

This entire chapter has been notified using the RMA Part One, Schedule 1 process ([P1 Sch1](#)).

MCOU – Minita mō Ngā Kōti

MCOU – Minister for Courts

Minister for Courts

~~Appendix K: Wellington District Court (Minister For Courts — J1): Conditions~~

Conditions 1:

The Designation for the Wellington District Court Site is subject to the following conditions:

1. ~~(i)~~ Nothing in this designation authorises the demolition or partial demolition of the exterior of the original (1907) façade of the existing building which is a heritage building, and any such proposal shall require the Minister to either obtain any necessary resource consent or to seek the alteration of this designation by the removal of this condition. For the avoidance of doubt this condition does not cover repairs or maintenance, or additions or alterations, or any other activity requiring an outline plan under s.176A.
2. ~~(ii)~~ Prior to the preparation of any proposal to undertake any additions or alternations to the 1907 façade of the District Court building, the Minister or his/her representative shall meet with ~~New Zealand Historic Places Trust~~ [Heritage New Zealand](#) to discuss the proposal.
3. ~~(iii)~~ The Minister shall provide any subsequent plan(s) of any alterations and additions, as specified above, for comment by ~~New Zealand Historic Places Trust~~ [Heritage New Zealand](#) within 15 working days. In the event that there are any points raised by ~~New Zealand Historic Places Trust~~ [Heritage New Zealand](#), the Department for Courts shall arrange to meet with ~~The Trust~~ [Heritage New Zealand](#) to discuss the points raised.
4. ~~(iv)~~ The Minister for Courts shall provide a copy of the application for outline plan approval to ~~New Zealand Historic Places Trust~~ [Heritage New Zealand](#) at the same time it is lodged with the Council. ~~The Trust~~ [Heritage New Zealand](#) will then forward its comment on the proposal to the Council within 5 working days.

~~Appendix W: Supreme Court Designation Conditions~~

Conditions 2:

The Designation for the Supreme Court Site is subject to the following conditions:

Assessment of Environmental Effects

1. An assessment of environmental effects (in the form envisaged by Schedule 4 of the Resource Management Act 1991, but excluding clause (1)(b) relation to alternative locations or methods) of any work(s) proposed should be submitted with any future Outline Plans, the assessment of effects shall include the information required under ~~section 3.2.2 and section 3.2.4 of Part 1-~~ [information to be submitted with resource consents in](#) the Wellington City Council District Plan.

Building Height

2. No building on the site shall exceed 20m in height above ground level. The requiring authority shall obtain the agreement of ~~New Zealand Historic Places Trust~~ Heritage New Zealand for any material works on the new building that extend above the parapet height of the old High Court building.

~~Construction~~

- ~~3. The Requiring Authority shall prepare and submit a Construction Management Plan (CMP) to the Manager, Compliance Monitoring and Enforcement, Wellington City Council for approval at least 10 working days prior to works commencing. Works shall not commence until the CMP has been approved by the Manager, Compliance Monitoring and Enforcement.~~
- ~~4. The CMP shall include specific details relating to demolition, excavation, construction and restoration of all works associated with the Project, including:
 - a) Details of the site or project manager, including their contact details (phone, facsimile, postal address, email address);
 - b) The location of large notice boards that clearly identify the project name, together with the name, telephone number, email and address for service of the site or project manager;
 - c) An outline of the construction programme;
 - d) Days and hours of work;
 - e) An outline of anticipated construction related traffic and how it will be managed both onsite and offsite;
 - f) Measures to be adopted to maintain the site in a tidy condition in terms of disposal/storage of rubbish, storage and unloading of building materials and similar construction activities;
 - g) Location of workers' offices and conveniences (e.g. portaloos);
 - h) Means of ensuring the safety of the general public;
 - i) The protocol for the discovery of archaeological remains as referred to in condition 8 below.
 - j) Methods of avoiding, remedying or mitigating any potential adverse construction related effect (including dust, debris and mud on public roads etc).~~
- ~~5. The CMP shall be implemented and maintained throughout the entire construction and restoration period.~~
- ~~6. Noise associated with the work must comply in all aspects with the controls set out in NZS 6803:1999 and all persons undertaking day to day activity management will adopt the best practical option at all times to ensure the emission of noise from the site does not exceed a reasonable level in accordance with section 16 of the Resource Management Act 1991.~~
- ~~7. Temporary protection shall be installed to prevent vehicles damaging drains, footpaths, kerbs, vehicle crossings during construction. Any damage to the drains, footpaths, berms, kerbs, vehicle crossings and the roads attributable to any vehicle associated with construction activities shall be repaired to the same or similar standard as existed prior to such damage at no cost to the Wellington City Council.~~

Archaeological

8. Prior to works commencing, an Archaeological Management Plan shall be prepared by the Requiring Authority in consultation with the site engineer, primary contractor, project archaeologist and ~~New Zealand Historic Places Trust~~ Heritage New Zealand. This plan shall include the following:

- a. procedures for any archaeological investigation or monitoring,
- b. the role, responsibility and level of authority of the approved archaeologist(s),
- c. protocols for the unexpected discovery of archaeological material,
- d. timeframes for archaeological work,
- e. requirements for stand down periods to enable archaeological work,
- f. the responsibilities of contractors with regard to notification of archaeological sites, and
- g. mechanisms for dispute resolution.

Note: ~~The Historic Places Act 1993~~ [Heritage New Zealand Pouhere Taonga Act 2014](#) provides for the identification, protection, preservation and conservation of the historic and cultural heritage of New Zealand. Section ~~40 44~~ of the Act directs that ~~an application for~~ an authority ~~can be made to is~~ [required from New Zealand Historic Places Trust Heritage New Zealand](#) if there is “reasonable cause” to suspect an archaeological site (recorded or unrecorded), may be modified, damaged or destroyed in the course of any activity. An authority is required for such work whether or not the land on which an archaeological site may be present is designated, or a resource or building consent has been granted.

Cultural

9. Prior to any works commencing on the site, a ground breaking and blessing ceremony shall be carried out by kaumatua from Wellington Tenth Trust.
10. If, during any earthworks any koiwi (human skeletal remains) or other Māori cultural materials are unearthed, work in the immediate vicinity shall cease immediately. The area shall be immediately secured and the project archaeologist along with representatives of the Wellington Tenth Trust must be promptly advised to carry out an initial examination. Heritage New Zealand is also to be advised. The Police must be contacted if any human remains are uncovered
11. If, as a result of this initial investigation there is a need for an appropriate ceremony the iwi authority representatives will arrange for the process at the Requiring Authority’s expense.

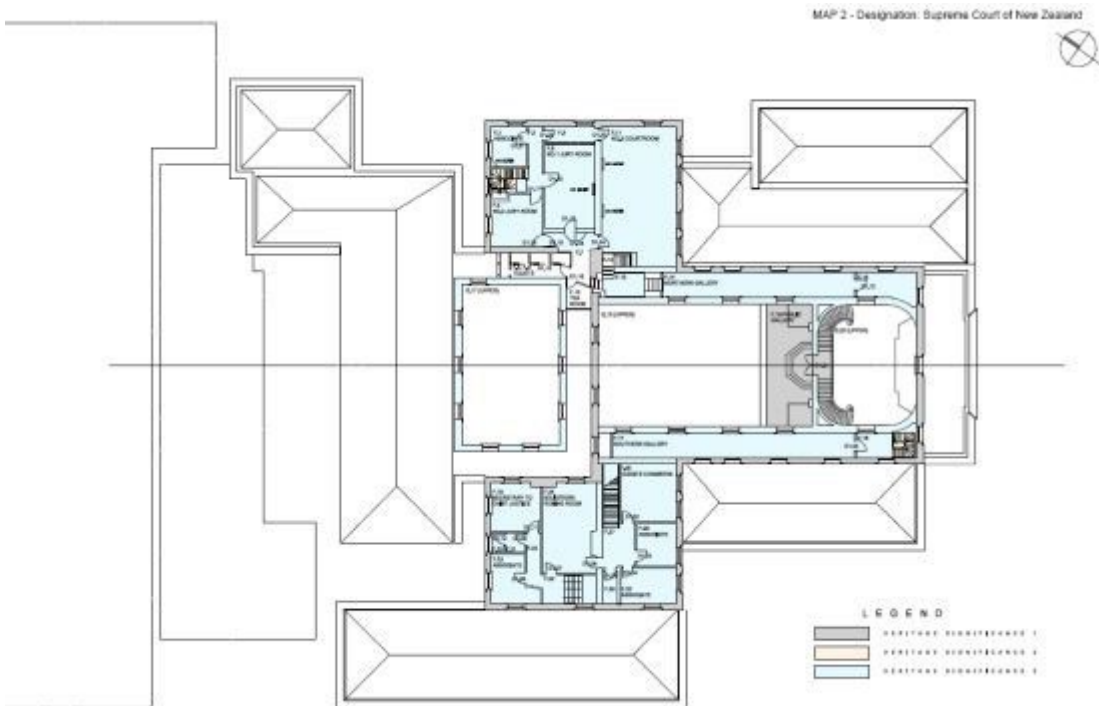
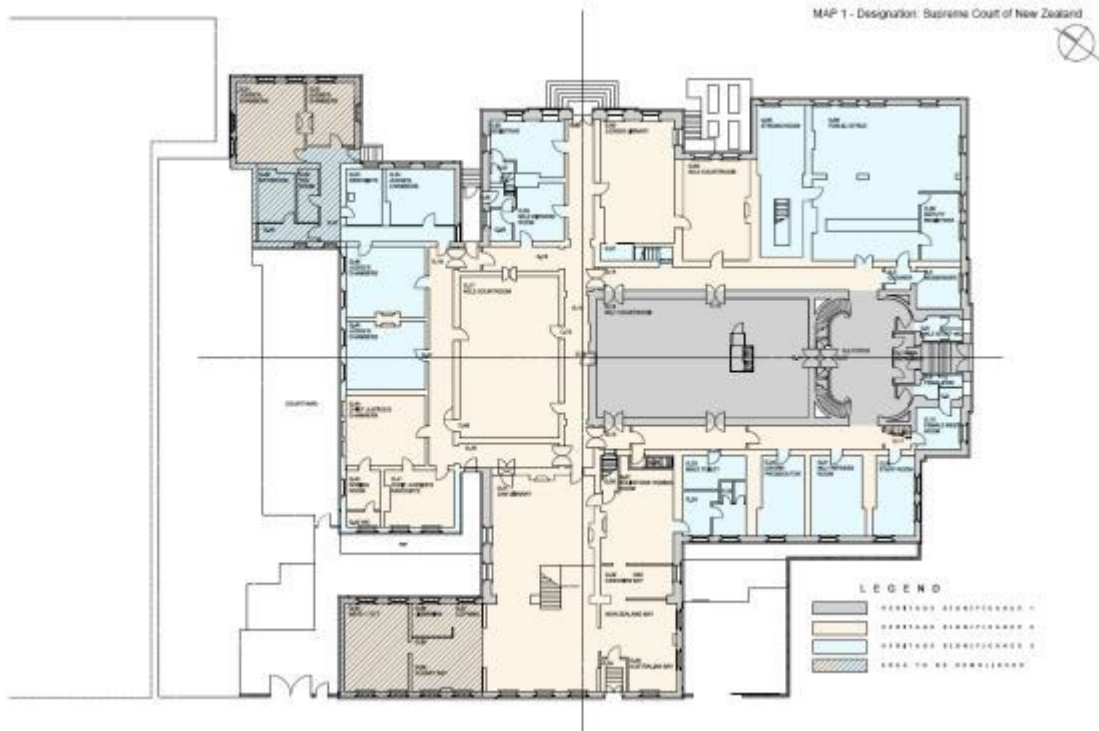
Heritage Conditions

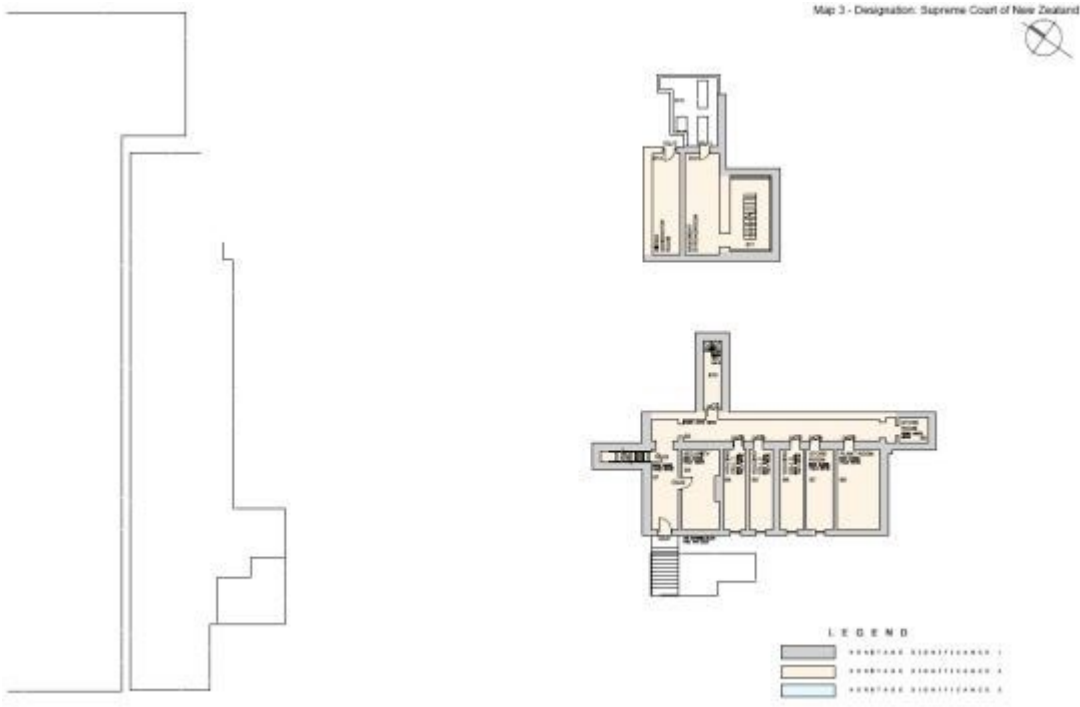
~~12. For those parts of the Old High Court Building that are to be demolished and not replaced (shown on Map 1 (Attached as Appendix 1) as hatched areas and listed in Table 1) there are no heritage restrictions.~~

12. For the parts of the Old High Court Building listed as Heritage Significance Category 1, 2 or 3 ~~in Table 2 below~~ (and shown on Maps 1, 2, 3 and 4 ~~(Attached as Appendix 1)~~):
 - i. ~~(a)~~ “Modifications” shall include maintenance, stabilisation and strengthening, repair, adaptive reuse, removal and reuse, and the demolition required for the new Supreme Court and the Old High Court Building complex.
 - ii. ~~(b)~~ Modifications to Heritage Significance 1 parts of the Old High Court Building may occur only for the purposes of meeting essential functional, construction or restoration requirements as determined by the Secretary for Justice in consultation with [New Zealand Historic Places Trust Heritage New Zealand](#) and the Manager of Urban Design Policy, Wellington City Council, safeguarding the building, or meeting statutory requirements. Any modifications shall be as discreet as practicable in the circumstances and the minimum reasonably necessary in the circumstances.
 - iii. ~~(c)~~ Modifications to Heritage Significance 2 parts of the Old High Court Building may occur only for the purposes of meeting functional, construction or restoration requirements as determined by the Secretary for Justice in consultation with ~~New Zealand Historic Places Trust~~ [Heritage New Zealand](#)

and the Manager of Urban Design Policy, Wellington City Council, safeguarding the building, or meeting statutory requirements. Any modifications shall be as discreet as practicable in the circumstances and the minimum reasonably necessary in the circumstances.

- iv. ~~(d)~~ Modifications to Heritage Significance 3 parts of the Old High Court Building may occur only for the purposes of meeting functional, construction or restoration requirements or improvements as determined by the Secretary for Justice in consultation with ~~New Zealand Historic Places Trust~~ [Heritage New Zealand](#) and the Manager of Urban Design Policy, Wellington City Council.
 - v. ~~(e)~~ Any other modifications to Heritage Significance 1, 2 and 3 parts of the Old High Court Building which the Secretary for Justice thinks desirable for the complex may occur if agreed to by Heritage New Zealand and the Manager of Urban Design Policy, Wellington City Council.
13. The items ~~shown listed in Table 2 below (and~~ on Maps 1 and 2 ~~(Attached as Appendix 1))~~ as Significant Fabric in Heritage Significance 1 parts of the Old High Court Building shall only be modified in consultation with a suitably qualified conservation architect.
 14. Public access to the No 1 Courtroom in the Old High Court Building will be provided in accordance with access protocols, prepared and approved by the Secretary for Justice in consultation with ~~New Zealand Historic Places Trust~~ [Heritage New Zealand](#). The access protocol will balance the interests of the public in being able to see and enjoy the spaces, and the functional requirements of the Supreme Court and other justice purposes in using the spaces and the Old High Court Building efficiently and securely. Access protocols may be amended from time to time by the Secretary for Justice in consultation with ~~New Zealand Historic Places Trust~~ [Heritage New Zealand](#) and the Manager of Urban Design Policy Wellington City Council. The Secretary of Justice shall forward to the Chief Executive Officer of the Wellington City Council any such protocol once approved.
 15. For the interior spaces in the Old High Court Building listed as No Heritage Significance ~~in Table 2 below~~ (and shown on Maps 1 and 2 ~~(Attached as Appendix 1)~~), there are no restrictions on modifications.
 16. The designation holder must compile a thorough photographic record to show areas of the building that are Heritage Significance Category 1, 2 or 3, which will be subject to additions/alterations/partial demolition before, during and after each stage. This record must be lodged with the Manager Urban Design Policy and ~~New Zealand Historic Places Trust~~ [Heritage New Zealand](#) in two stages. The before photos must be lodged prior to commencement of work and the remaining photos must be submitted within 2 months of the work being completed.
 17. Any parts of the old High Court building identified ~~in the Tables below~~ as Heritage Significance 1 or 2 which are to be removed and reused in the building or are required for future maintenance of the building shall be removed and stored with reasonable care and in accordance with good practice.





*NB - Footpath and road layout as set forth in this plan are approximate. The designation does not involve any changes to these features.



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MEDU – Minita Mātauranga

MEDU – Minister of Education

Minister of Education

~~Appendix B: Mt Cook Primary School (Minister of Education – E32): Legal Description and Gazette Notice Details~~

~~Sections 151 & 152, Town of Wellington 1952 pg 1087 Reserved for General Education
Part Sections 234 & 235, Town of Wellington Education Board, District of Wellington
Part Sections 234 & 235, Town of Wellington 1924, pg 706 Proc. 1414 SO17896 Public School
Lots 1 and 2, DP 7329 Education Board, District of Wellington
Part Section 235, Town of Wellington Education Board District of Wellington
Lots 1 & 2, DP 4351 Education Board District of Wellington
Part Section 235, Town of Wellington 1927, pg 646 (Proc. 1679) SO18324 Public School
Part Section 236, Town of Wellington 1953 pg 1536 (Proc. 4908) Public School
Part Sections 235, 236, Town of Wellington Education Board District of Wellington
Part Section 236, Town of Wellington Education Board District of Wellington~~

~~Appendix C: Wellington High School and Community Institute (Minister of Education – E68): Legal Description and Gazette Notice Details~~

~~Part Sec 88 Town of Wellington. Former CT333/16 Technical School Gaz 1941 pg 630 Proc 3069
Part Sec 86 and 87 Town of Wellington CT333/15 Technical School Gaz 1941 pg 629 Proc 3068
Lot 1 DP65 Part Sec 85 City of Wellington CT66/14 Technical School Gaz 1953 pg 1647 Proc 4918
Lots 2,3,4 and part 5 DP62 Part Sec 85 Town of Wellington CT18/16 Technical School Gaz 1963 pg 987 Proc 566094
Lot 1 DP10867 CT447/202 Technical School Gaz 1963 pg 1239 Proc 569534
Part Sec 83 and 84 Town of Wellington CT333/139, 87/5 and 333/140 Town of Wellington Technical School Gaz 1957 pg 463 Proc 5739
Part Sec 83 Town of Wellington CT333/136 Technical School Gaz 1960 pg 689
Part Sec 83 Town of Wellington CT141/184 City of Wellington Technical School Gaz 1962 pg 914 Proc 530463
Part Sec 83 Town of Wellington CT333/134 Town of Wellington Technical School Gaz 1960 pg 609 Proc 461683
Part Sec 83 Town of Wellington CT87/86 Town of Wellington Technical School Gaz 1962 pg 1143 Proc 533830
Part Lot 1 DP62 Formerly CT64/245 Secondary School Gaz 1968 pg 753 Proc 745246
Lot 2 DP10867 Formerly CT447/203 and R.O.W. created by transfer 226926 Secondary School Gaz 1967 pg 234 Proc 712889
DP10867 Part Sec 84 and 85 Town of Wellington Formerly CT70/83 Secondary School Gaz 1967 pg 234 Proc 712889
Part Sec 83 Town of Wellington CT333/135 Secondary School Gaz 1962 pg 719 Proc 5274490
Part Sec 83 Formerly CT333/133 and 61/5 Town of Wellington Secondary School Gaz 1974 pg 464~~

~~Proc A031065~~

~~Part Sec 83 Town of Wellington CT333/137 Secondary School Gaz 1975 pg 553 Proc 115512.1~~

~~Part Sec 83 Town of Wellington 333/138 Secondary School Gaz 1974 pg 260 Proc A024179~~

~~Part Sec 691 Town of Wellington "C", "D" and "E" on SO35143 situated on Block VI Port Nicholson Survey District Secondary School Gaz 1989 pg 1748 Proc B001238.1~~

~~Lot 1 DP7231 Part Sec 691 Town of Wellington CT355/183 Town of Wellington~~

~~Secondary School Gaz 1971 pg 402 Proc 864443 Denoted "D,G,I,L,P,Q,R,W and X" on Plan~~

~~Part Sec 89 Town of Wellington "B" on SO32418 Block VI Port Nicholson Survey District Education Purposes Gaz 1968 pg 2838 Denoted "A" on Plan~~

~~Area "U" Lots 1 and 5 Mount Cook reserve Block X Port Nicholson Survey District Technical School Reserves and Other Lands Disposal Act 1919 Sec 53~~

~~Area "T" Sec 1232 Town of Wellington Technical School Reserves and Other Lands Disposal Act 1962 Sec 7~~

~~"S" on plan Lot 3 Mount Cook reserve Block X Port Nicholson Survey District Deeds index 31 folio 753 and 31 folio 710 Purchased 9/10/1883 and 13/10/1883.~~

~~"V" on Lot 2 Mount Cook reserve, Block X Port Nicholson Survey District Crown Land Reserves and Other Lands Disposal Act 1936 Sec 14. "Y" declared road Gaz 1989 pg 1748 Proc B002105 and "Z" legal road.~~

Conditions 1: Minister of Education Conditions

The following advice notes and standard conditions apply to all Minister of Education designations (where applicable). Should a designation also be subject to site-specific conditions, the site-specific condition shall take precedence in the instance of conflicting provisions.

Explanatory Notes

1. Designation Purpose

"Educational Purposes" for the purposes of these designations shall, in the absence of specific conditions to the contrary:

- a. Enable the use of the facilities on the designated site by and for the educational benefit of any school age students (ie: years 0 to 13) regardless of whether they are enrolled at any institution located on that designated site.
- b. Enable the provision of supervised care and study opportunities for students outside school hours in school facilities
- c. Enable the provision of community education (eg: night classes for adults) outside school hours in school facilities.
- d. Include but not be limited to the provision of academic, sporting, social and cultural education including through:
 - i. Formal and informal recreational, sporting and outdoor activities and
 - ii. competitions whether carried out during or outside school hours;
 - iii. Formal and informal cultural activities and competitions whether carried out during or outside school hours; and
 - iv. The provision of specialist hubs and units (including language immersion units and teen parent units) for students with particular educational requirements or special needs.
- e. 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.

- f. Enable the provision of associated administrative services; carparking and vehicle manoeuvring; and health, social service and medical services (including dental clinics and sick bays).
- g. Enable the housing on site for staff members whose responsibilities require them to live on site (eg: school caretaker) and their families.

~~Appendix E: Various Schools (Minister of Education): Heritage and Sunlight Access Conditions~~

2. Heritage

~~The following conditions shall apply to the designations that contain heritage buildings:~~

- ~~(i) — Nothing in this designation authorises the demolition or partial demolition of the exterior of Firth House, Wellington College; Wellington East Girls' College main building and main gates; and St Mary's College main building and St Joseph's Providence Porch, which are heritage buildings, and any such proposal shall require the Minister to either obtain any necessary resource consent or to seek the alteration of this designation by the removal of this condition. For the avoidance of doubt this condition does not cover repairs or maintenance, or additions or alterations, or any other activity requiring an outline plan under s.176A.~~
- ~~(ii) — Prior to the preparation of any proposal to undertake any additions or alternations to; Firth House, Wellington College; Wellington East Girls' College main building and main gates; and St Mary's College main building and St Joseph's Providence Porch, the Minister or his/her representative shall meet with the New Zealand Historic Places Trust to discuss the proposal.~~
- ~~(iii) — The Minister shall provide any subsequent plan(s) of any alterations and additions, as specified above, for comment by the New Zealand Historic Places Trust within 15 working days. In the event that there are any points raised by the New Zealand Historic Places Trust, the Ministry of Education shall arrange to meet with the Trust to discuss the points raised.~~
- ~~(iv) — The Minister of Education shall provide a copy of the application for outline plan approval to the New Zealand Historic Places Trust at the same time it is lodged with the Council. The Trust will then forward its comment on the proposal to the Council within 5 working days.~~

The Requiring Authority is advised to determine if any approvals under the Heritage New Zealand Pouhere Taonga Act 2014 are required prior to undertaking works within the designated site.

Conditions

~~2 Schools that are situated in the Inner Residential Area are subject to the following conditions:~~

1. Building recession planes

~~1. All buildings shall be contained within a sunlight access control envelope (in the form of a "tent" constructed by drawing sunlight access control lines over the site from all parts of all boundaries, except for any boundary fronting a road), and provided further that gable end roofs may penetrate the sunlight access control line by no more than one third of the gable height.~~

~~2. Each sunlight access control line shall rise vertically for 2.5m from ground level at the boundary and then incline inwards, at 90° to the boundary in plan, at an angle to the horizontal related to the orientation of the boundary and its bearing.~~

~~3. Determination of the angle of inclination of the sunlight access control line:~~

The inclination of the sunlight access control line to the horizontal shall be based upon the direction in which the boundary faces which is ascertained by the bearing of a line drawn outwards from the site at 90° to that boundary line, so that:

~~— for a boundary that faces between 330° and 30°, the angle of inclination shall be 3 vertical to 1 horizontal (71° 30' approximately)~~

~~— for a boundary that faces between 270° and 330° or between 30° and 90°, the angle of inclination shall be 2 vertical to 1 horizontal (63° 30' approximately)~~

~~— for a boundary that faces between 90° and 150° or between 210° and 270°, the angle of inclination shall be 1.5 vertical to 1 horizontal (56° 20' approximately)~~

~~— for a boundary that faces between 150° and 210°, the angle of inclination shall be 1 vertical to 1 horizontal (45°)~~

~~— where a bearing lies exactly on a boundary between two of the above sectors, the owner of the site may use either of the two sector inclinations~~

~~— no account shall be taken of aerials, chimneys or decorative features that do not exceed 1 metre in any horizontal direction.~~

~~4. Conditions 1 to 3 shall not apply to site boundaries fronting the street~~

~~5. Where a boundary abuts an access strip or access lot, the boundary shall be taken as the furthest boundary of the access strip or access lot.~~

~~3 Schools that are situated in the Outer Residential Area are subject to the following conditions:~~

~~1. All parts of a building shall be contained within a 45o plane commencing at a point 2.5 metres above ground level inclined inwards at right angles in plan from all parts of the site's boundaries, except:~~

~~• gable end roofs may penetrate the 45o plane by no more than one third of the gable height~~

~~• no account shall be taken of aerials, chimneys or decorative features that do not exceed 1 metre in any horizontal direction~~

~~• this condition shall not apply to site boundaries fronting the street~~

~~2. Where a boundary abuts an access strip or access lot, the boundary shall be taken as the furthest boundary of the access strip or access lot.~~

~~Any new building or building extension (excluding goal posts and similar structures) shall comply with the zones building recession plane controls of the Wellington District Plan for any adjoining residential zoned land. For clarity, this condition shall only apply to the external designation boundary and adjoining residential zoned land.~~

~~Any Outline Plan for works which does not comply with the standards shall identify and assess the effects of the non-compliance or provide written approval from the landowner of the affected parcel.~~

Appendix AE: Conditions 2 - Wellington Girls' College (Minister of Education): Site Specific Conditions

The following explanatory note and condition apply the Minister of Education designation [E72 MEDU67](#) – Wellington Girls' College. For avoidance of doubt, these site-specific provisions shall take precedence over any applicable provisions found within [APPENDIX E: Various Schools \(Minister of Education\): Heritage and Sunlight Access Conditions Conditions 1](#).

Building recession planes

1. Any new building or building extension (excluding goal posts and similar structures) shall comply with the zone's building recession plane controls of the Wellington District Plan of any adjoining residential zoned land. To clarify, this condition shall only apply to the external boundaries of the designation and excludes any designation boundary fronting a road or other land designated by the Minister of Education.

Part Section 584 TN of Wellington – Pipitea Pā

2. No development, including the construction, alteration, or placement of any building, or structure whether temporary or permanent shall be undertaken within Part Section 584 TN of Wellington – Pipitea Pā.
3. Condition 2 shall not apply, and an outline plan of works may be granted for the construction, alteration, or placement of any building, or structure whether temporary or permanent within Part Section 584 TN of Wellington – Pipitea Pā if the Minister of Education and/or the Wellington Girls College Board has obtained prior written approval from Tai Hekenga Limited Partnership (Port Nicholson Block (Taranaki Whānui ki Te Upoko o Te Ika) Claims Settlement Act 2009).
4. The Minister of Education and/or the Wellington Girls College Board must consult Tai Hekenga Limited Partnership (Port Nicholson Block (Taranaki Whānui ki Te Upoko o Te Ika) Claims Settlement Act 2009) prior to any development being undertaken on land immediately adjoining Part Section 584 TN of Wellington – Pipitea Pā.

Advice note

~~This designation does not constitute approval under the Heritage New Zealand Pouhere Taonga Act 2014. Before undertaking works on listed heritage items located within the Minister's designations, it is important to determine whether or not the proposed work requires an historic authority prior to physical works commencing. The Requiring Authority is advised to contact Heritage New Zealand Pouhere Taonga (Central Regional Office, Wellington) to discuss the proposal before undertaking works on any heritage listed items.~~

~~The Requiring Authority is advised to determine if any approvals under the Heritage New Zealand Pouhere Taonga Act 2014 are required prior to undertaking works within the designated site.~~

~~**Appendix T: Seatoun School and Kindergarten Designation (Minister of Education), Former Fort Dorset Site, Seatoun: Site Specific Conditions**~~

~~1. The Requiring Authority shall meet the costs of signs and roadmarkings required to safely control traffic at the intersection of Burnham Street and Hector Street and Burnham Street and Mantell Street. This will include provision of a controlled intersection at Burnham/Mantell with priority given to traffic travelling along Mantell Street. The Requiring Authority shall also meet the costs of road markings to designate driveways and parking space on Gore Street, Burnham Street (east of Hector Street) and Mantell Street (north of Burnham Street).~~

~~2. The Requiring Authority shall meet the costs of a 1.6 metre wide footpath on the northern side of Burnham Street from Mantell Street to the school entrance. The Requiring Authority shall also meet the costs of any subsequent widening of the said footpath to a maximum of 2.5m if the Council's traffic engineer determines this to be desirable for safety reasons after review of the monitoring information required under condition (3). Such widening will, however, allow for the retention of the existing trees in the road reserve immediately adjoining 55 Burnham Street. In reviewing the need for footpath widening, the Council's traffic engineer shall take into account the comments from Jonathan Salter, Shona Kavanagh, Mike Americh, Anne and Barry Ingram and Judith Kunz and consider them as appropriate.~~

~~3. The Requiring Authority shall ensure that the School Board of Trustees control the pedestrian movement of school children at the intersection of Burnham/Hector and Burnham/Mantell with the objective of ensuring the safety of school children coming to and leaving the school during term time. The control shall be reviewed by the Requiring Authority and school board in consultation with parents of children attending the school and the Council six months after operation of the school commences. The Requiring Authority shall then assess whether this school control shall be continued, modified or discontinued. This will include analysis of the need for additional measures such as physical footpath extensions at local intersections or other appropriate safety measures which the Requiring Authority should provide to ensure adequate safety for children attending the school. In reviewing the control, the Requiring Authority and the school board shall seek comments from Jonathan Salter, Shona Kavanagh, Mike Arnerich, Anne and Barry Ingram and Judith Kunz and consider them as appropriate. The Requiring Authority shall also assess whether the school control shall be continued, modified or discontinued should the school roll exceed 416. The Requiring Authority shall supply the monitoring information required under this condition, and any relevant comments from Jonathan Salter, Shona Kavanagh, Mike Arnerich, Anne and Barry Ingram and Judith Kunz, to the Council's traffic engineer six months after the operation of the school commences.~~

~~4. The Requiring Authority shall commission further work as described in the attached letter from Traffic Design Group dated 20 October 2000.~~

~~The Requiring Authority shall then review the design of the vehicle access, circulation, parking (including after school activities, in particular weekend fixtures), intersection design, pedestrian flow and crossings with the outcome being a safe and efficient design. Desirable objectives include:~~

- ~~• A drop off/pick up that is integrated with the likely use of the site for kindergarten and school purposes and the main entry points in and out of the buildings.~~
- ~~• Vehicle access, parking and circulation that can efficiently cope with the anticipated flows without causing unexpected or unnecessary congestion of neighbouring streets. In this respect, the design shall also take into account the possibility that the school roll might exceed 416 and any implications in terms of circulation capacity.~~
- ~~• Consideration of how the pick/drop off area can be made to look visually attractive, including when viewed from adjoining residences.~~
- ~~• Risk to all users minimised, including avoiding or minimising the need for any child dropped off within the school grounds to have to negotiate vehicular traffic.~~

~~There are important reasons why the Requiring Authority propose the location of the school buildings and the apportioning of the site for respective activities as shown on the indicative plans. It is also important to the School Board to have safe connections between the school buildings, hard court areas, play areas and the grassed play field. The proposed location of the main school building, while not final, is a constraint to the design review and there would need to be a major safety issue arise with no reasonable alternative option before consideration is given to amending the proposed location of this school building.~~

~~The amount of on site parking proposed is 51 spaces. This is the amount of on site parking that the Requiring Authority is prepared to provide at the inception of the project. The review shall however ensure that there is scope to provide, as a result of monitoring (as per condition 19), further on site parking (as per condition 18).~~

~~The review will include whether it is desirable to relocate the school bus stop to increase the amount of car parking in that location.~~

~~The review team shall take into account all relevant information, including the survey data, conclusions and any recommendations of the Traffic Design Group work referred to earlier.~~

~~The review shall be facilitated by an independent traffic consultant (Mr Bill Barclay) who will:~~

- ~~• Become fully acquainted with the individual concerns of Jonathan Salter, Shona Kavanagh, Mike Arnerich, Anne and Barry Ingram, Stephen Dawe and Judith Kunz. This will include review of their submissions and written correspondence and a meeting with each of the above parties unless this is declined. In this respect, the design shall in particular ensure that ease of access to and from the double garage situated on 55 Burnham Street is satisfactorily provided for in the design.~~
- ~~• Work with the project architect, the Council traffic engineer, and a representative of the School Board to produce a final design plan for vehicle access, circulation, parking inside and outside of school hours, intersection design, pedestrian flow and crossings.~~

~~The final design plan shall be to the satisfaction of the independent traffic consultant, the project architect, the Council traffic engineer, and the representative of the School Board. It shall be accompanied by a statement from the independent traffic engineer that the final design meets, in his opinion and after weighing all relevant aspects, the outcome and as far as practicable the desirable objectives above. The school will be constructed to comply with the final design plan. The Requiring Authority shall not lodge the outline plan with the Council until the above matters set out in condition (4) have been completed.~~

~~5. Should access from Gore St not be achieved, the Requiring Authority is to supply an Outline Plan showing the layout of Burnham St and on-site parking arrangements. The Requiring Authority shall assess the option of creating a northern access to the site should this situation arise. The draft plan shall be forwarded to Jonathan Salter, Shona Kavanagh, Mike Arnerich, Anne and Barry Ingram, Stephen Dawe and Judith Kunz and their written comments sought. The Requiring Authority shall in good faith consider the comments and amend the draft as appropriate before submitting the outline plan to the Council.~~

~~6. Should any contaminated materials be unearthed at any stage on the site, the Requiring Authority shall immediately notify both the Wellington Regional Council and the Wellington City Council.~~

~~7. Any contaminated materials unearthed at any stage on the site are to be removed or covered with a cap of 300mm of compacted cleanfill, or otherwise remediated to a standard acceptable to the Wellington Regional Council and the Wellington City Council.~~

~~8. Any contaminated materials removed from the site must be removed to a Regional Council approved landfill or facility. The source and composition of any contaminated materials removed from the site shall be declared to the landfill operator prior to disposal.~~

~~9. All development on the site shall meet the following requirements:~~

~~All parts of a building shall be contained within a 45o plane commencing at a point 2.5 metres above ground level inclined inwards at right angles in plan from all parts of the site's boundaries, except:~~

- ~~• gable end roofs may penetrate the 45o plane by no more than one third of the gable height;~~
- ~~• no account shall be taken of aerials, chimneys or decorative features that do not exceed 1 metre in any horizontal direction.~~

~~This condition shall not apply to site boundaries fronting the street. Where a boundary abuts an access strip or access lot, the boundary shall be taken as the furthest boundary of the access strip or access lot.~~

~~10. The maximum permitted fence height shall be two metres.~~

~~11. The maximum fence height specified in Condition (10) can be exceeded provided the written consent of the affected property owner(s) is obtained and supplied as part of the Outline Plan process. However, any increase to the northern boundary fence height as shown on the attached plan by Tennent Bevin Architects dated 20 October 2000 shall only proceed after the written approval has been obtained from Jonathan Salter and Shona Kavanagh of 55 Burnham Street.~~

~~12. A close boarded fence is to be installed along the northern and western boundaries of the site immediately adjacent to the proposed parents' parking/drop-off area. A close boarded fence shall also be erected by the Requiring Authority along the top of the existing low concrete wall to the north of Anne and Barry Ingram's property at 3 Mantell Street. The design of the fence shall be subject to condition (17).~~

~~13. On site landscaping/planting is generally to consist of native species suitable to the local coastal environment. A landscape plan is to be provided as part of the Outline Plan process. This landscape plan is to detail the number and location of all proposed species and their anticipated mature height.~~

~~14. Prior to the lodgement of the landscape plan under condition (13) above the Requiring Authority shall consult with the Council regarding appropriate landscaping for the site. This consultation shall occur with the objective of minimising the potential adverse effects associated with seed migration into the adjacent Open Space B and Conservation Site areas.~~

~~15. No exotic plant matter originating from the school site shall be deposited on the adjacent Open Space B or Conservation Site areas.~~

~~16. Any on site compost heaps are to be covered.~~

~~17. Before settling the final fencing and landscape design for the area between the proposed parking area and the proposed site fence adjacent to the properties 3 Mantell Street, 5 Mantell Street and 55 Burnham Street, the Requiring Authority shall discuss landscaping and fencing matters relating to this area with the owners of the properties referred to above. The Requiring Authority shall use its best endeavours to achieve a design that meets the approval of each adjoining neighbour. The fence shall be constructed on the line of the current fence and at the commencement of on site works in order to mitigate the effects of site development and building work.~~

~~18. A Management Plan is to be prepared for the site, and submitted to the Council as part of the Outline Plan process. The Management Plan must address the following matters:~~

~~(i) How the effectiveness of the proposed parking and access arrangements are to be monitored.~~

~~(ii) What provision shall be made for additional on-site carparking and modified access arrangements should monitoring prove the arrangements to be inadequate with regard to pedestrian/vehicle safety and circulation and the mitigation of any adverse effects on the surrounding residential streets.~~

~~(iii) Detail how exotic plant materials are to be disposed of to ensure that no species migration to the adjacent Open Space B/Conservation Site areas occurs.~~

~~(iv) Detail how future consideration will be given to the necessity and desirability for a northern entrance to the School as the remainder of the Fort Dorset site is developed, specifically:~~

- ~~• Provide an assessment mechanism to determine whether an additional linkage is desirable or necessary as the northern part of the Fort Dorset site is redeveloped~~
- ~~• Potential options for rearrangement of on-site traffic arrangements to facilitate this linkage~~

~~• Consultation with affected landowners~~

~~The Requiring Authority will provide a copy of the draft Management Plan to Jonathan Salter, Shona Kavanagh, Mike Arnerich, Anne and Barry Ingram, Stephen Dawe and Judith Kunz and seek written comments. The Requiring Authority shall in good faith consider the comments and amend the Management Plan as appropriate. The final Plan shall be accompanied by a statement from the independent traffic consultant that the Management Plan meets, in the consultant's opinion, the outcome and as far as practicable, the desirable objectives set out in condition (4).~~

~~The Requiring Authority shall make available a copy of the final Management Plan to Jonathan Salter, Shona Kavanagh, Mike Arnerich, Anne and Barry Ingram, Stephen Dawe and Judith Kunz.~~

~~19. The Requiring Authority is to supply the Council with a Monitoring Report at the conclusion of the first 12 months of operation of the Seatoun School and Kindergarten. The monitoring report shall detail the following:~~

~~(i) Current and projected staff and student numbers.~~

~~(ii) Complaints from residents regarding car parking and vehicle access issues and action taken.~~

~~(iii) Adverse effects arising from use of the car parking and drop-off points.~~

~~(iv) Use of the school outside school hours and adverse effects arising from this.~~

~~(v) Reported traffic accidents in the area bounded by the intersections of Gore/Hector, Hector/Burnham and the school entrances, and inside the school boundaries.~~

~~(vi) Survey information on the number and location of vehicles parking on residential streets for dropping off and collecting children. Surveys to use substantially the same approach and methodology as the commissioned Traffic Design Group survey referred to above. Surveys to be carried out on a minimum of 4 days using best endeavours to survey at least 2 wet days.~~

~~(vii) The proposed action (and timetable) to be taken by the Requiring Authority to mitigate the adverse effects.~~

~~In preparing the Monitoring Report, the Requiring Authority will provide a copy of the draft Monitoring Report to Jonathan Salter, Shona Kavanagh, Mike Arnerich, Anne and Barry Ingram, Stephen Dawe and Judith Kunz. The Board of Trustees will invite the above parties to a meeting to discuss the Draft Monitoring Report. The Requiring Authority shall in good faith consider the responses of the parties and amend the Monitoring Report as appropriate. The traffic aspects of the Report will then be subject to peer review by an independent traffic consultant prior to lodging the Management Plan with the Council.~~

~~The Requiring Authority, through the Board of Trustees, shall also invite the above parties to a meeting to discuss traffic management and safety after 2 months of the operation of the school and kindergarten commencing, and shall use its best endeavours to mitigate any adverse effects.~~

~~In addition, should the school roll increase above 416, 450 and 500, the Requiring Authority shall again issue a draft Monitoring Report to the above parties (if still owners of their current properties) and follow the above process leading to the Monitoring Report being submitted to the Council.~~

~~The Requiring Authority shall make available a copy of the final Monitoring Report to Jonathan Salter, Shona Kavanagh, Mike Arnerich, Anne and Barry Ingram, Stephen Dawe and Judith Kunz.~~

~~20. The maximum permitted building height (as defined by the District Plan) of 8.0m shall not be exceeded unless the written approval of affected persons, if any, are obtained and supplied as part of the outline plan process.~~

~~21. No relocation of earth shall be undertaken outside the boundary of the proposed designation in the Open Space B zone. With respect to the areas of Open Space B zoning within the designation no building works (excluding fences) shall be permitted. With respect to the relocation of earth in the areas of Open Space B zoning within the designation the following conditions shall apply:~~

- ~~• That the existing ground level is not altered by more than 1.5 metres measured vertically;~~
- ~~• That earthworks are not undertaken on slopes of more than 45o;~~
- ~~• That no earthworks are carried out within 5 metres of a waterbody or the coastal marine area;~~
- ~~• That no contamination, including siltation, of any waterbody or coastal water occurs.~~

~~22. The requirements of condition (21) above shall be waived with respect to the construction and maintenance of tracks for pedestrian access.~~

~~23. The obligation of the Requiring Authority to seek comments from, meet with, forward information to, or obtain the written approval of, any party referred to in conditions (3), (4), (5), (11), (18), and (19), shall cease upon that party ceasing to own and reside in their current property in Seatoun.~~

~~Appendix X: Churton Park Primary School and Early Childhood Education and Care Service Conditions~~

~~1 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;~~

~~2 Prior to construction of the school and/or early childhood education and care service centre, an Outline Plan of Works shall be submitted to the Council which:~~

~~(a) Provides for on-site car parking and access as required by condition 3 below;~~

~~(b) Provide details of pedestrian facilities;~~

~~(c) Includes a Travel Plans as required by condition 3(b) below;~~

~~(d) Provides for a primary access from Amesbury Drive and a secondary access from Romaine Road;~~

~~(e) Provides a landscaping plan that includes details of the species, size, location and spacing etc of planting, and an implementation and maintenance programme;~~

~~(f) Provides full details of the height and materials of boundary fencing;~~

~~(g) Incorporates the Construction Management Plan required by Condition 6 below;~~

~~(h) Demonstrates compliance with the following development controls:~~

- ~~• All parts of a building shall be contained within a 45 degree plane commencing at a point 2.5~~

~~metres above ground level inclined inwards at right angles in plan from all parts of the site's boundaries, except:~~

- ~~– Gable end roofs may penetrate the 45-degree plane by no more than one third of the gable height~~
- ~~– No account shall be taken of aerials, chimneys or decorative features that do not exceed 1m in any horizontal direction~~
- ~~– This condition shall not apply to site boundaries fronting the street.~~

- ~~All buildings and structures (excluding any goal posts associated with sporting activity) shall be a maximum height of 10m~~

- ~~Within 1m of the boundary or in the front yard adjacent to Amesbury Drive a fence or wall or combination of these structures shall have a maximum height of 2 metres.~~

(i) ~~Includes details of any signage to be provided for the school/early childhood education and care service; and~~

(j) ~~Includes details of any external lighting to be provided on site.~~

3 ~~The proposed development be subject to the following conditions regarding traffic and parking:~~

(a) ~~All car parking, car drop-off/collection spaces shall be located on site as follows:~~

- ~~School: a minimum of one car park per full time equivalent employee (FTE) staff member;~~
- ~~Early childhood education and care service: a minimum of one car park per FTE staff member.~~

(b) ~~The school shall develop a Travel Plan which provides specifically for measures to reduce vehicle dependence. This Plan shall be submitted as part of the Outline Plan of Works for any development stage increasing the number of people on the site. The Travel Plan shall be maintained and regularly updated while the school is opening under this designation;~~

(c) ~~The design of the car parking and access shall provide for a dedicated area for pick up / drop off facilities.~~

4 ~~Prior to the establishment of the Primary School, a design certificate, signed by an acoustic engineer, shall be provided to the Compliance Officer, Wellington City Council stating that the outdoor play areas have been sited and designed so that the best practicable option is adopted to ensure a noise limit of 55dBA LAeq (15 minutes) when measured at or within the boundary of any residential site in the residential area.~~

5 ~~Prior to the establishment of the Early Childhood Education and Care Service, a design certificate, signed by an acoustic engineer, shall be provided to the Compliance Officer, Wellington City Council stating that the outdoor play areas have been sited and designed so that the best practicable option is adopted to ensure a noise limit of 50dBA LAeq (15 minutes) when measured at or within the boundary of any residential site in the residential area.~~

6 ~~Noise emission levels resulting from noise associated with power generation, heating, ventilation or air conditioning systems, or water or sewage pumping/treatment systems or other similar domestic installations when measured at or within the boundary of any site, other than the site from which the noise is generated, in the residential area shall not exceed the following limits:~~

~~Monday to Saturday 7am to 10pm 45dB LAeq (15 minutes)~~

~~At all other times 40 dB LAeq (15 minutes)~~

~~All days 10pm to 7am 65BA (Lmax)~~

~~7 In relation to conditions 4), 5) and 6) noise levels shall be measured in accordance with NZS6801:2009 and assessed in accordance with NZS6802:2009.~~

~~8 Prior to any construction activity being carried out, a Construction Management Plan shall be submitted as part of an Outline Plan of Works, for construction by the Council. The plan shall demonstrate compliance with relevant construction noise standards, shall include a construction traffic management plan (which includes provision for parking of tradesmen's vehicles off the road during the construction process), and includes detail on proposed dust management measures.~~

PROPOSED CHURTON PARK PRIMARY SCHOOL AND EARLY CHILDHOOD EDUCATION AND CARE SERVICES
 Indicative Site Layout



- KEY**
-  INDICATIVE BUILDING AND/OR HARD PLAY AREA
 -  INDICATIVE PARKING AND/OR HARD PLAY AREA

Note: Not all of the shaded areas indicated for building/hard play purpose. This plan indicates the general area in which these activities could be located.

Note: This Indicative Site Layout is not a condition of the Designation