

IN THE MATTER of the Resource Management Act 1991
AND

IN THE MATTER of an appeal under clause 14 of the First
Schedule to the Act

BETWEEN HOUSE MOVERS SECTION OF THE
NEW ZEALAND HEAVY HAULAGE
ASSOCIATION INCORPORATED
(ENV-2013-WLG-000091)

Appellant

AND HOROWHENUA DISTRICT COUNCIL
Respondent

BEFORE THE ENVIRONMENT COURT

Environment Judge BP Dwyer sitting alone pursuant to section 279 of the Act.

IN CHAMBERS

CONSENT ORDER

Introduction

[1] The Court has read and considered the appeal and the parties' draft consent order received 30 January 2015.

[2] No person gave notice of an intention to become a party under s274.

[3] The Court is making this order under section 279(1)(b) of the Act, such an order being by consent, rather than representing a decision or determination on the merits pursuant to section 297. The Court understands for the present purposes that:

- (a) All parties to the proceedings have executed the memorandum requesting this order; and
- (b) All parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to relevant requirements and objectives of the Act, including in particular Part 2.



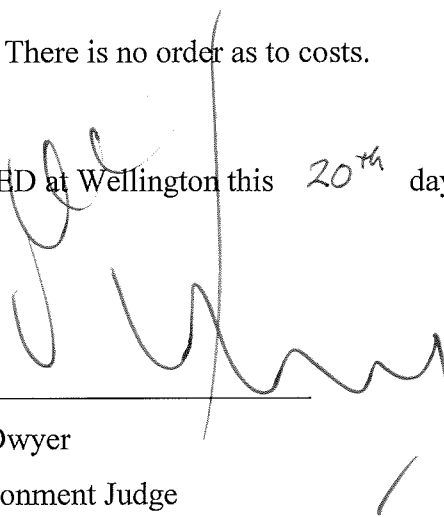
Order

[4] The Court orders, by consent, that the appeal is allowed to the extent that the Proposed Horowhenua District Plan be amended as set out in **Appendix A** to this consent order (with additions **bold** and deletions ~~struck through~~ in **Appendix B**).

[5] The appeal is otherwise dismissed.

[6] There is no order as to costs.

DATED at Wellington this 20th day of March 2015



B P Dwyer
Environment Judge



Appendix A

Residential Zone

1. Amend Rule 15.1 in Chapter 15: Residential Zone as follows:

Rule 15.1 PERMITTED ACTIVITIES

The following activities are permitted activities in the Residential Zone provided activities comply with all relevant conditions in Rule 15.6 and Chapters 21, 22, 23 and 24.

...

- (c) Relocated buildings.

...

2. Amend Rule 15.2 in Chapter 15: Residential Zone as follows:

Rule 15.2 CONTROLLED ACTIVITIES

The following activities are controlled activities in the Residential Zone provided activities comply with all relevant conditions in Rule 15.7 and Chapters 21, 22, 23 and 24. Refer to Rule 15.7 for matters of control and conditions:

- (a) The placement of any non-residential relocated building and/or relocated accessory building over 40m² in gross floor area on any site (Refer Rule 15.7.1)

...

3. Amend Rule 15.3 in Chapter 15: Residential Zone as follows:

Rule 15.3 RESTRICTED DISCRETIONARY ACTIVITIES

The following activities are restricted discretionary activities in the Residential Zone provided activities comply with all relevant conditions in Rule 15.8. Refer to Rule 15.8 for matters of discretion and conditions.

...

- (j) The placement of any residential relocated building over 40m² in gross floor area that does not comply with the conditions in Rule 15.6.34(b) (Refer Rule 15.8.14)

...

- Amend Rule 15.6 in Chapter 15: Residential Zone as follows:

Rule 15.6 CONDITIONS FOR PERMITTED ACTIVITIES

The following conditions shall apply to all permitted activities:



...

15.6.34 Relocated Buildings

- (a) The relocated building shall be up to and including 40m² in gross floor area; or
- (b) The relocated building shall be intended for use as a residential dwelling and be originally designed, built and used as a residential dwelling; and comply with the following:
- (i) A building pre-inspection report shall be submitted by the owner of the relocated building (referred to in this rule as "the Owner") to the Planning Services Manager at the same time as an application is made for a building consent for the relocated building. That report shall be on the form in Schedule 15 and is to identify all reinstatement works that are to be completed to the exterior of the building.
 - (ii) The building pre-inspection report shall be prepared by:
 - A Horowhenua District Council Building Compliance Officer (or equivalent);
 - A member of the New Zealand Institute of Building Surveyors;
 - A licensed building practitioner (carpenter or design category); or
 - A building inspector from the local authority where the building is being relocated from.
 - (iii) The Owner must deposit a refundable monitoring fee of \$1500 with the Council at the same time as submitting the building pre-inspection report with the Council.
 - (iv) The relocated building shall be located on permanent foundations approved by building consent, no later than 2 months from the building being moved to the site.
 - (v) All reinstatement work required in the Condition Table in Section 2.0 of the building pre-inspection report to reinstate the exterior of any relocated building shall be completed within 9 months of the building being delivered to the site.
 - (vi) The Owner must complete the Owner Certificate and Declaration in Section 7.0 of the building pre-inspection report to certify to the Council that all of the reinstatement work will be completed within 9 months of the building being delivered to the site.

Note: Photographs showing progress of reinstatement works may be provided to Council's Environmental Compliance Officer. A final site inspection will still be required to determine compliance on completion of reinstatement works.



5. Amend Rule 15.7.1 in Chapter 15: Residential Zone as follows:

15.7 MATTERS OF CONTROL AND CONDITIONS FOR CONTROLLED ACTIVITIES

The matters over which Council has reserved its control and the conditions are detailed below for each controlled activity:

15.7.1 Relocated Buildings (Refer to Rule 15.2(a))

(a) Matters of Control

- (i) The length of time that will be taken to re-construct, repair, or refurbish the building.
- (ii) Conditions for upgrading the exterior of the building and upgrading and reinstating the site, including any one or more of the following:
 - redecoration or reinstatement of any roof or exterior cladding;
 - reinstatement of any porches, terraces, baseboards and steps;
 - replacement of broken window panes, broken or rotten timber, guttering, drainpipes;
 - reinstatement of that part of a dwelling where a chimney has been removed;
 - reinstatement of the site and access to the site; or
 - details and length of time to complete site landscaping.
- (iii) A bond, of the nature provided for in the RMA, further secured by deposits of cash with the District Council, bank guarantee, or otherwise, to the satisfaction of the District Council, to ensure compliance with consent conditions.

(b) Conditions

- (i) Relocated buildings shall comply, in all respects, with the relevant permitted activity conditions in other parts of the District Plan.
- (ii) The bond shall be paid prior to the movement of the building to its new site, and shall be to the value of the reinstatement work required, as assessed by a suitably qualified person approved by the Group Manager – Customer and Community Services at the cost of the applicant. The required work will be expected to be completed within a 12 month period. Portions of the bond may be refunded as substantial portions of the work are completed.

(c) Non-Notification

- (i) Under section 77D of the RMA, an activity requiring resource consent under Rule 15.7.1 shall not be publicly notified, except where:



- The Council decides special circumstances exist (pursuant to Section 95A(4), or
- The applicant requests public notification (pursuant to Section 95A(2)(b))

6. Amend Rule 15.8 in Chapter 15: Residential Zone as follows:

Rule 15.8 MATTERS OF DISCRETION AND CONDITIONS FOR RESTRICTED DISCRETIONARY ACTIVITIES

The matters over which Council has restricted its discretion for each restricted discretionary activity, and the conditions for each activity, are detailed below:

...

15.8.14 Relocated Buildings (Refer Rule 15.3(j))

(a) Matters of Discretion

- (i) The length of time that will be taken to re-construct, repair, or refurbish the building.
- (ii) Conditions for upgrading the exterior of the building and upgrading and reinstating the site, including any one or more of the following:
 - redecoration or reinstatement of any roof or exterior cladding;
 - reinstatement of any porches, terraces, baseboards and steps;
 - replacement of broken window panes, broken or rotten timber, guttering, drainpipes;
 - reinstatement of that part of a dwelling where a chimney has been removed;
 - reinstatement of the site and access to the site; or
 - details and length of time to complete site landscaping.
- (iii) A bond, of the nature provided for in the RMA, further secured by deposits of cash with the District Council, bank guarantee, or otherwise, to the satisfaction of the District Council, to ensure compliance with consent conditions.

(b) Conditions

- (i) Relocated buildings shall comply, in all respects, with the relevant permitted activity conditions in other parts of the District Plan.
- (ii) The bond shall be paid prior to the movement of the building to its new site, and shall be to the value of the reinstatement work required, as assessed by a suitably qualified person approved by the Group Manager – Customer and Community Services at the cost of the applicant. The required work will be expected to be completed within



a 12 month period. Portions of the bond may be refunded as substantial portions of the work are completed.

(c) Non-Notification:

- (i) Under Section 77D of the RMA, an activity requiring resource consent under Rule 15.8.14 shall not be publicly notified, except where:
- The Council decides special circumstances exist (pursuant to Section 95A(4)), or
 - The applicant requests public notification (pursuant to Section 95A(2)(b)).

Rural Zone

7. Amend Rule 19.1 in Chapter 19: Rural Zone as follows:

Rule 19.1 PERMITTED ACTIVITIES

The following activities are permitted activities in the Rural Zone provided activities comply with all relevant conditions in Rule 19.6 and Chapters 21, 22, 23 and 24.

...

- (e) Relocated buildings.

...

8. Amend Rule 19.2 in Chapter 19: Rural Zone as follows:

Rule 19.2 CONTROLLED ACTIVITIES

The following activities shall be controlled activities in the Rural Zone provided activities comply with all relevant conditions in Rule 19.7 and Chapters 21, 22, 23 and 24. Refer to Rule 19.7 for matters of control and conditions:

...

- (d) The placement of any non-residential relocated building and/or relocated accessory building over 40m² in gross floor area on any site (Refer Rule 19.7.6)

...

9. Amend the Rule 19.3 in Chapter 19: Rural Zone as follows:

Rule 19.3 RESTRICTED DISCRETIONARY ACTIVITIES

The following activities shall be restricted discretionary activities in the Rural Zone provided activities comply with all relevant conditions in Rule 19.8. Refer to Rule 19.8 for matters of discretion and conditions.



19.3.11 Relocated buildings

- (j) The placement of any residential relocated building over 40m² in gross floor area that does not comply with the conditions in Rule 19.6.31(b) (Refer Rule 19.8.20)

10. Amend the Rule 19.6 in Chapter 19: Rural Zone as follows:

Rule 19.6 CONDITIONS FOR PERMITTED ACTIVITIES

The following conditions shall apply to all permitted activities:

...

19.6.31 Relocated Buildings

- (a) The relocated building shall be up to and including 40m² in gross floor area; or
- (b) The relocated building shall be intended for use as a residential dwelling and be originally designed, built and used as a residential dwelling; and comply with the following:
- (i) A building pre-inspection report shall be submitted by the owner of the relocated building (referred to in this rule as "the Owner") to the Planning Services Manager at the same time as an application is made for a building consent for the relocated building. That report shall be on the form in Schedule 15 and is to identify all reinstatement works that are to be completed to the exterior of the building.
- (ii) The building pre-inspection report shall be prepared by:
- A Horowhenua District Council Building Compliance Officer (or equivalent);
 - A member of the New Zealand Institute of Building Surveyors;
 - A licensed building practitioner (carpenter or design category); or
 - A building inspector from the local authority where the building is being relocated from.
- (iii) The Owner must deposit a refundable monitoring fee of \$1500 with the Council at the same time as submitting the building pre-inspection report with the Council.
- (iv) The relocated building shall be located on permanent foundations approved by building consent, no later than 2 months from the building being moved to the site.
- (v) All reinstatement work required in the Condition Table in Section 2.0 of the building pre-inspection report to reinstate the exterior of any relocated building shall be completed within 9 months of the building being delivered to the site.



- (vi) The Owner must complete the Owner Certificate and Declaration in Section 7.0 of the building pre-inspection report to certify to the Council that all of the reinstatement work will be completed within 9 months of the building being delivered to the site.

Note: Photographs showing progress of reinstatement works may be provided to Council's Environmental Compliance Officer. A final site inspection will still be required to determine compliance on completion of reinstatement works.

11. Amend Rule 19.7.6 in Chapter 19: Rural Zone as follows:

19.7 MATTERS OF CONTROL AND CONDITIONS FOR CONTROLLED ACTIVITIES

The matters over which the Council reserves its control and the conditions are detailed below for each controlled activity:

...

19.7.6 Relocated Buildings (Refer to Rule 19.2(d))

(a) Matters of Control

- (i) Conditions for upgrading the exterior of the building and upgrading and reinstating the site, including any one or more of the following:
- redecoration or reinstatement of any roof or exterior cladding;
 - reinstatement of any porches, terraces, baseboards and steps;
 - replacement of broken window panes, broken or rotten timber, guttering, drainpipes;
 - reinstatement of that part of a dwelling where a chimney has been removed;
 - reinstatement of the site and access to the site; or
 - details and length of time to complete site landscaping.
- (ii) The length of time that will be taken to reconstruct, repair or refurbish the building.
- (iii) A bond, of the nature provided for in the RMA, further secured by deposits of cash with the Council, bank guarantee, or otherwise, to the satisfaction of the Council, to ensure compliance with consent conditions.

(b) Conditions

- (i) Relocated buildings shall comply, in all respects, with the conditions specified for permitted activities in other relevant parts of the District Plan.
- (ii) The bond shall be paid prior to the movement of the building to its new site, and shall be to the value of the reinstatement work required, as



assessed by a suitably qualified person approved by the Group Manager – Customer and Community Services at the cost of the applicant. The required work will be expected to be completed within a 12 month period. Portions of the bond may be refunded as substantial portions of the work are completed.

(c) Non-Notification

(i) Under section 77D of the RMA, an activity requiring resource consent under Rule 19.7.6 shall not be publicly notified, except where:

- The Council decides special circumstances exist (pursuant to Section 95A(4), or
- The applicant requests public notification (pursuant to Section 95A(2)(b))

12. Amend Rule 19.8 in Chapter 19: Rural Zone as follows:

Rule 19.8 MATTERS OF DISCRETION AND CONDITIONS FOR RESTRICTED DISCRETIONARY ACTIVITIES

The matters over which Council has restricted its discretion for each restricted discretionary activity, and the conditions for each activity, are detailed below:

...

19.8.20 Relocated Buildings (Refer Rule 19.3.11(j))

(a) Matters of Discretion

(i) The length of time that will be taken to re-construct, repair, or refurbish the building.

(ii) Conditions for upgrading the exterior of the building and upgrading and reinstating the site, including any one or more of the following:

- redecoration or reinstatement of any roof or exterior cladding;
- reinstatement of any porches, terraces, baseboards and steps;
- replacement of broken window panes, broken or rotten timber, guttering, drainpipes;
- reinstatement of that part of a dwelling where a chimney has been removed;
- reinstatement of the site and access to the site; or
- details and length of time to complete site landscaping.

(iii) A bond, of the nature provided for in the RMA, further secured by deposits of cash with the District Council, bank guarantee, or otherwise, to the satisfaction of the District Council, to ensure compliance with consent conditions.

(b) Conditions



- (i) Relocated buildings shall comply, in all respects, with the relevant permitted activity conditions in other parts of the District Plan.
 - (ii) The bond shall be paid prior to the movement of the building to its new site, and shall be to the value of the reinstatement work required, as assessed by a suitably qualified person approved by the Group Manager – Customer and Community Services at the cost of the applicant. The required work will be expected to be completed within a 12 month period. Portions of the bond may be refunded as substantial portions of the work are completed.
- (c) Non-Notification:
- (i) Under Section 77D of the RMA, an activity requiring resource consent under Rule 19.8.20 shall not be publicly notified, except where:
 - The Council decides special circumstances exist (pursuant to Section 95A(4)), or
 - The applicant requests public notification (pursuant to Section 95A(2)(b)).

Commercial Zone

13. Amend Rule 17.1 in Chapter 17: Commercial Zone as follows:

17.1 PERMITTED ACTIVITIES

The following activities are permitted activities in the Commercial Zone provided activities comply with all relevant conditions in Rule 17.6 and Chapters 21, 22, 23 and 24.

...

- (m) Relocated buildings except for relocated buildings over 40m² in gross floor area in the Foxton and Shannon Town Centre/Heritage Overlay Areas and the Foxton Tourism Overlay Area.

...

14. Amend Rule 17.2 in Chapter 17: Commercial Zone as follows:

17.2 CONTROLLED ACTIVITIES

The following activities shall be controlled activities in the Commercial Zone provided activities comply with all relevant conditions in Rule 17.7 and Chapters 21, 22, 23 and 24. Refer to Rule 17.7 for matters of control and conditions.

...



The placement of any non-residential relocated building and/or relocated accessory building over 40m² in gross floor area on any site. (Refer Rule 17.7.3)

Except

Relocated buildings over 40m² in gross floor area in the Foxton and Shannon Town Centre/Heritage Overlay Areas and the Foxton Tourism Overlay Area.

...

15. Amend Rule 17.3 in Chapter 17: Commercial Zone as follows:

17.3 RESTRICTED DISCRETIONARY ACTIVITIES

The following activities shall be restricted discretionary activities in the Commercial Zone provided activities comply with all relevant conditions in Rule 17.8. Refer to Rule 17.8 for matters of discretion and conditions.

...

- (c) Within the Foxton and Shannon Town Centre Character/Heritage Overlay Areas and the Foxton Tourism Overlay Area the following activities:

- (i) The development of new buildings (Refer Rule 17.8.3)
- (ii) Any external additions and alterations to existing buildings that do not comply with the permitted activity conditions. (Refer Rule 17.8.3)
- (iii) The placement of any relocated building over 40m² in gross floor area. (Refer Rule 17.8.3)

Advice Note: Any relocated building over 40m² in gross floor area within the Levin, Foxton and Shannon Pedestrian Overlay Areas may also require consent for residential activities at ground floor level.

...

- (h) Outside the Foxton and Shannon Town Centre Character/Heritage Overlay Areas and the Foxton Tourism Overlay Area the placement of any residential relocated building over 40m² in gross floor area that does not comply with the conditions in Rule 17.6.27(b) (Refer Rule 17.8.9).

Advice Note: Any residential relocated building over 40m² in gross floor area within the Levin, Foxton and Shannon Pedestrian Overlay Areas may also require consent for residential activities at ground floor level.

...

16. Amend Rule 17.6 in Chapter 17: Commercial Zone as follows:

Rule 17.6 CONDITIONS FOR PERMITTED ACTIVITIES

The following conditions shall apply to all permitted activities:



17.6.27

Relocated Buildings

The relocated building shall be up to and including 40m² in gross floor area;
or

- (b) The relocated building shall be intended for use as a residential dwelling and be originally designed, built and used as a residential dwelling; and comply with the following:
- (i) A building pre-inspection report shall be submitted by the owner of the relocated building (referred to in this rule as "the Owner") to the Planning Services Manager at the same time as an application is made for a building consent for the relocated building. That report shall be on the form in Schedule 15 and is to identify all reinstatement works that are to be completed to the exterior of the building.
 - (ii) The building pre-inspection report shall be prepared by:
 - A Horowhenua District Council Building Compliance Officer (or equivalent);
 - A member of the New Zealand Institute of Building Surveyors;
 - A licensed building practitioner (carpenter or design category); or
 - A building inspector from the local authority where the building is being relocated from.
 - (iii) The Owner must deposit a refundable monitoring fee of \$1500 with the Council at the same time as submitting the building pre-inspection report with the Council.
 - (iv) The relocated building shall be located on permanent foundations approved by building consent, no later than 2 months from the building being moved to the site.
 - (v) All reinstatement work required in the Condition Table in Section 2.0 of the building pre-inspection report to reinstate the exterior of any relocated building shall be completed within 9 months of the building being delivered to the site.
 - (vi) The Owner must complete the Owner Certificate and Declaration in Section 7.0 of the building pre-inspection report to certify to the Council that all of the reinstatement work will be completed within 9 months of the building being delivered to the site.

Note: Photographs showing progress of reinstatement works may be provided to Council's Environmental Compliance Officer. A final site inspection will still be required to determine compliance on completion of reinstatement works.

17. Amend Rule 17.7.3 in Chapter 17: Commercial Zone as follows:

Rule 17.7 **MATTERS OF CONTROL AND CONDITIONS FOR CONTROLLED ACTIVITIES**

The matters over which Council reserves its control and the conditions are detailed below for each controlled activity.

17.7.3 Relocated Buildings. (Refer Rule 17.2(c))



(a) Matters of Control

- (i) The length of time that will be taken to re-construct, repair, or refurbish the building;
- (ii) Conditions for upgrading the exterior of the building and upgrading, and reinstating the site, including any one or more of the following:
 - redecoration or reinstatement of any roof or exterior cladding
 - reinstatement of any porches, terraces, baseboards and steps;
 - replacement of broken window panes, broken or rotten timber, guttering, drainpipes;
 - reinstatement of the site and access to the site; or
 - details and length of time to complete site landscaping.
- (iii) A bond, of the nature provided for in the RMA, further secured by deposits of cash with the District Council, bank guarantee, or otherwise, to the satisfaction of the District Council, to ensure compliance with consent conditions.

(b) Conditions

- (i) Relocated buildings shall comply, in all respects, with the relevant permitted activity conditions in other parts of the District Plan.
- (ii) The bond shall be paid prior to the movement of the building to its new site, and shall be to the value of the reinstatement work required, as assessed by a suitably qualified person approved by the Group Manager – Customer and Community Services at the cost of the applicant. The required work will be expected to be completed within a 12 month period. Portions of the bond may be refunded as substantial portions of the work are completed.

(c) Non-Notification

- (i) Under section 77D of the RMA, an activity requiring resource consent under Rule 17.7.3 shall not be publicly notified, except where:
 - ☐ The Council decides special circumstances exist (pursuant to Section 95A(4)), or
 - ☐ The applicant requests public notification (pursuant to Section 95A(2)(b)).



18. Amend Rule 17.8 in Chapter 17: Commercial Zone as follows:

**Rule 17.8 MATTERS OF DISCRETION AND CONDITIONS FOR RESTRICTED
DISCRETIONARY ACTIVITIES**

The matters over which Council has restricted its discretion for each restricted discretionary activity, and the conditions for each activity, are detailed below:

...

17.8.3 New buildings, additions and alterations to existing buildings, and relocated buildings in the Foxton and Shannon Town Centre Character/Heritage Overlay Areas and the Foxton Tourism Area. (Refer Rule 17.3(c))

- (a) Matters of Discretion for Rule 17.3(c)(i) and (ii)
- (i) Design, external appearance and siting of the building or structure.
 - (ii) Matters in the Foxton and Shannon Town Centre Character/Heritage Overlay Area Design Guide in Schedule 5).
- (b) Matters of Discretion for Rule 17.3(c)(iii)
- (i) Design, external appearance and siting of the building
 - (ii) Matters in the Foxton and Shannon Town Centre Character/Heritage Overlay Area Design Guide in Schedule 5.
 - (iii) The length of time that will be taken to re-construct, repair, or refurbish the building.
 - (iv) Conditions for upgrading the exterior of the building and upgrading and reinstating the site, including any one or more of the following:
 - redecoration or reinstatement of any roof or exterior cladding;
 - reinstatement of any porches, terraces, baseboards and steps;
 - replacement of broken window panes, broken or rotten timber, guttering, drainpipes;
 - reinstatement of that part of a dwelling where a chimney has been removed;
 - reinstatement of the site and access to the site; or
 - details and length of time to complete site landscaping.
 - (v) A bond, of the nature provided for in the RMA, further secured by deposits of cash with the District Council, bank guarantee, or otherwise, to the satisfaction of the District Council, to ensure compliance with consent conditions.

Conditions

- (i) Relocated buildings shall comply, in all respects, with the relevant permitted activity conditions in other parts of the District Plan.



- (ii) The bond shall be paid prior to the movement of the building to its new site, and shall be to the value of the reinstatement work required, as assessed by a suitably qualified person approved by the Group Manager – Customer and Community Services at the cost of the applicant. The required work will be expected to be completed within a 12 month period. Portions of the bond may be refunded as substantial portions of the work are completed.

(d) Non-Notification

- (i) Under section 77D of the RMA, an activity requiring resource consent in relation to Rule 17.8.3 shall not be publicly notified, except where:
- The Council decides special circumstances exist (pursuant to Section 95A(4)), or
 - The applicant requests public notification (pursuant to Section 95A(2)(b)).

...

17.8.9 Relocated Buildings outside the Foxton and Shannon Town Centre Character/Heritage Overlay Areas and the Foxton Tourism Area

(a) Matters of Discretion

- (i) The length of time that will be taken to re-construct, repair, or refurbish the building.
- (ii) Conditions for upgrading the exterior of the building and upgrading and reinstating the site, including any one or more of the following:
- redecoration or reinstatement of any roof or exterior cladding;
 - reinstatement of any porches, terraces, baseboards and steps;
 - replacement of broken window panes, broken or rotten timber, guttering, drainpipes;
 - reinstatement of that part of a dwelling where a chimney has been removed;
 - reinstatement of the site and access to the site; or
 - details and length of time to complete site landscaping.
- (iii) A bond, of the nature provided for in the RMA, further secured by deposits of cash with the District Council, bank guarantee, or otherwise, to the satisfaction of the District Council, to ensure compliance with consent conditions.

Conditions

- (i) Relocated buildings shall comply, in all respects, with the relevant permitted activity conditions in other parts of the District Plan.



- (ii) The bond shall be paid prior to the movement of the building to its new site, and shall be to the value of the reinstatement work required, as assessed by a suitably qualified person approved by the Group Manager – Customer and Community Services at the cost of the applicant. The required work will be expected to be completed within a 12 month period. Portions of the bond may be refunded as substantial portions of the work are completed.
- (c) Non-Notification
 - (i) Under Section 77D of the RMA, an activity requiring resource consent under Rule 17.8.9 shall not be publicly notified, except where:
 - The Council decides special circumstances exist (pursuant to Section 95A(4)), or
 - The applicant requests public notification (pursuant to Section 95A(2)(b)).

Schedule 15: Building Pre-Inspection Report

[Insert report from Appendix B]



Appendix B

(additions shown in **bold** and agreed deletions shown in ~~strikethrough~~):

Residential Zone

1. Amend Rule 15.1 in Chapter 15: Residential Zone as follows:

Rule 15.1 PERMITTED ACTIVITIES

The following activities are permitted activities in the Residential Zone provided activities comply with all relevant conditions in Rule 15.6 and Chapters 21, 22, 23 and 24.

...

- (c) Relocated buildings ~~up to and including 40m² in gross floor area.~~

...

2. Amend Rule 15.2 in Chapter 15: Residential Zone as follows:

Rule 15.2 CONTROLLED ACTIVITIES

The following activities are controlled activities in the Residential Zone provided activities comply with all relevant conditions in Rule 15.7 and Chapters 21, 22, 23 and 24. Refer to Rule 15.7 for matters of control and conditions:

- (a) The placement of any **non-residential** relocated building and/or **relocated** accessory building **over 40m² in gross floor area** on any site (Refer Rule 15.7.1)

~~Except~~

~~Any relocated buildings up to and including 40m² in gross floor area~~

...

3. Amend Rule 15.3 in Chapter 15: Residential Zone as follows:

Rule 15.3 RESTRICTED DISCRETIONARY ACTIVITIES

The following activities are restricted discretionary activities in the Residential Zone provided activities comply with all relevant conditions in Rule 15.8. Refer to Rule 15.8 for matters of discretion and conditions.

...

- (j) **The placement of any residential relocated building over 40m² in gross floor area that does not comply with the conditions in Rule 15.6.34(b) (Refer Rule 15.8.14)**



4. Amend Rule 15.6 in Chapter 15: Residential Zone as follows:

Rule 15.6 CONDITIONS FOR PERMITTED ACTIVITIES

The following conditions shall apply to all permitted activities:

...

15.6.34 Relocated Buildings

- (a) The relocated building shall be up to and including 40m² in gross floor area; or
- (b) The relocated building shall be intended for use as a residential dwelling and be originally designed, built and used as a residential dwelling; and comply with the following:
- (i) A building pre-inspection report shall be submitted by the owner of the relocated building (referred to in this rule as "the Owner") to the Planning Services Manager at the same time as an application is made for a building consent for the relocated building. That report shall be on the form in Schedule 15 and is to identify all reinstatement works that are to be completed to the exterior of the building.
- (ii) The building pre-inspection report shall be prepared by:
- A Horowhenua District Council Building Compliance Officer (or equivalent);
 - A member of the New Zealand Institute of Building Surveyors;
 - A licensed building practitioner (carpenter or design category); or
 - A building inspector from the local authority where the building is being relocated from.
- (iii) The Owner must deposit a refundable monitoring fee of \$1500 with the Council at the same time as submitting the building pre-inspection report with the Council.
- (iv) The relocated building shall be located on permanent foundations approved by building consent, no later than 2 months from the building being moved to the site.
- (v) All reinstatement work required in the Condition Table in Section 2.0 of the building pre-inspection report to reinstate the exterior of any relocated building shall be completed within 9 months of the building being delivered to the site.
- (vi) The Owner must complete the Owner Certificate and Declaration in Section 7.0 of the building pre-inspection report to certify to the Council that all of the reinstatement work will be completed within 9 months of the building being delivered to the site.



Note: Photographs showing progress of reinstatement works may be provided to Council's Environmental Compliance Officer. A final site inspection will still be required to determine compliance on completion of reinstatement works.

5. Amend Rule 15.7.1 in Chapter 15: Residential Zone as follows:

15.7 MATTERS OF CONTROL AND CONDITIONS FOR CONTROLLED ACTIVITIES

The matters over which Council has reserved its control and the conditions are detailed below for each controlled activity:

15.7.1 Relocated Buildings (Refer to Rule 15.2(a))

(a) Matters of Control

- (i) The length of time **that will be** taken to re-construct, repair, or refurbish the building.
- (ii) Conditions for upgrading the exterior of the building and upgrading and reinstating the site, including any one or more of the following:
 - redecoration or reinstatement of any roof or exterior cladding;
 - reinstatement of any porches, terraces, baseboards and steps;
 - replacement of broken window panes, broken or rotten timber, guttering, drainpipes;
 - reinstatement of that part of a dwelling where a chimney has been removed;
 - reinstatement of the site and access to the site; or
 - details and length of time to complete site landscaping.
- (iii) A bond, of the nature provided for in the RMA, further secured by deposits of cash with the District Council, bank guarantee, or otherwise, to the satisfaction of the District Council, to ensure compliance with consent conditions. ~~The bond shall be paid prior to the movement of the building to its new site, and shall be to the value of the work required, as assessed by a suitably qualified person approved by the Group Manager – Customer and Community Services Environmental Services Manager at the cost of the applicant. The required work will be expected to be completed within a 12 month period. Portions of the bond may be refunded as substantial portions of the work are completed.~~

(b) Conditions

- (i) Relocated buildings shall comply, in all respects, with the relevant permitted activity conditions in other parts of the District Plan.
- (ii) **The bond shall be paid prior to the movement of the building to its new site, and shall be to the value of the reinstatement work required, as assessed by a suitably qualified person approved by the Group Manager – Customer and Community Services at the cost of the applicant. The required work will be expected to be**



completed within a 12 month period. Portions of the bond may be refunded as substantial portions of the work are completed.

(c) Non-Notification

- (i) Under section 77D of the RMA, an activity requiring resource consent under Rule 15.7.1 shall not be publicly notified, except where:
- The Council decides special circumstances exist (pursuant to Section 95A(4), or
 - The applicant requests public notification (pursuant to Section 95A(2)(b))

6. Amend Rule 15.8 in Chapter 15: Residential Zone as follows:

Rule 15.8 MATTERS OF DISCRETION AND CONDITIONS FOR RESTRICTED DISCRETIONARY ACTIVITIES

The matters over which Council has restricted its discretion for each restricted discretionary activity, and the conditions for each activity, are detailed below:

...

15.8.14 Relocated Buildings (Refer Rule 15.3(j))

(a) Matters of Discretion

- (i) The length of time that will be taken to re-construct, repair, or refurbish the building.
- (ii) Conditions for upgrading the exterior of the building and upgrading and reinstating the site, including any one or more of the following:
- redecoration or reinstatement of any roof or exterior cladding;
 - reinstatement of any porches, terraces, baseboards and steps;
 - replacement of broken window panes, broken or rotten timber, guttering, drainpipes;
 - reinstatement of that part of a dwelling where a chimney has been removed;
 - reinstatement of the site and access to the site; or
 - details and length of time to complete site landscaping.

- (iii) A bond, of the nature provided for in the RMA, further secured by deposits of cash with the District Council, bank guarantee, or otherwise, to the satisfaction of the District Council, to ensure compliance with consent conditions.

(b) Conditions



- (i) Relocated buildings shall comply, in all respects, with the relevant permitted activity conditions in other parts of the District Plan.
 - (ii) The bond shall be paid prior to the movement of the building to its new site, and shall be to the value of the reinstatement work required, as assessed by a suitably qualified person approved by the Group Manager – Customer and Community Services at the cost of the applicant. The required work will be expected to be completed within a 12 month period. Portions of the bond may be refunded as substantial portions of the work are completed.
- (c) Non-Notification:
- (i) Under Section 77D of the RMA, an activity requiring resource consent under Rule 15.8.14 shall not be publicly notified, except where:
 - The Council decides special circumstances exist (pursuant to Section 95A(4)), or
 - The applicant requests public notification (pursuant to Section 95A(2)(b)).

Rural Zone

7. Amend Rule 19.1 in Chapter 19: Rural Zone as follows:

Rule 19.1 PERMITTED ACTIVITIES

The following activities are permitted activities in the Rural Zone provided activities comply with all relevant conditions in Rule 19.6 and Chapters 21, 22, 23 and 24.

...

- (e) Relocated buildings up to and including 40m² in gross floor area.

...

8. Amend Rule 19.2 in Chapter 19: Rural Zone as follows:

Rule 19.2 CONTROLLED ACTIVITIES

The following activities shall be controlled activities in the Rural Zone provided activities comply with all relevant conditions in Rule 19.7 and Chapters 21, 22, 23 and 24. Refer to Rule 19.7 for matters of control and conditions:

...

The placement of any **non-residential** relocated building and/or **relocated** accessory building **over 40m² in gross floor area on any site** (Refer Rule 19.7.6)

Except



Any relocated buildings up to and including 40m² in gross floor area

...

9. Amend the Rule 19.3 in Chapter 19: Rural Zone as follows:

Rule 19.3 RESTRICTED DISCRETIONARY ACTIVITIES

The following activities shall be restricted discretionary activities in the Rural Zone provided activities comply with all relevant conditions in Rule 19.8. Refer to Rule 19.8 for matters of discretion and conditions.

...

19.3.11 Relocated buildings

- (j) **The placement of any residential relocated building over 40m² in gross floor area that does not comply with the conditions in Rule 19.6.31(b) (Refer Rule 19.8.20)**

10. Amend the Rule 19.6 in Chapter 19: Rural Zone as follows:

Rule 19.6 CONDITIONS FOR PERMITTED ACTIVITIES

The following conditions shall apply to all permitted activities:

...

19.6.31 Relocated Buildings

- (a) **The relocated building shall be up to and including 40m² in gross floor area; or**
- (b) **The relocated building shall be intended for use as a residential dwelling and be originally designed, built and used as a residential dwelling; and comply with the following:**
- (i) **A building pre-inspection report shall be submitted by the owner of the relocated building (referred to in this rule as "the Owner") to the Planning Services Manager at the same time as an application is made for a building consent for the relocated building. That report shall be on the form in Schedule 15 and is to identify all reinstatement works that are to be completed to the exterior of the building.**
- (ii) **The building pre-inspection report shall be prepared by:**
- **A Horowhenua District Council Building Compliance Officer (or equivalent);**
 - **A member of the New Zealand Institute of Building Surveyors;**
 - **A licensed building practitioner (carpenter or design category); or**



- A building inspector from the local authority where the building is being relocated from.
- (iii) The Owner must deposit a refundable monitoring fee of \$1500 with the Council at the same time as submitting the building pre-inspection report with the Council.
 - (iv) The relocated building shall be located on permanent foundations approved by building consent, no later than 2 months from the building being moved to the site.
 - (v) All reinstatement work required in the Condition Table in Section 2.0 of the building pre-inspection report to reinstate the exterior of any relocated building shall be completed within 9 months of the building being delivered to the site.
 - (vi) The Owner must complete the Owner Certificate and Declaration in Section 7.0 of the building pre-inspection report to certify to the Council that all of the reinstatement work will be completed within 9 months of the building being delivered to the site.

Note: Photographs showing progress of reinstatement works may be provided to Council's Environmental Compliance Officer. A final site inspection will still be required to determine compliance on completion of reinstatement works.

11. Amend Rule 19.7.6 in Chapter 19: Rural Zone as follows:

19.7 MATTERS OF CONTROL AND CONDITIONS FOR CONTROLLED ACTIVITIES

The matters over which the Council reserves its control and the conditions are detailed below for each controlled activity:

...

19.7.6 Relocated Buildings (Refer to Rule 19.2(d))

(a) Matters of Control

- (i) Conditions for upgrading the exterior of the building and upgrading and reinstating the site, including any one or more of the following:
 - redecoration or reinstatement of any roof or exterior cladding-;
 - reinstatement of any porches, terraces, baseboards and steps-;
 - replacement of broken window panes, broken or rotten timber, guttering, drainpipes-;
 - reinstatement of that part of a dwelling where a chimney has been removed-;
 - reinstatement of the site and access to the site-; **or**
 - details and length of time to complete site landscaping.



- (ii) The length of time **that will be** taken to reconstruct, repair or refurbish the building.
- (iii) A bond, of the nature provided for in the RMA, further secured by deposits of cash with the Council, bank guarantee, or otherwise, to the satisfaction of the Council, to ensure compliance with consent conditions. ~~The bond shall be paid prior to the movement of the building to its new site, and shall be to the value of the work required, as assessed by a suitably qualified person approved by the Group Manager – Customer and Community Services Environmental Manager at the cost of the applicant. The required work will be expected to be completed within a 12 month period. Portions of the bond may be refunded as substantial portions of the work are completed.~~

(b) Conditions

- (i) Relocated buildings shall comply, in all respects, with the conditions specified for permitted activities in other relevant parts of the District Plan.
- (ii) **The bond shall be paid prior to the movement of the building to its new site, and shall be to the value of the reinstatement work required, as assessed by a suitably qualified person approved by the Group Manager – Customer and Community Services at the cost of the applicant. The required work will be expected to be completed within a 12 month period. Portions of the bond may be refunded as substantial portions of the work are completed.**

(c) Non-Notification

- (i) **Under section 77D of the RMA, an activity requiring resource consent under Rule 19.7.6 shall not be publicly notified, except where:**
 - **The Council decides special circumstances exist (pursuant to Section 95A(4), or**
 - **The applicant requests public notification (pursuant to Section 95A(2)(b))**

12. Amend Rule 19.8 in Chapter 19: Rural Zone as follows:

Rule 19.8 **MATTERS OF DISCRETION AND CONDITIONS FOR RESTRICTED DISCRETIONARY ACTIVITIES**

The matters over which Council has restricted its discretion for each restricted discretionary activity, and the conditions for each activity, are detailed below:



19.8.20

Relocated Buildings (Refer Rule 19.3.11(j))

Matters of Discretion

- (i) **The length of time that will be taken to re-construct, repair, or refurbish the building.**

(ii) Conditions for upgrading the exterior of the building and upgrading and reinstating the site, including any one or more of the following:

- redecoration or reinstatement of any roof or exterior cladding;
- reinstatement of any porches, terraces, baseboards and steps;
- replacement of broken window panes, broken or rotten timber, guttering, drainpipes;
- reinstatement of that part of a dwelling where a chimney has been removed;
- reinstatement of the site and access to the site; or
- details and length of time to complete site landscaping.

(iii) A bond, of the nature provided for in the RMA, further secured by deposits of cash with the District Council, bank guarantee, or otherwise, to the satisfaction of the District Council, to ensure compliance with consent conditions.

(b) Conditions

(i) Relocated buildings shall comply, in all respects, with the relevant permitted activity conditions in other parts of the District Plan.

(ii) The bond shall be paid prior to the movement of the building to its new site, and shall be to the value of the reinstatement work required, as assessed by a suitably qualified person approved by the Group Manager – Customer and Community Services at the cost of the applicant. The required work will be expected to be completed within a 12 month period. Portions of the bond may be refunded as substantial portions of the work are completed.

(c) Non-Notification:

(i) Under Section 77D of the RMA, an activity requiring resource consent under Rule 19.8.20 shall not be publicly notified, except where:

- The Council decides special circumstances exist (pursuant to Section 95A(4)), or
- The applicant requests public notification (pursuant to Section 95A(2)(b)).



Commercial Zone

Send Rule 17.1 in Chapter 17: Commercial Zone as follows:

7.1 PERMITTED ACTIVITIES

The following activities are permitted activities in the Commercial Zone provided activities comply with all relevant conditions in Rule 17.6 and Chapters 21, 22, 23 and 24.

...

- (m) Relocated buildings up to ~~an including 40m² in gross floor area~~ **except for relocated buildings over 40m² in gross floor area in the Foxton and Shannon Town Centre/Heritage Overlay Areas and the Foxton Tourism Overlay Area.**

...

- 14. Amend Rule 17.2 in Chapter 17: Commercial Zone as follows:

17.2 CONTROLLED ACTIVITIES

The following activities shall be controlled activities in the Commercial Zone provided activities comply with all relevant conditions in Rule 17.7 and Chapters 21, 22, 23 and 24. Refer to Rule 17.7 for matters of control and conditions.

...

- (c) The placement of any **non-residential** relocated building **and/or relocated accessory building over 40m² in gross floor area on any site.** (Refer Rule 17.7.3)

Except

Relocated buildings over 40m² in gross floor area in the Foxton and Shannon Town Centre/Heritage Overlay Areas and the Foxton Tourism Overlay Area. ~~Any relocated buildings up to and including 40m² in gross floor area.~~

...

- 15. Amend Rule 17.3 in Chapter 17: Commercial Zone as follows:

17.3 RESTRICTED DISCRETIONARY ACTIVITIES

The following activities shall be restricted discretionary activities in the Commercial Zone provided activities comply with all relevant conditions in Rule 17.8. Refer to Rule 17.8 for matters of discretion and conditions.

...

- (c) Within the Foxton and Shannon Town Centre Character/Heritage Overlay Areas and the Foxton Tourism Overlay Area the following activities:

- (i) The development of new buildings (Refer Rule 17.8.3)
- (ii) Any external additions and alterations to existing buildings that do not comply with the permitted activity conditions. (Refer Rule 17.8.3)



- (iii) The placement of any relocated building over 40m² in gross floor area. (Refer Rule 17.8.3)

Advice Note: Any relocated building over 40m² in gross floor area within the Levin, Foxton and Shannon Pedestrian Overlay Areas may also require consent for residential activities at ground floor level.

...

- (h) Outside the Foxton and Shannon Town Centre Character/Heritage Overlay Areas and the Foxton Tourism Overlay Area the placement of any residential relocated building over 40m² in gross floor area that does not comply with the conditions in Rule 17.6.27(b) (Refer Rule 17.8.9).

Advice Note: Any residential relocated building over 40m² in gross floor area within the Levin, Foxton and Shannon Pedestrian Overlay Areas may also require consent for residential activities at ground floor level.

...

16. Amend Rule 17.6 in Chapter 17: Commercial Zone as follows:

Rule 17.6 CONDITIONS FOR PERMITTED ACTIVITIES

The following conditions shall apply to all permitted activities:

...

17.6.27 Relocated Buildings

- (a) The relocated building shall be up to and including 40m² in gross floor area; or
- (b) The relocated building shall be intended for use as a residential dwelling and be originally designed, built and used as a residential dwelling; and comply with the following:
- (i) A building pre-inspection report shall be submitted by the owner of the relocated building (referred to in this rule as "the Owner") to the Planning Services Manager at the same time as an application is made for a building consent for the relocated building. That report shall be on the form in Schedule 15 and is to identify all reinstatement works that are to be completed to the exterior of the building.
- (ii) The building pre-inspection report shall be prepared by:
- A Horowhenua District Council Building Compliance Officer (or equivalent);
 - A member of the New Zealand Institute of Building Surveyors;
 - A licensed building practitioner (carpenter or design category); or



- A building inspector from the local authority where the building is being relocated from.
- (iii) The Owner must deposit a refundable monitoring fee of \$1500 with the Council at the same time as submitting the building pre-inspection report with the Council.
- (iv) The relocated building shall be located on permanent foundations approved by building consent, no later than 2 months from the building being moved to the site.
- (v) All reinstatement work required in the Condition Table in Section 2.0 of the building pre-inspection report to reinstate the exterior of any relocated building shall be completed within 9 months of the building being delivered to the site.
- (vi) The Owner must complete the Owner Certificate and Declaration in Section 7.0 of the building pre-inspection report to certify to the Council that all of the reinstatement work will be completed within 9 months of the building being delivered to the site.

Note: Photographs showing progress of reinstatement works may be provided to Council's Environmental Compliance Officer. A final site inspection will still be required to determine compliance on completion of reinstatement works.

17. Amend Rule 17.7.3 in Chapter 17: Commercial Zone as follows:

Rule 17.7 MATTERS OF CONTROL AND CONDITIONS FOR CONTROLLED ACTIVITIES

The matters over which Council reserves its control and the conditions are detailed below for each controlled activity.

...

17.7.3 Relocated Buildings. (Refer Rule 17.2(c))

(a) Matters of Control

- (i) The length of time **that will be** taken to re-construct, repair, or refurbish the building;
- (ii) Conditions for upgrading the exterior of the building and upgrading, and reinstating the site, including any one or more of the following:
 - redecoration or reinstatement of any roof or exterior cladding
 - reinstatement of any **porches, terraces**, baseboards and steps;
 - replacement of broken window panes, broken or rotten timber, guttering, drainpipes;
 - reinstatement of the site and access to the site; and/or
 - details and length of time to complete site landscaping.



- (iii) A bond, of the nature provided for in the Resource Management Act 1991, further secured by deposits of cash with the District Council, bank guarantee, or otherwise, to the satisfaction of the District Council, to ensure compliance with consent conditions. ~~The bond is to be paid prior to the movement of the building to its new site and shall be to the value of the work required, as assessed by a suitably qualified person approved by the Environmental Services Manager Group Manager – Customer and Community Services, at the cost of the applicant. The required work will be expected to be completed within a 12 month period. Portions of the bond may be refunded as substantial portions of the work are completed.~~

(b) Conditions

- (i) Relocated buildings shall comply, in all respects, with the relevant permitted activity conditions in other parts of the District Plan.
- (ii) **The bond shall be paid prior to the movement of the building to its new site, and shall be to the value of the reinstatement work required, as assessed by a suitably qualified person approved by the Group Manager – Customer and Community Services at the cost of the applicant. The required work will be expected to be completed within a 12 month period. Portions of the bond may be refunded as substantial portions of the work are completed.**

(c) Non-Notification

- (i) Under section 77D of the RMA, an activity requiring resource consent under Rule 17.7.3 shall not be publicly notified, except where:
- ☐ The Council decides special circumstances exist (pursuant to Section 95A(4)), or
 - ☐ The applicant requests public notification (pursuant to Section 95A(2)(b)).

...

18. Amend Rule 17.8 in Chapter 17: Commercial Zone as follows:

Rule 17.8 **MATTERS OF DISCRETION AND CONDITIONS FOR RESTRICTED DISCRETIONARY ACTIVITIES**

The matters over which Council has restricted its discretion for each restricted discretionary activity, and the conditions for each activity, are detailed below:

...

17.8.3 New buildings, additions and alterations to existing buildings, **and relocated buildings** in the Foxton and Shannon Town Centre Character/Heritage Overlay Areas and the Foxton Tourism Area. (Refer Rule 17.3(c))

Matters of Discretion **for Rule 17.3(c)(i) and (ii)**



- (i) Design, external appearance and siting of the building or structure.
- (ii) Matters in the Foxton and Shannon Town Centre Character/Heritage Overlay Area Design Guide in Schedule 5).

(b) Matters of Discretion for Rule 17.3(c)(iii)

- (i) Design, external appearance and siting of the building
- (ii) Matters in the Foxton and Shannon Town Centre Character/Heritage Overlay Area Design Guide in Schedule 5.
- (iii) The length of time that will be taken to re-construct, repair, or refurbish the building.
- (iv) Conditions for upgrading the exterior of the building and upgrading and reinstating the site, including any one or more of the following:
 - redecoration or reinstatement of any roof or exterior cladding;
 - reinstatement of any porches, terraces, baseboards and steps;
 - replacement of broken window panes, broken or rotten timber, guttering, drainpipes;
 - reinstatement of that part of a dwelling where a chimney has been removed;
 - reinstatement of the site and access to the site; or
 - details and length of time to complete site landscaping.
- (v) A bond, of the nature provided for in the RMA, further secured by deposits of cash with the District Council, bank guarantee, or otherwise, to the satisfaction of the District Council, to ensure compliance with consent conditions.

(c) Conditions

- (i) Relocated buildings shall comply, in all respects, with the relevant permitted activity conditions in other parts of the District Plan.
- (ii) The bond shall be paid prior to the movement of the building to its new site, and shall be to the value of the reinstatement work required, as assessed by a suitably qualified person approved by the Group Manager – Customer and Community Services at the cost of the applicant. The required work will be expected to be completed within a 12 month period. Portions of the bond may be refunded as substantial portions of the work are completed.

Non-Notification



- (i) Under section 77D of the RMA, an activity requiring resource consent in relation to Rule 17.8.3 shall not be publicly notified, except where:
- The Council decides special circumstances exist (pursuant to Section 95A(4)), or
 - The applicant requests public notification (pursuant to Section 95A(2)(b)).

...

17.8.9 Relocated Buildings outside the Foxton and Shannon Town Centre Character/Heritage Overlay Areas and the Foxton Tourism Area

(a) Matters of Discretion

- (i) The length of time that will be taken to re-construct, repair, or refurbish the building.
- (ii) Conditions for upgrading the exterior of the building and upgrading and reinstating the site, including any one or more of the following:
- redecoration or reinstatement of any roof or exterior cladding;
 - reinstatement of any porches, terraces, baseboards and steps;
 - replacement of broken window panes, broken or rotten timber, guttering, drainpipes;
 - reinstatement of that part of a dwelling where a chimney has been removed;
 - reinstatement of the site and access to the site; or
 - details and length of time to complete site landscaping.
- (iii) A bond, of the nature provided for in the RMA, further secured by deposits of cash with the District Council, bank guarantee, or otherwise, to the satisfaction of the District Council, to ensure compliance with consent conditions.

(b) Conditions

- (i) Relocated buildings shall comply, in all respects, with the relevant permitted activity conditions in other parts of the District Plan.
- (ii) The bond shall be paid prior to the movement of the building to its new site, and shall be to the value of the reinstatement work required, as assessed by a suitably qualified person approved by the Group Manager – Customer and Community Services at the cost of the applicant. The required work will be expected to be completed within a 12 month period. Portions of the bond may be refunded as substantial portions of the work are completed.



(c) Non-Notification

(i) Under Section 77D of the RMA, an activity requiring resource consent under Rule 17.8.9 shall not be publicly notified, except where:

- **The Council decides special circumstances exist (pursuant to Section 95A(4)), or**
- **The applicant requests public notification (pursuant to Section 95A(2)(b)).**



SCHEDULE 15: Building Pre-Inspection Report



Building Pre-Inspection Report

*New Location Address
District*

For: Horowhenua District Council

Date of Report



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APPENDIX A – PHOTOGRAPHS

1.0 GENERAL INFORMATION

1.1 INTRODUCTION

This Building Pre-Inspection Report ("**Report**") has been prepared in accordance with the requirements of the Horowhenua District Plan. It accurately records the external condition of the building to be relocated and sets out all reinstatement work required to the exterior of the building after it has been relocated to bring it up to a workmanlike standard and to achieve a tidy appearance.

Limited inspection of the interior of the building to be relocated has been undertaken for the purpose of the building consent application which must be lodged with the Horowhenua District Council at the same time as this Report is submitted to the Council.

This Report confirms whether the building to be relocated is considered safe and sanitary.

The Condition Table set out in Section 2.0 of this Report and associated photographs assist in providing a representation of the condition of the building prior to its relocation.

This Report has been prepared by *Name of Company Name* as per our instruction/agreement dated *Date* on behalf of our clients *Name* in accordance with the requirements of the Horowhenua District Plan.



1.2 APPLICANT'S CONTACT DETAILS

| | |
|-----------------------------|------------------------------------|
| Applicant: | <i>Applicant's (client's) name</i> |
| Contact address: | |
| Telephone: | |
| Email: | |
| Any additional information: | |

| | |
|-----------------------------|--------------------------------|
| Agent: | <i>Authorised agent's name</i> |
| Contact address: | |
| Telephone: | |
| Email: | |
| Any additional information: | |



1.3 Building Details

| | |
|---|---|
| Type of building | <i>Dwelling house, garage, ancillary building</i> |
| Approximate age of building: | <i>Provide date range i.e. 1940-1950</i> |
| Brief description: | <i>Number of storeys, approximate size, roof, walls, floor construction, additional features</i> |
| Proposed site address: | <i>Address of the intended site of the relocated building</i> |
| Site address where the building was inspected: | <i>Address</i> |
| Proposed use of building | <i>Dwelling house, residential garage, ancillary</i> |
| Previous use of the building | <i>Dwelling house, residential garage, residential (or other) ancillary building, commercial, industrial. Note: To be a residential building the building must have been originally designed, built and used as a residential dwelling.</i> |
| Is the building being split for transportation? | <i>No/Yes</i> |
| Will the split affect wall cladding? | <i>No/Yes – details, number of sections, identify the location of the cut(s).</i> |
| Will the split affect roof cladding? | <i>No/Yes – details, number of sections, identify the location of the cut(s).</i> |
| Inspection dates & weather: | <i>Date and weather at the time of inspection</i> |
| Inspection by: | <i>Name of inspector</i> |
| Other persons present: | <i>Name of other parties present</i> |
| Building consent status | <i>Has building consent documentation been prepared for the relocation works?</i> |



1.4 REPORTING CONDITIONS

This Report has been prepared under the following conditions of engagement:

- The building inspection undertaken for the purpose of this Report is based on a visual inspection only; therefore it is not possible to guarantee that all concealed areas containing defects will be accessible (floor voids, roof voids, etc). No intrusive investigation will therefore be undertaken.
- Signs of water ingress will be searched for during the building inspection undertaken for the purpose of this Report, however this Report cannot warrant that the building is free from water penetration, from defective roofing, cladding, rainwater goods, rising damp or the like unless evident at the time of visual survey.
- Only areas where safe access is possible have been inspected.
- This Report is provided for the use of the Applicant identified in Section 1.1 of this Report and the Horowhenua District Council and may not be used by others without written permission by those parties. The writer of this Report accepts no liability to third parties who may act on this Report.
- This Report is for the purpose of meeting the requirements of the Horowhenua District Plan. It is not a report to address matters required by the Building Act 2004, except that it requires a declaration regarding whether the building is/isn't safe and sanitary, and has provision for information regarding bearers & floor joists, flooring, wall framing, subfloor cladding & ventilation, and smoke detectors in order to facilitate the building consent process.

1.5 EXCLUSIONS

This Report **does not** include comment about the following:

- a) The structure of the building unless otherwise commented upon;
- b) The surrounding neighbourhood;
- c) The value of the property;
- d) Illegal works; or
- e) The internal condition of the building unless otherwise commented upon.

Additionally, no search has been made of:

- f) Local Authority rates;
- g) Government Valuation; or
- h) LIM or PIM reports.

1.6 DEFINITIONS

The following should be used to define the "Condition" of each "Construction Element" listed in the Condition Table in Section 2.0 of this Report:

Good: Items that have suffered minimal weathering, wear or decay and are free from any visual defects.

Reasonable: Items that have worn through 'normal' use and weathering, and are in commensurate condition to the building's age and use.

Poor: Items that are worn, decayed or weathered either due to the age, abnormal use or lack of maintenance.



1.7 AREAS ACCESSED

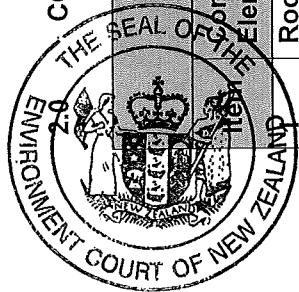
Example:

The external envelope of the subject building viewed from ground floor level and where safely accessed by ladder from ground level.

Internally, our inspection was limited to those parts of the buildings that could be safely accessed and a head and shoulders inspection of the roof space.

Access was gained into the subfloor space....





CONDITION TABLE

| RMA 1991 | | | | | |
|----------|------------------------|--|--------------------------|--|---|
| | Construction Element | Description | Condition | Reinstatement work required & Comments | Photograph |
| | Roof | Corrugated iron/fibre cement sheet, concrete tile, metal tile, butynol membrane, other | Good/Reasonable/ Poor | None/ Repair/ Repaint/ Re-roof etc Additional comments required if the roof was removed during relocation. | Insert multiple photographs if/as required under any of the below sub-headings. |
| 2 | Spouting and Downpipes | PVC, metal, butynol membrane, other | Good/Reasonable/ Poor | None/ Repair/ Repaint/ Replace etc Example: Repair all timber fascias, barges as well as rainwater goods to ensure surface moisture discharges into new Council approved outlet at new site location. | |
| 3 | Wall Cladding | Fibre cement weatherboard/sheet, timber weatherboard, board and batten, metal sidings, other | Good/Reasonable/ Poor | None/ Repair/ Repaint/ Replace etc | |
| 4 | Foundation cladding | Baseboards (likely to have been removed) | Good/Reasonable/ Poor | None/ Repair/ Repaint/ Replace etc Replacement and painting of baseboards or other foundation cladding | |



CONDITION TABLE

| RMA 1991 | | | | | |
|----------|-------------------------|--|--------------------------|--|------------|
| Item | Construction Element | Description | Condition | Reinstatement work required & Comments | Photograph |
| | Window and Door Joinery | Powder coated aluminium, timber, steel, single glazed, double glazed | Good/Reasonable/ Poor | None/ Install new joinery/Repair and redecorate existing joinery Example: Repair and repaint window and door joinery. Replace all broken glass immediately after relocation. | |

3.0 BUILDING ACT REQUIREMENTS

A building consent is required for the relocation of the building and all subsequent works. The building work must be designed and undertaken by Licensed Building Practitioners with the appropriate category of licence (certain homeowner exemptions may apply). This Report must be submitted to the Council at the same time as the application for building consent is made for the relocated building.

The building consent documents must be provided to the Horowhenua District Council along with the appropriate fees and proof of ownership (Certificate of Title less than 3 months old for the proposed site).

The table below should be completed to provide information to facilitate the building consent process.

| Building Act 2004 | | | |
|-------------------|-----------------------------------|---|-----------------------------|
| Item | Construction Element | Description | Condition |
| | Existing subfloor and framing | | |
| 1 | Bearers & Floor Joists | Description | Good/Reasonable/Poor |
| 2 | Flooring | Description | Good/Reasonable/Poor |
| 3 | Wall Framing | Description | Good/Reasonable/Poor |
| 4 | Subfloor Cladding and Ventilation | Description | Likely to have been removed |
| | Interior | | |
| 5 | Smoke Detectors | Mains wired/battery powered. The smoke detectors are installed in every sleeping space, or within 3000mm of every sleeping space door and audible to sleeping occupants on the other side of the closed doors. | Good/Reasonable/Poor |



3.1 SAFE AND SANITARY

Comment is required.

Building Surveyor MUST give a declaration regarding whether the building is/isn't safe and sanitary.

Note:

If the building was constructed after the Building Act 1991 (i.e. Building Consent) confirmation is required as to whether a Code Compliance Certificate had been granted for the building.

Note:

If the building is not considered safe and sanitary then give reasons. (example: evidence of leaky building)

3.2 HEALTH AND SAFETY

Set out below is a description of the health and safety concerns identified.

Example:

Building materials identified are suspected to contain asbestos. This includes, but not limited to fibre cement claddings, vinyl flooring and soffit linings. Asbestos is relatively safe when encapsulated, but is dangerous to health when fibres become airborne. This can occur when the building materials are damaged or become degraded.

No specialist laboratory testing has been carried out to confirm the presence or absence of asbestos or any other material hazardous to health. All comments are based upon a visual inspection only.

It is recommended that a specialist asbestos surveyor be instructed to identify the risks present.

4.0 ESTIMATE OF COSTS OF EXTERNAL REINSTATEMENT WORKS

The estimate of costs of external reinstatement works is the sum of *to insert*.

Note:

Allow a contingency sum for any damage in transit.

"Reinstatement Works" means the extent of the work required to the exterior of the relocated building as specified in the Building Pre-Inspection Report for the purposes of the District Plan. The exterior reinstatement works will not include matters regulated by building legislation or connection to foundations; but may include matters required by the District Plan for work and work to be undertaken and completed to the exterior of the building to a workmanlike standard and to achieve a tidy appearance, including, without limitation:

- (a) Repair of broken windows and window frames;*
- (b) Repair of rotten weatherboards or other damaged wall cladding;*
- (c) Necessary replacement or repair of roof materials;*
- (d) Cleaning and/or painting of the exterior where necessary e.g. roof, walls, window frames etc;*
- (e) Repair of spouting and downpipes;*
- (f) Repair of transit damage; and/or*
- (g) Replacement and painting of baseboards or other foundation cladding.*



5.0 BUILDING SURVEYOR'S SIGNATURE

I, certify that the information provided is true and correct and that the building described above appears to have complied with the relevant Building Regulations at the time of its construction, and (if a dwelling) the building has been originally designed, built and used as a residential dwelling.

Author

Peer Reviewer

Signed:

If undertaken/available

I certify that I am qualified to prepare this Report as a (tick appropriate box):

- ☐ Horowhenua District Council Building Compliance Officer (or equivalent);
- ☐ Member of the New Zealand Institute of Building Surveyors;
- ☐ Licensed Building Practitioner (carpenter or design category); and/or
- ☐ Building inspector from the local authority where the building is being relocated from.

Qualifications *LBP Category, BOINZ, RICS, NZIBS, ANZIA etc*

For and On Behalf of Company Name

Address

Inspectors business address

Telephone

Telephone business number

Email

Email business address

6.0 OWNER PAYMENT & USE OF REFUNDABLE MONITORING FEE

Please tick both boxes

- ☐ I/we have deposited a refundable monitoring fee of \$1500 with the Horowhenua District Council at the same time as lodging this Report.
- ☐ I/we understand that the refundable monitoring fee will be used by the Horowhenua District Council to cover the costs of monitoring inspections necessary to ensure that the reinstatement work required in the Condition Table in Section 2.0 of this Report is completed. Should the reinstatement work not be completed within 9 months of the building being delivered to the destination site I/we understand that the monitoring fee together with the information contained in this Report may be used by Horowhenua District Council officers to fulfil the requirements of lodging and processing a resource consent application for the relocated building.



7.0 OWNER CERTIFICATE AND DECLARATION

As a requirement of the Horowhenua District Plan, I/we _____
CERTIFY that I/we will ensure that within 9 months of the building being delivered to the
destination site the reinstatement work required in the Condition Table in Section 2.0 of this
Report will be completed.

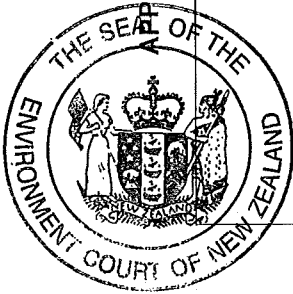
I acknowledge that failure to complete any reinstatement work identified in the Condition
Table in Section 2.0 of this Report may lead to the Horowhenua District Council taking
action under the Building Act 2004 or the Resource Management Act 1991, including by
way of a notice to fix, infringement notice, abatement notice, enforcement order, or
prosecution.

Signed:..... (PRINT).....
Owner

Signed:..... (PRINT).....
Owner

Signed:..... (PRINT).....
Owner





APPENDIX A – PHOTOGRAPHS

| | | |
|--|---|-----------------------|
| | | |
| Elevation description i.e. Front Elevation | Elevation description i.e. Rear Elevation | Elevation description |
| | | |
| Elevation description | Elevation description | Elevation description |



| | | |
|-----------------------|-----------------------|-----------------------|
| | | |
| Elevation description | Elevation description | Elevation description |
| | | |
| Elevation description | Elevation description | Elevation description |

Additional Comments and Notes

