese of Wellington

Interests

1900 Order in Council imposing Building Line Restriction
449910.1 Mortgage to Ichthus Limited - 7.10.1981 at 9.53 am
634233.1 Variation of Mortgage 449910.1 - 16.7.1984 at 9.25 am
684117.1 Variation of Mortgage 449910.1 - 18.4.1985 at 9.30 am
814588.1 Variation of Mortgage 449910.1 - 3.11.1986 at 1.57 pm
910383.1 Variation of Mortgage 449910.1 - 22.3.1988 at 10.50 am
B840308.2 Variation of Mortgage 449910.1 - 21.6.2001 at 3.50 pm
B840308.3 Mortgage to The Roman Catholic Archbishop of the Archdiocese of Wellington - 21.6.2001 at 3.50 pm





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Registrar-General
of Land

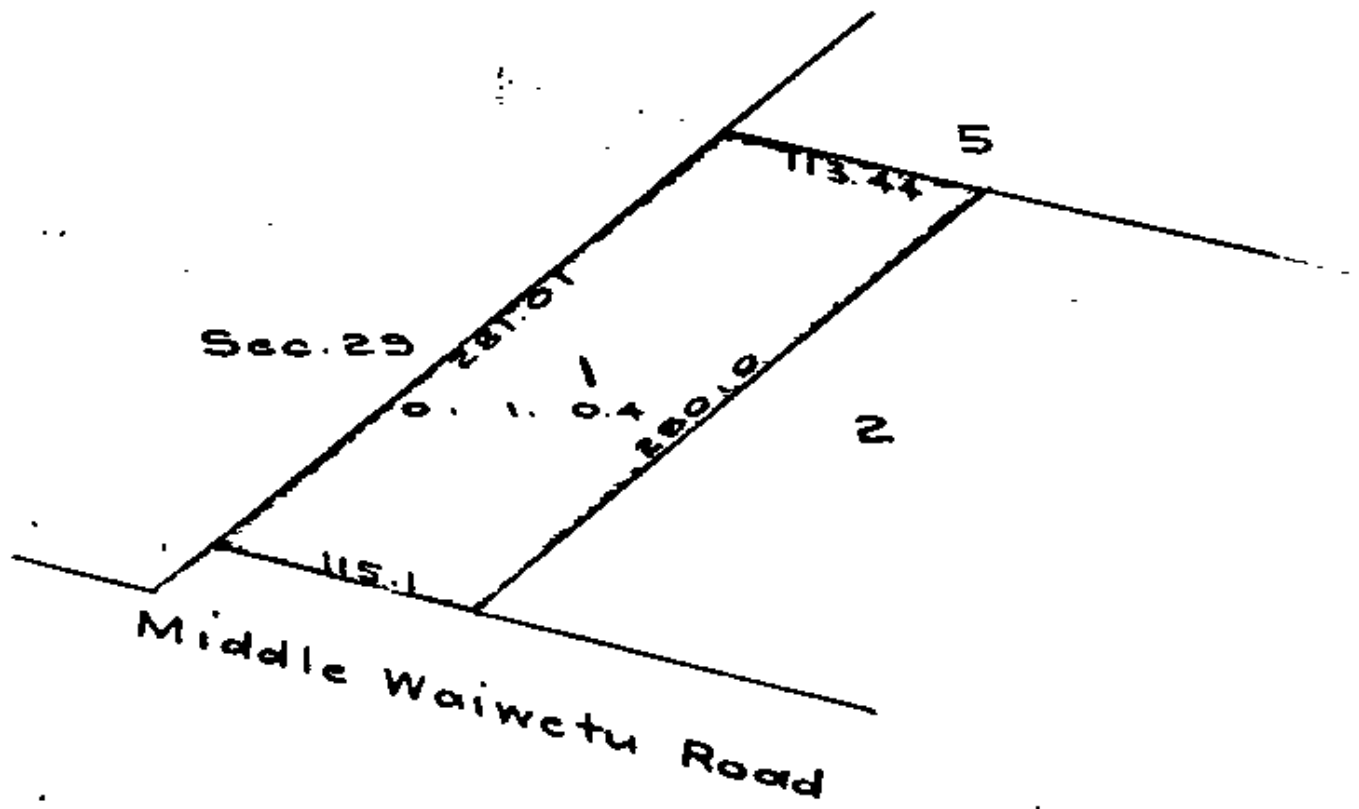
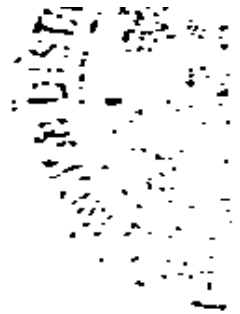
Identifier **WN119/87**
Land Registration District **Wellington**
Date Issued 05 July 1902

Prior References
WN115/162

Estate Fee Simple
Area 1022 square metres more or less
Legal Description Lot 1 Deposited Plan 1262
Registered Owners
The Roman Catholic Archbishop of the Archdiocese of Wellington

Interests

449910.1 Mortgage to Ichthus Limited - 7.10.1981 at 9.53 am
634233.1 Variation of Mortgage 449910.1 - 16.7.1984 at 9.25 am
684117.1 Variation of Mortgage 449910.1 - 18.4.1985 at 9.30 am
814588.1 Variation of Mortgage 449910.1 - 3.11.1986 at 1.57 pm
910383.1 Variation of Mortgage 449910.1 - 22.3.1988 at 10.50 am
B840308.2 Variation of Mortgage 449910.1 - 21.6.2001 at 3.50 pm
B840308.3 Mortgage to The Roman Catholic Archbishop of the Archdiocese of Wellington - 21.6.2001 at 3.50 pm





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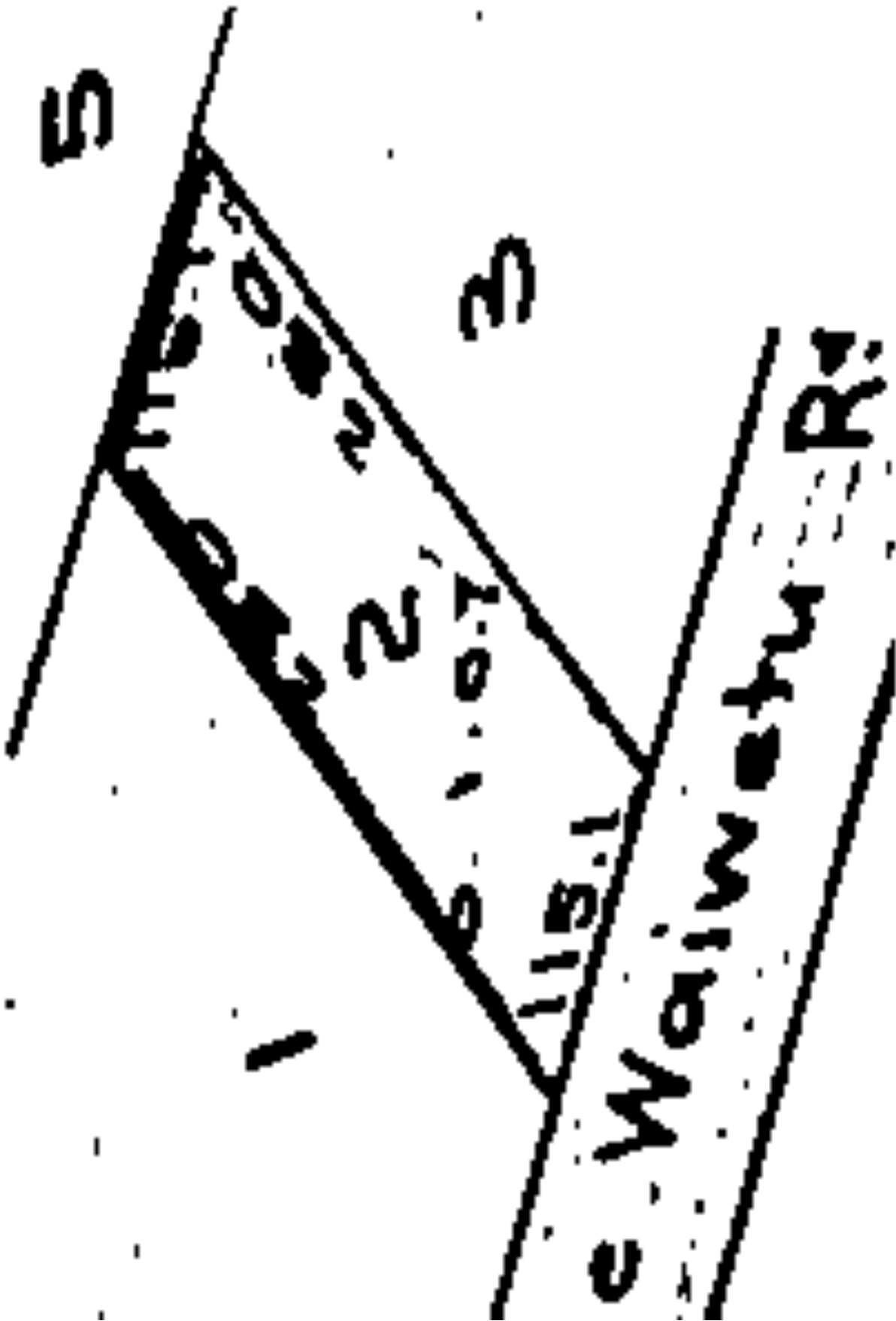

R. W. Muir
Registrar-General
of Land

Identifier **WN142/296**
Land Registration District **Wellington**
Date Issued 02 June 1905

Prior References
WN115/162

Estate Fee Simple
Area 1029 square metres more or less
Legal Description Lot 2 Deposited Plan 1262
Registered Owners
The Roman Catholic Archbishop of The Archdiocese of Wellington

Interests





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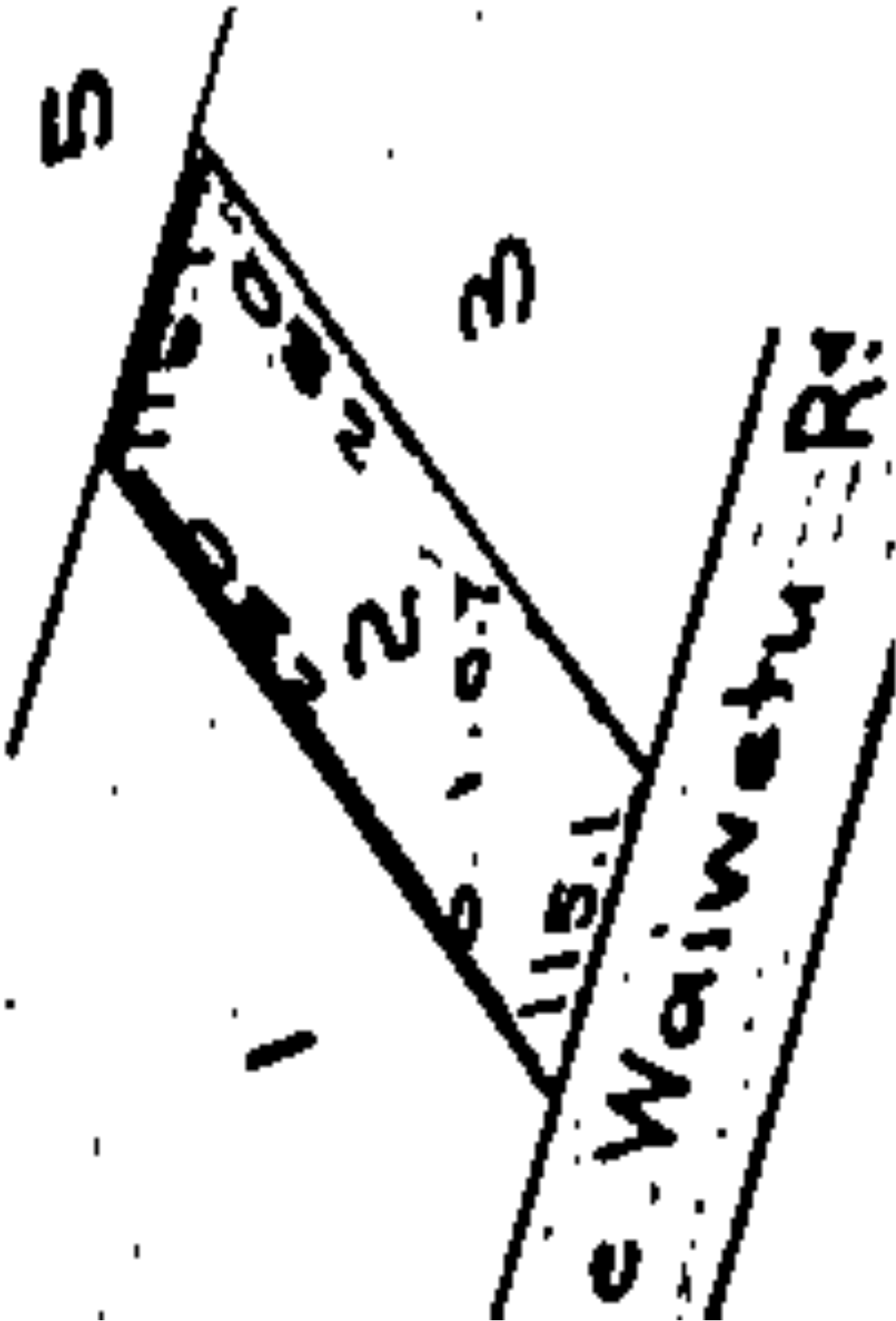

R. W. Muir
Registrar-General
of Land

Identifier **WN142/296**
Land Registration District **Wellington**
Date Issued 02 June 1905

Prior References
WN115/162

Estate Fee Simple
Area 1029 square metres more or less
Legal Description Lot 2 Deposited Plan 1262
Registered Owners
The Roman Catholic Archbishop of The Archdiocese of Wellington

Interests





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Registrar-General
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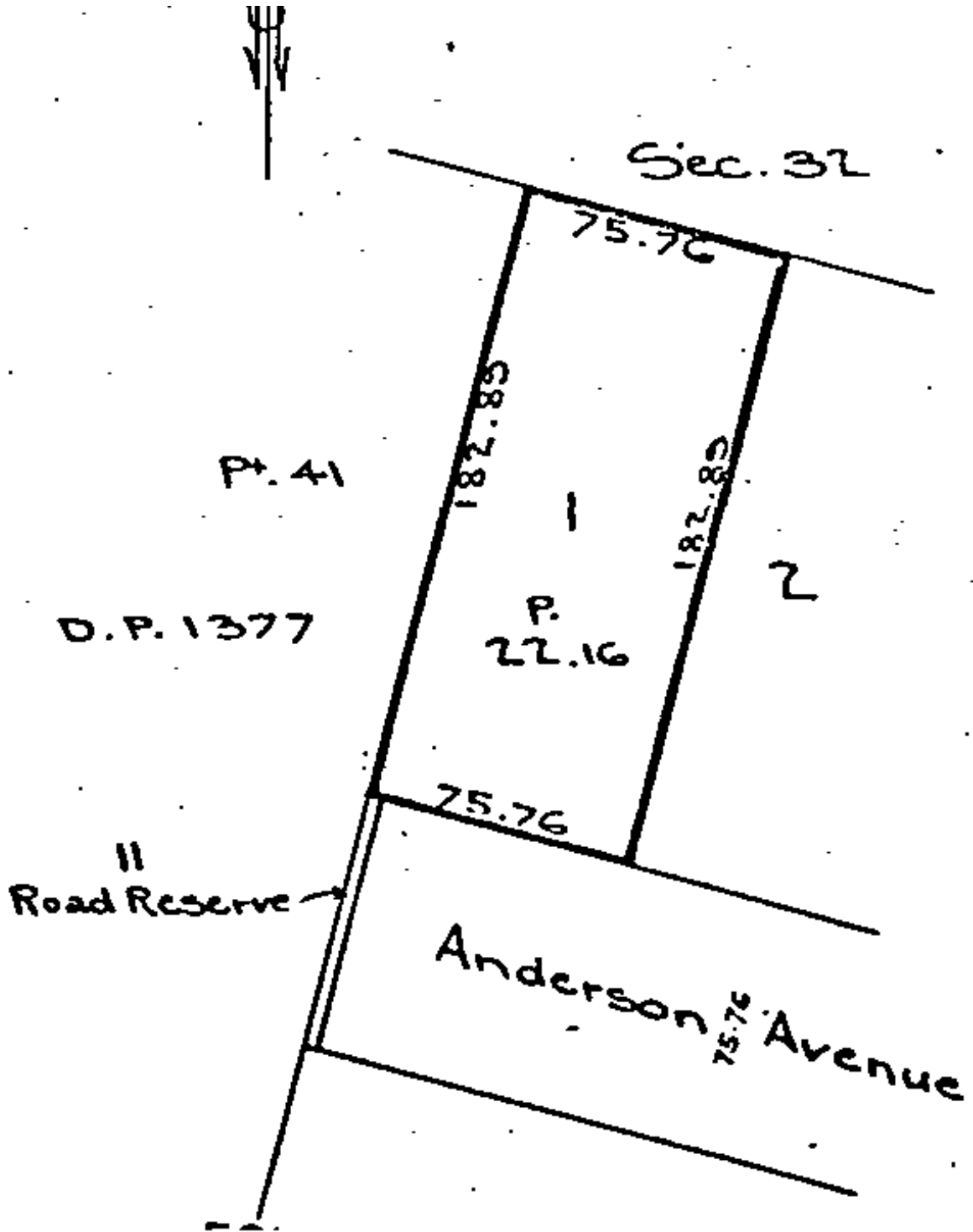
Identifier **WN491/155**
Land Registration District **Wellington**
Date Issued 30 April 1942

Prior References
WN136/210

Estate Fee Simple
Area 560 square metres more or less
Legal Description Lot 1 Deposited Plan 12406
Registered Owners
The Roman Catholic Archbishop of the Archdiocese of Wellington

Interests

1900 Order in Council imposing Building Line Restriction - 24.9.1941 at 10.00 am
11381243.1 CERTIFICATE PURSUANT TO SECTION 77 BUILDING ACT 2004 THAT THIS RECORD OF TITLE IS SUBJECT TO THE CONDITION IMPOSED UNDER SECTION 75(2) (ALSO AFFECTS WN5B/1487) - 11.3.2019 at 12:02 pm
11381243.1 Subject to Section 81(2) and 81(3) Building Act 2004 (affects WN5B/1487) - 11.3.2019 at 12:02 pm





**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
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R. W. Muir
Registrar-General
of Land

Identifier **WN5B/1487**
Land Registration District **Wellington**
Date Issued 24 November 1967

Prior References
WN939/48

Estate Fee Simple
Area 3.7364 hectares more or less
Legal Description Part Lot 1 Application Plan 1927, Lot 38-39 and Part Lot 40-41 Deposited Plan 1377, Part Lot 19 Deposited Plan 11212, Lot 2 and Part Lot 3 Deposited Plan 12082 and Lot 1-4 Deposited Plan 12363

Registered Owners
The Roman Catholic Archbishop of the Archdiocese of Wellington

Interests

Subject to drainage rights over part coloured blue on DP 22978 (affects part Application Plan 1927) specified in Easement Certificate 774504 - 25.2.1969 at 11.54 am

The easement specified in Easement Certificate 774504 is subject to Section 351E (a) Municipal Corporations Act 1954 449910.1 Mortgage to Ichthus Limited - 7.10.1981 at 9.53 am

634233.1 Variation of Mortgage 449910.1 - 16.7.1984 at 9.25 am

684117.1 Variation of Mortgage 449910.1 - 18.4.1985 at 9.30 am

814588.1 Variation of Mortgage 449910.1 - 3.11.1986 at 1.57 pm

Subject to a right (in gross) to erect and maintain an electric substation over part marked A (affects Lot 2 DP 12082 herein) and rights (in gross) to convey electricity and gas over part marked B on DP 58931 (affects Lot 2 and 3 DP 12082 herein) in favour of (now) Powerco Limited and Vector Wellington Electricity Network Limited in shares created by Transfer 859140.1 - 24.6.1987 at 2.15 pm

910383.1 Variation of Mortgage 449910.1 - 22.3.1988 at 10.50 am

B840308.2 Variation of Mortgage 449910.1 - 21.6.2001 at 3.50 pm

B840308.3 Mortgage to The Roman Catholic Archbishop of the Archdiocese of Wellington - 21.6.2001 at 3.50 pm

11381243.1 CERTIFICATE PURSUANT TO SECTION 77 BUILDING ACT 2004 THAT THIS RECORD OF TITLE IS SUBJECT TO THE CONDITION IMPOSED UNDER SECTION 75(2) (ALSO AFFECTS WN491/155) - 11.3.2019 at 12:02 pm

11381243.1 Subject to Section 81(2) and 81(3) Building Act 2004 (affects WN491/155) - 11.3.2019 at 12:02 pm

