

# Wellington City Proposed District Plan - submission form

Absolutely Positively  
**Wellington City Council**  
Me Heke Ki Pōneke

Clause 6 of the First Schedule, Resource Management Act 1991.

## How to make a submission

- online at [eplan.wellington.govt.nz/proposed](http://eplan.wellington.govt.nz/proposed)
- email your submission to: [PDPsubmissions@wcc.govt.nz](mailto:PDPsubmissions@wcc.govt.nz)
- post this form to us (no stamp needed)
- drop your completed form off to Wellington City Council reception, Level 16, 113 The Terrace.

**To make sure your submission can be accepted please lodge by 5pm Monday 12 September 2022.**

## Privacy statement - what we do with your personal information

All submissions (including name and contact details) are published and made available to elected members and to the public from our offices and on our website. Personal information will also be used for the administration of the notified Proposed Plan process.

All information collected will be held by Wellington City Council. You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. Please contact us at [district.plan@wcc.govt.nz](mailto:district.plan@wcc.govt.nz).

## Your details

Name	
Postal address (including suburb)	
Phone/mobile	Email
I am making this submission: <input type="checkbox"/> as an individual <input type="checkbox"/> on behalf of an organisation. Organisation's name: <b>House Movers Section of the New Zealand Heavy Haulage Association Inc</b>	
I would like to be heard in support of my submission in person <input type="checkbox"/> Yes <input type="checkbox"/> No	
If others make a similar submission, I will consider presenting a joint case with them at a hearing. <input type="checkbox"/> Yes <input type="checkbox"/> No	

## This is a submission on the Wellington City Proposed District Plan

<input type="checkbox"/> I could <input type="checkbox"/> I could not - gain an advantage in trade competition through this submission
If you could gain an advantage in trade competition through this submission answer the next question.
<input type="checkbox"/> I am <input type="checkbox"/> I am not - directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition. (Please tick relevant box if applicable) Note: If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

*Multiple provisions can be commented on within the following section. Feel free to add more pages to your submission to provide a fuller response.*

The specific provision of the plan that my submission relates to: Do you: <input type="checkbox"/> Support <input type="checkbox"/> Oppose <input type="checkbox"/> Amend
What decision are you seeking from the Council? And why?

Wellington City Council  
PO Box 2199  
Wellington 6140

13 September 2022

Attention: Place Planning Team

By email: [planningforgrowth@wcc.govt.nz](mailto:planningforgrowth@wcc.govt.nz)

## District Plan Review – Submission on Proposed Wellington City District Plan

### Introduction

1. The House Movers Section of the New Zealand Heavy Haulage Association Inc (the “**Association**”) represents firms and individuals engaged in building removal and relocation throughout New Zealand.
2. The Wellington City Council has sought submissions on the Proposed Wellington City District Plan (“**Proposed Plan**”).
3. This submission relates specifically to the management and activity status of the relocation of buildings in the Proposed Plan.
4. The Association wishes to ensure that regulatory controls through District Plans properly reflect the purpose and intentions of the Resource Management Act 1991 as expressed in the decision of the Environment Court in *New Zealand Heavy Haulage Association Inc v The Central Otago District Council* (Environment Court, C45/2004, Thompson EJ presiding). In that decision the Environment Court held that there was no real difference in effect and amenity value terms between the *in situ* construction of a new dwelling and relocation of a second-hand dwelling, subject to appropriate permitted activity performance standards.

### Plan Provisions for the Proposed Plan

5. The Association provided feedback on the draft district plan on 14 December 2021. This feedback requested that a degree of control be retained over relocated buildings using performance standards. A schedule was attached to that feedback which contained a list of recommended performance standards.
6. Under the Proposed Plan, relocated buildings are provided for under the definition of construction activities (which includes the “relocation of a building”). The inclusion of relocated buildings as a construction activity means that relocated buildings are permitted in all zones (aside from Commercial Zone where it is restricted discretionary) as relocation of a building would fall under the activity of “*construction, additions and alterations to buildings and structures*”.

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7. Under the Proposed Plan, there does not appear to be any additional controls for relocated buildings.

**Relief Sought**

8. The Association **supports**:
- a. In general, the move in the proposed plan to permitted activity status for those applications involving relocated buildings that meet performance standards and criteria, as set out in **Schedule 1** attached.
  - b. Council retaining a degree of control over relocated buildings through the use of performance/permitted activity standards.
  - c. Restricted Discretionary activity status for relocated buildings that do not meet the permitted activity status standards.

Yours faithfully



**Stuart Ryan**  
Barrister

Cc NZHHA

**Attachments:**

1. **Schedule 1:** Recommended Performance Standards.
2. **Schedule 2:** Example template for building pre-inspection report (refer Schedule 1, at (c)).

**District Plan Review – Submission on Proposed Wellington City District Plan****Schedule 1 – Recommended Performance Standards for Relocated Buildings**

- a) Any relocated dwelling complies with the relevant standards for permitted activities in the District Plan.
- b) Any relocated building intended for use as a dwelling must have previously been designed, built and used as a dwelling.
- c) A building pre-inspection report shall accompany the application for a building consent for the destination site. That report is to identify all reinstatement works that are to be completed to the exterior of the building. The report shall include a certification by the property owner that the reinstatement works shall be completed within the specified [12] month period.
- d) The building shall be located on permanent foundations approved by building consent, no later than [2] months of the building being moved to the site.
- e) All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within [12] months of the building being delivered to the site. Without limiting (c) (above) reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.

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**Schedule 2 – Pre-Inspection Report**



## Building Pre-Inspection Report for Relocation

*New Location Address  
Region*

For: *Council Name*

*Date of report*

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## **APPENDICES**

### **APPENDIX A – PHOTOGRAPHS**

## 1.0 GENERAL INFORMATION

### 1.1 Introduction

This Building Pre-Inspection report accurately records the external condition of the *dwelling house/garage/ancillary building* to be relocated and to establish all reinstatement works required to the exterior of the building after relocation to a workmanlike standard and to achieve a tidy appearance to meet requirements of the District Plan .

Limited inspection of the interior has been undertaken for the purpose of the Report.

The Report confirms whether the building is considered Safe and Sanitary.

The Report also identifies site-specific requirements including but not limited to the requirement for; the construction of the new foundations, new retaining walls, service connections, water and sewerage treatment (if applicable).

The Report also provides photographs of the surroundings of the destination site. These photos provide context for the standard to be achieved in reinstating the relocated building.

The Report must be read in conjunction with the condition table and photographs provided, which assist in providing a representation of the condition of the premises prior to the commencement of the relocation.

The Report has been prepared by *Name of Company Name* as per our instruction/agreement dated \_\_\_\_\_ on behalf of our clients *Name*

### 1.2 Applicants Contact Details

Applicant:	<i>Applicant (clients) name</i>
Contact address:	<i>Contact address</i>
Telephone:	
Email:	
Any Additional information:	

Agent:	<i>Authorised agent</i>
Contact address:	<i>Contact address</i>
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>Relocated building must have been previously designed, built and used as a dwelling (Except previously used garage and ancillary buildings)</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 survey 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 completion of the survey, however the 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 our visual survey.
- Only areas where safe access is possible have been inspected.
- The Report is provided for the use of the client identified in section 1.1 and the council and may not be used by others without written permission. The writer of this report accepts no liability to third parties who may act on the report.
- This Report must be read in conjunction with photograph and condition tables provided.
- This Report is for the purposes of the District Plan. The Report also requires a safe and sanitary declaration for the purposes of the Building Act 2004.

## 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; and
- e) 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 defines the condition comments of the elements surveyed:

- 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 is in commensurate condition to the building 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....*

2.0 MANDATORY CONDITION TABLE

RMA 1991 – Mandatory External Reinstatement					
Item	Construction Element	Description	Condition	Required Upgrades & Comments	Photograph
1	Roof	<i>Corrugated iron/fibre cement sheet, concrete tile, metal tile, butynol membrane, other</i>	<i>Good/Reasonable/ Poor</i>	<i>None/ Repaint/ Re-roof etc</i>	 <p><i>Insert multiple photographs if/as required under any of the below sub-headings.</i></p>
2	Spouting and Downpipes	<i>PVC, metal, butynol membrane, other</i>	<i>Good/Reasonable/ Poor</i>	<i>None/ Repaint/ Replace etc</i>  <i>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.</i>	

2.0 MANDATORY CONDITION TABLE

RMA 1991 – Mandatory External Reinstatement					
Item	Construction Element	Description	Condition	Required Upgrades & Comments	Photograph
3	Wall Cladding	<i>Fibre cement weatherboard/sheet, timber weatherboard, Board and batten, metal sidings, other</i>	<i>Good/Reasonable/Poor</i>	<i>None/ Repaint/ Replace etc</i>	
4	Foundation cladding	<i>NA</i>	<i>NA</i>	<i>Foundation cladding is to be installed as specified in the Building Consent</i>	
5	Window and Door Joinery	<i>Powder coated aluminium, timber, steel, single glazed, double glazed</i>	<i>Good/Reasonable/Poor</i>	<i>None/ Install new joinery/Repair and redecorate existing joinery</i>  <i>Example: Repair and repaint window and door joinery. Replace all broken glass immediately after relocation.</i>	

### 3.0 BUILDING ACT REQUIREMENTS

This Report is for purposes required by the District Plan. It is not a report to address matters required by the Building Act.

A building consent is required for the relocation of this building and all subsequent works as a consequence. The building work must be designed and undertaken by Licensed Building Practitioners with the appropriate category of licence (certain homeowner exemptions may apply). This Pre-inspection Report must be submitted to council with an application for building consent.

The building consent documents must be provided to council along with the appropriate fees and proof of ownership (Certificate of Title less than 3 months old or sale and purchase agreement for the proposed site).

The site specifics must be appropriately designed to include foundations, considering, layout, sizing, position, bracing, ventilation, access etc.

### 4.1 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 is not considered safe and sanitary then give reasons. (example: evidence of leaky building)*

### 4.2 HEALTH & 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 air borne. 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.*

## 5.0 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 the building legislation or connection to foundations; but may include matters required by the District Plan for 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 transit damage; and/or*
- (f) Replacement and painting of baseboards or other foundation cladding.*

**6.0 BUILDING SURVEYORS SIGNATURE**

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

**Author**

**Peer Reviewer**

Signed:

*If undertaken/available*

**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*

**7.0 OWNER CERTIFICATE AND DECLARATION**

As a requirement of the [insert council name] District Plan/Resource Consent, I/we \_\_\_\_\_ CERTIFY that I/we will ensure that within 12 months from the building being delivered to site the buildings external reinstatement, infrastructure, closing in, ventilation of foundations, and connections to services (mains or private) will be completed.

I acknowledge that failure to complete any mandatory work identified in 2.0 'Mandatory Condition Table' relating to the reinstatement of the building may lead to council taking enforcement action under the Building Act 2004, or 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





*Elevation description i.e. Front Elevation*

*Elevation description i.e. Rear Elevation*

*Elevation description*

*Elevation description*

*Elevation description*

*Elevation description*

<i>Elevation description</i>	<i>Elevation description</i>	<i>Elevation description</i>
<i>Elevation description</i>	<i>Elevation description</i>	<i>Elevation description</i>

**Destination Site Photographs**



## Additional Comments and Notes