

Waitomo District Council

Hearing on submissions on the Proposed Waitomo District Plan

Report and Decisions of the Independent Hearing Commissioners

Decision Report:

Chapter 38. Relocated Buildings

19 June 2025

Commissioners

Greg Hill (Chair)

Wikitōria Tāne

Allan Goddard

Phil Brodie

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1. Introduction

1. This Decision Report relates to all the submissions received by the Waitomo District Council (Council) on Chapter 38 Relocated Buildings and Shipping Containers. This includes related provisions within the Proposed Waitomo District Plan (PDP) such as Definitions (Chapter 9) and Appendices and Schedules (Part 4).
2. The chapter seeks to enable innovative reuse of new relocatable and second-hand building resources and shipping containers while maintaining the visual and environmental quality of the district.

2. Hearing arrangements

3. The hearing was held in person and online **on 16 and 17 July 2024 in Council's** offices at 15 Queen Street, Te Kūiti. All of the relevant information pertaining to this hearing (i.e., section 42A reports, legal submissions and evidence) is **contained on Council's website**.
4. The following parties submitted on this chapter.

Submission No	Submitter
43.65	Graymont (NZ) Ltd
44.01	House Movers Section of NZ Heavy Haulage Assoc.

5. The Panel heard from Jonathan Bhana-Thomson, Chief Executive of New Zealand Heavy Haulage Association Inc at the hearing on 16 July 2024.

3. Submitter evidence

6. In his verbal evidence and in response to questions from the Panel, Mr Bhana-Thomson:
 - Generally agreed with the recommendations in the Section 42A report.
 - Agreed that providing for relocated buildings below 30m² to be permitted without standards is prudent in light of proposed central government changes.
 - Is comfortable with the pre-inspection report being in a non-statutory form and noted that WDC could use the **Association's form**.
 - Supported the amendment to restricted discretionary status from discretionary for relocated buildings that cannot meet the permitted performance standards.

4. Panel decision

7. Having considered the submissions and evidence presented, the Panel acknowledged **the Association's general support for the PDP's** provisions and noted that the Association did not oppose restrictions on relocated buildings in the identified Precincts (PREC1, PREC2, PREC6, and PREC7) due to their unique character and significance. The Panel **agrees with the Association's position that** restricted discretionary status is appropriate for relocated buildings that do not meet the permitted activity performance standards.
8. The Panel agreed with the aim of chapter 38 to balance the sustainable and affordable benefits of new transportable buildings, second-hand relocated buildings and shipping containers with the need to maintain local character and amenity. The Panel found that:
 - Permitted activity status for relocated buildings (being new transportable buildings and second-hand relocated buildings subject to performance standards as applicable), is appropriate.
 - Restricted discretionary status is the appropriate activity status for managing non-compliant relocated buildings.
 - A non-statutory pre-inspection report is the preferred approach for flexibility.
 - The precinct-specific controls on relocated buildings are justified based on character, amenity and heritage considerations.
9. It was also accepted that while shipping containers can be used for diverse purposes, when they are employed for residential accommodation, proper siting, maintenance, and integration with services is required to avoid negative effects on neighbourhood amenity.
10. Otherwise, unless stated in the Panel decision above, the Panel has elected to adopt the recommendations in the Section 42A Report. No further amendments were made in the Section 42A Addendum Report on this chapter.

5. Conclusion

11. The Panel accepts the recommendations in the section 42A reports and where noted above, the evidence filed by the submitters. The reasons for this are those set out in the section 42A reports, the evidence, and provided in this Decision; collectively forming the section 32AA assessment informing this Decision.
12. Overall, the Panel is satisfied that the provisions of chapter, as amended, will provide a suitable framework for managing the ongoing use and development of relocated buildings and shipping containers, whilst managing any adverse effects.
13. The Panel accepts, accepts in part, or rejects the submissions as set out in the section 42A reports.

For the Hearing Panel

Greg Hill, Chair

Dated: 19 June 2025

6. Appendix 1 – Submission Table

Relocated buildings and shipping containers – Submission points in order of plan provision

Submission No	Submitter	Support / In part / oppose	Plan Provision	Relief Sought	Recommendation
43.65	Graymont (NZ) Ltd	Support	RLB-O4	Retain RLB-O4 as notified.	Accept
44.01	House Movers Section of NZ Heavy Haulage Assoc.	Support	RLB-R1	Retain RLB-R1 as notified.	Accept in part
44.07	House Movers Section of NZ Heavy Haulage Assoc.	Oppose with amendment	RLB-R1	Amend RLB-R1 (PREC6 and PREC1) as follows: Activity status where compliance is not achieved: RD DIS And Any consequential amendments required to achieve the relief sought.	Accept in part
44.02	House Movers Section of NZ Heavy Haulage Assoc.	Support	RLB-R2	Retain RLB-R2 as notified.	Accept in part
44.08	House Movers Section of NZ Heavy Haulage Assoc.	Oppose with amendment	RLB-R2	Amend RLB-R2 (PREC6 and PREC1) as follows: Activity status where compliance is not achieved: RD DIS And Any consequential amendments required to achieve the relief sought.	Accept in part
44.03	House Movers Section of NZ Heavy Haulage Assoc.	Support	RLB-R3	Retain RLB-R3 as notified.	Accept in part
44.09	House Movers Section of NZ Heavy Haulage Assoc.	Oppose with amendment	RLB-R3	Amend RLB-R3 (All Zones and PREC2) as follows: Activity status where compliance is not achieved: RD DIS And Any consequential amendments required to achieve the relief sought.	Accept
43.66	Graymont (NZ) Ltd	Support	RLB-R4	Retain RLB-R4 as notified.	Accept
44.04	House Movers Section of NZ Heavy Haulage Assoc.	Support	RLB-R6	Retain RLB-R6 as notified.	Accept

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
44.10	House Movers Section of NZ Heavy Haulage Assoc.	Oppose with amendment	RLB-R6	Amend RLB-R6 as follows: Activity status where compliance is not achieved: RD DIS And Any consequential amendments required to achieve the relief sought.	Accept
44.05	House Movers Section of NZ Heavy Haulage Assoc.	Support	RLB-Table 2 Performance standards	Retain RLB-Table 2 Performance standards as notified.	Accept in part
44.06	House Movers Section of NZ Heavy Haulage Assoc.	New	NEW	Add to the performance standards those as shown in Schedule 2 and the building inspection report as shown in Schedule 3 attached to the submission. And Any consequential amendments required to achieve the relief sought.	Accept in part

7. Appendix 2 – Decisions Version of the Chapter

Relocated Buildings and Shipping Containers | Ngā Kōrero mō te Hūnuku Whare

Overview

While second-hand relocated buildings can provide a sustainable, affordable housing option that allows reuse of physical resources, if undertaken poorly or when the required maintenance and alterations are not made, these buildings can adversely affect the amenity of an area. To manage these effects, this chapter provides for second-hand relocated buildings as a permitted activity in all zones and most precincts, provided that specified standards are met. Provision is also made for new transportable buildings that are constructed off-site, transported and relocated. In all cases the standards of the relevant zone and district wide chapters are also required to be met.

There are areas in the district that have a special character. The Te Kumi commercial precinct (PREC2) is a gateway feature of Te Kūiti, while the Te Maika precinct (PREC7) is located in the coastal environment and in an outstanding natural landscape. The amenity precinct (PREC6) provides a rural corridor and entrance to Waitomo Caves Village and the railway cottage cluster precinct (PREC1) possesses unique heritage values and characteristics. Poorly situated second-hand relocated buildings, shipping containers and second-hand relocated buildings that are not adequately finished have the potential to detract from the character of these precincts. Careful consideration of the position of relocated buildings is required.

Although shipping containers are not relocated buildings, they are increasingly being used for a number of purposes including conversion into residential accommodation, workshops, offices, ancillary buildings and for use as storage. In some places shipping containers have been repurposed as retail premises which successfully contribute to the amenity and vibrancy of commercial areas. Where shipping containers are converted into residential accommodation it is important that their location, general appearance and connectivity to services is considered. Shipping containers can adversely impact the character and amenity of the surrounding neighbourhood, particularly where they are highly visible, are left in a state of disrepair or where a number of containers are clustered together. As a result, this plan aims to protect local amenity while enabling innovative reuse of this resource.

Objectives

Refer also to the relevant objectives in Part 2 District - Wide Matters

- RLB-O1. The placement and use of second-hand relocated buildings and shipping containers must not detract from the amenity of the neighbourhood they are located within.
- RLB-O2. The potential for reverse sensitivity effects to arise from the placement and use of second-hand relocated buildings and shipping containers is minimised.

- RLB-O3. Ensure the function and use of new transportable buildings, second-hand relocated buildings and shipping containers are compatible with the zone **and/or precinct's purpose.**
- RLB-O4. New transportable buildings, second-hand relocated buildings and shipping containers must only be placed in overlays, scheduled sites or features where they do not detract from the values of the landscape or environment, they propose to locate in.

Policies

Refer also to the relevant policies in Part 2 District - Wide Matters

- RLB-P1. To maintain and enhance the amenity of neighbourhoods, any exterior maintenance, reinstatement work and painting of second-hand relocated buildings must be undertaken as soon as practically possible.
- RLB-P2. Protect the identified character of the precincts by avoiding any potential adverse effects which arise from the location and use of new transportable buildings, second-hand relocated buildings and shipping containers.
- RLB-P3. Avoid relocating buildings or shipping containers used for living accommodation into those zones and precincts where this is identified as a non-complying activity, except where the remoteness of the site necessitates worker accommodation that cannot be provided in another zone.
- RLB-P4. Allow shipping containers to be used for living accommodation in specified zones and precincts only where exterior upgrading, maintenance and painting are undertaken, and where their location and use maintains or enhances the level of amenity in the neighbourhood they are located within.
- RLB-P5. Where shipping containers are permitted as an accessory building in specified zones and precincts, encourage exterior upgrading to maintain the level of amenity in the area. Where the provisions require a shipping container to locate at the rear of buildings where it cannot be seen from a public place, ensure this placement occurs.
- RLB-P6. Enable the conversion and use of shipping containers for the sale of goods and services in specified zones and precincts, only where the primacy of the **Te Kūiti CBD precinct (PREC5) is protected and the amenity of the neighbourhood is maintained or enhanced.**
- RLB-P7. Protect the integrity of the railway cottage cluster precinct (PREC1) by avoiding locating shipping containers and relocated buildings between any railway cottage and the front boundary of a site.
- RLB-P8. In the Te Maika precinct (PREC7), preserve the natural character of the coastal environment and protect the values of the outstanding natural landscape and outstanding natural features by managing effects including the placement, colour, reflectivity and building materials of relocated buildings and shipping containers.

- RLB-P9. Maintain and enhance the rural character of the amenity precinct (PREC6) by avoiding ribbon development and minimising visual clutter which detracts from the open pastoral landscape adjacent to the State Highway corridors.

Rules

The rules that apply to relocated buildings and shipping containers are contained in the tables listed below. To undertake any activity, it must comply with the rules listed in:

- RLB - Table 1 - Activities Rules; and
- RLB - Table 2 - Performance Standards; and
- Any relevant provision in Part 2 District-Wide Matters; and
- Any relevant provision in Part 3 Area Specific matters.

Where an activity breaches more than one rule, the most restrictive status shall apply to the activity.

[Refer to Part 1 - How the Plan Works](#) for an explanation of how to use this plan, including activity status abbreviations.

RLB - Table 1 – Activities Rules

RLB-R1.	Second-hand relocated buildings less than 30 m ² in size	
RLB-R2.	New transportable buildings	
All zones and precincts (except PREC1, PREC6 & PREC7)	Activity Status: PER	Activity status where compliance is not achieved: N/A
Amenity precinct (PREC6)	<p>Activity status: PER</p> <p>Where:</p> <p>1. The building must be situated to the rear of buildings where it cannot be seen from a public place. Where there are no existing buildings on the site, this rule is not met and resource consent is required.</p>	<p>Activity status where compliance is not achieved: RD IS</p> <p>The matters over which discretion is restricted are:</p> <p>(a) The proposed timetable for completion of the work required to reinstate the exterior of the building as per the Building Pre-Inspection Report; and</p> <p>(b) The extent to which the location, bulk, scale and built form of the building impacts on character and amenity of PREC6; and</p> <p>(c) Safety and efficiency of the transport network, including access and provision of on-site parking; and</p> <p>(d) Potential reverse sensitivity effects on any adjoining activities; and</p> <p>(e) The siting of buildings to avoid ribbon development.</p>
Railway cottage cluster precinct (PREC1)	<p><u>Activity status: PER</u></p> <p><u>Where:</u></p> <p>2. The building must be situated to the rear of buildings where it cannot be seen from a public place. Where there are no existing buildings on the site, this rule is not met and resource consent is required.</p>	Activity status where compliance is not achieved: DI S
Te Maika precinct (PREC7)	Activity status: DI S	Activity status where compliance is not achieved: N/A
RLB-R3.	Second-hand relocated buildings 30 m ² or larger	
All zones and precincts (except	<p>Activity Status: PER</p> <p>Where:</p>	<p>Activity status where compliance is not achieved: RD IS</p> <p>See RLB-S1 for matters of discretion.</p>

PREC1, PREC2, PREC6 & PREC7)	1. All of the performance standards in RLB – Table 2 are complied with.	
Te Kumi commercial precinct (PREC2)	Activity Status: PER Where: 2. All of the performance standards in RLB – Table 2 are complied with; and 3. The building must be situated to the rear of buildings where it cannot be seen from a public place. Where there are no existing buildings on the site, this rule is not met and resource consent is required.	Activity status where compliance is not achieved: RD IS See RLB-S1 for matters of discretion.
Amenity precinct (PREC6), Railway cottage cluster precinct (PREC1) & Te Maika precinct (PREC7)	Activity status: DIS	Activity status where compliance is not achieved: N/A
RLB-R4.	Shipping containers not used for living accommodation purposes	
Industrial & rural production zones, Te Kūiti commercial zone (excluding Te Kūiti CBD precinct PREC5) & Aerodrome precinct (PREC3)	Activity Status: PER Where: 1. Shipping containers must be used as an accessory building only and must not be used for living accommodation purposes; and 2. In the Te Kūiti commercial zone only, any shipping container must be situated to the rear of buildings where it cannot be seen from a public place. Where there are no existing buildings on the site this rule is not met and resource consent is required; and 3. Shipping containers must comply with the provisions of this plan as though it were a building.	Activity status where compliance is not achieved: DIS
Piopio commercial zone, tourism & open space zones, Te Kumi	Activity Status: PER Where: 4. Shipping containers may be used as an accessory building or converted for the sale of goods and services, but must	

commercial precinct (PREC2), Mokau commercial precinct (PREC4) & Te Kūiti CBD precinct (PREC5)	<p>not be used for living accommodation purposes; and</p> <p>5. Except in the open space zone, where a shipping container is used as an accessory building it must be situated to the rear of buildings where it cannot be seen from a public place. Where there are no existing buildings on the site this rule is not met and resource consent is required; and</p> <p>6. Shipping containers must comply with the provisions of this plan as though it were a building.</p>	
All other zones All other precincts (except PREC1, PREC6 & PREC7)	<p>Activity Status: PER</p> <p>Where:</p> <p>7. Shipping containers must be used as an accessory building only and must not be used for living accommodation purposes; and</p> <p>8. Shipping containers must be situated to the rear of buildings where it cannot be seen from a public place. Where there are no existing buildings on the site this rule is not met and resource consent is required; and</p> <p>9. Shipping containers must comply with the provisions of this plan as though it were a building.</p>	
Amenity precinct (PREC6), Railway cottage cluster precinct (PREC1) & Te Maika precinct (PREC7)	Activity status: DIS	Activity status where compliance is not achieved: N/A
RLB-R5.	Shipping containers – used for living accommodation purposes including residential units, minor residential units and sleepouts	
General rural, residential, rural lifestyle, settlement, Māori purpose, tourism &	<p>Activity Status: PER</p> <p>Where:</p> <p>1. The owner of site to which the shipping container is to be relocated must supply a signed declaration to Waitomo District Council that the work</p>	Activity status where compliance is not achieved with any other rule: DIS

future urban zones, Te Kūiti commercial zone (excluding Te Kūiti CBD precinct PREC5)	<p>required to upgrade the shipping container to residential living accommodation will be completed within 6 months of the shipping container being delivered to the site; and</p> <p>2. Shipping containers must comply with the provisions of this plan as though it were a building.</p>	
Amenity precinct (PREC6) & Te Maika precinct (PREC7)	Activity status: DIS	Activity status where compliance is not achieved: N/A
Piopio commercial zone, all other zones and all other precincts	Activity status: NC	Activity status where compliance is not achieved: N/A

RLB - Table 2 - Performance Standards

RLB-S1.	Second-hand relocated buildings 30 m ² or larger	
<ol style="list-style-type: none"> All relocated buildings must comply with the relevant standards for permitted activities in this Plan; and Any relocated building intended for use as a dwelling must have previously been designed, built, and used as a dwelling; and For any relocated building 30 m² or larger, a Building Pre-Inspection Report must accompany the application for a building consent for the destination site. The Building Pre-Inspection Report must be prepared by a licensed building practitioner or other appropriately qualified person; and The Building Pre-Inspection Report must 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; and The building shall be located on permanent foundations approved by building consent, no 	<p>Activity status where compliance is not achieved: RDIS</p> <p>The matters over which discretion is restricted are:</p> <ol style="list-style-type: none"> The proposed timetable for completion of the work required to reinstate the exterior of the relocated building as per the Building Pre-Inspection Report; and The extent to which the location, bulk, scale and built form of the relocated building impacts on character and amenity; and Safety and efficiency of the transport network, including access, the availability of on-street parking and provision of on-site parking; and Potential reverse sensitivity effects on any adjoining activities; and In PREC2, the ability to soften the visual impact of the relocated building from adjacent properties and public places, including retention of any existing mature trees and landscaping; and 	

<p>later than 2 months of the building being moved to the site; and</p> <p>6. All other reinstatement work required by the Building Pre-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. The reinstatement work must include connections to all infrastructure services and closing in and ventilation of the foundations.</p>	<p>(f) In PREC2, the use to which the relocated building will be put and whether it is compatible with the planned character and amenity of the precinct and complementary with permitted activities; and</p> <p>(g) The extent to which building design, siting and landscaping of the structures minimises extent of impervious surfaces; and</p> <p>(h) The effects of non-compliance with any relevant zone standards.</p>
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Advice notes

Temporary construction buildings

For buildings and shipping containers used in conjunction with, and for the duration of construction work located either on the same site as the construction project, or on a site adjoining the construction project, see the [temporary activities chapter](#).

Hazard areas, overlays, scheduled sites and features

There are additional rules for all buildings, including relocated buildings, which are located in coastal hazard areas, hazard areas, overlays, on scheduled sites and features. A shipping container must comply with the provisions in this plan including the provisions for coastal hazard areas, hazard areas, overlays, scheduled sites and features as though it were a building.

Setbacks from water bodies and the coastline

Note: All buildings and structures must also comply with NATC-R2, CEH-R1 and CEH-R2.

8. Appendix 3 – Section 32AA Evaluation

1. A section 32AA evaluation is only required for any changes that are proposed to the provisions of this plan since the original section 32 evaluation report for the proposal was completed. The section 32AA evaluation must be undertaken at a level of detail that corresponds to the scale and significance of the changes.

Amendment of the application of wider plan provisions

2. This chapter does not require the relevant objectives and policies of part 3 to be **considered or “all” the rules to be considered** when assessing the activity as many will be irrelevant to an application. This wording was erroneously included. RMA schedule 1, clause 16 enables a local authority to make an amendment to its proposed plan, without using the process in schedule 1, to alter any information, where such an alteration is of minor effect, *or to correct any minor errors*. Using RMA schedule 1, clause 16 the Panel has directed that the following amendments are made:

Objectives & Policies

Refer also to the relevant objectives in Part 2 District - Wide Matters ~~and Part 3 – Area Specific Matters~~

Rules

The rules that apply to relocated buildings and shipping containers are contained in the tables listed below. To undertake any activity, it must comply with ~~all~~ the rules listed in:

- RLB - Table 1 - Activities rules; and
- RLB - Table 2 - Performance Standards; and
- Any relevant provision in Part 2 District-wide matters; and
- Any relevant provision in Part 3 Area Specific Matters.

3. There is also scope to make these amendments under BP Oil New Zealand Limited and Z Energy Limited (the Fuel Companies) submission to make any alternative or consequential relief as required to give effect to this submission, including any consequential relief required in any other sections of the proposed plan that are not specifically subject of this submission but where consequential changes are required to ensure a consistent approach is taken throughout the document.

Rules

RLB-R1.	Second-hand relocated buildings less than 30 m ² in size	
RLB-R2.	New transportable buildings	
All zones and precincts (except PREC1, PREC6 & PREC7)	Activity Status: PER	Activity status where compliance is not achieved: N/A

Amenity Precinct (PREC6) & Railway cottage cluster precinct (PREC1)	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The building must be situated to the rear of buildings where it cannot be seen from a public place. Where there are no existing buildings on the site, this rule is not met and resource consent is required. 	<p>Activity status where compliance is not achieved: <u>RDIS</u></p> <p><u>The matters over which discretion is restricted are:</u></p> <ol style="list-style-type: none"> (a) <u>The proposed timetable for completion of the work required to reinstate the exterior of the building as per the Building Pre-Inspection Report; and</u> (b) <u>The extent to which the location, bulk, scale and built form of the building impacts on character and amenity of PREC6; and</u> (c) <u>Safety and efficiency of the transport network, including access and provision of on-site parking; and</u> (d) <u>Potential reverse sensitivity effects on any adjoining activities; and</u> (e) <u>The siting of buildings to avoid ribbon development.</u>
<u>Railway cottage cluster precinct (PREC1)</u>	<p><u>Activity status: PER</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> 2. <u>The building must be situated to the rear of buildings where it cannot be seen from a public place. Where there are no existing buildings on the site, this rule is not met and resource consent is required.</u> 	<p><u>Activity status where compliance is not achieved: DIS</u></p>
Te Maika precinct (PREC7)	<p>Activity status: DIS</p>	<p>Activity status where compliance is not achieved: N/A</p>

Effectiveness and efficiency

4. In all zones and precincts (except PREC1, PREC6 & PREC7), second-hand relocated buildings less than 30 m² in size and new transportable buildings are permitted. In the notified version of this rule, the activity status defaulted to discretionary in the railway cottage cluster precinct (PREC1) and the amenity precinct (PREC6) where the building was not located to the rear of buildings or where there were no existing buildings on the site. It is now proposed to allow the activity status to default to restricted discretionary in the amenity precinct (PREC6). There is no change to PREC1.
5. This approach is more effective and efficient as it provides greater certainty for applicants and decision-makers by specifying the matters of discretion. This enables a more structured and targeted assessment of effects and more expedient decision-making. The provisions are more effective as the assessment criteria

focus on the matters that are most pertinent to PREC6, being impacts on character and amenity, the safety of the transport network and the siting of buildings to avoid ribbon development

Costs and benefits

6. On balance, costs should be reduced. Generally restricted discretionary applications are slightly cheaper and tend to reduce the need for expert reports and technical assessments because the matters of assessment are clearly defined. This also means that applications are processed more quickly and are less likely to be notified or result in hearings and appeals.

Risk of acting or not acting

7. There are some additional risks in amending the default activity status should a matter require assessment and it is not listed in the rule. However, the purpose of PREC6 is clearly defined and understood, and as such it is considered that there is sufficient information to justify this change.

Decision about the most appropriate option

8. The recommended rule is the most appropriate way to achieve the purpose of the RMA. Additionally, this approach is consistent with the policy framework, particularly RLB-O3 and RLB-P9.

RLB-R3.	Second-hand relocated buildings 30 m ² or larger	
All zones and precincts (except PREC1, PREC2, PREC6 & PREC7)	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. All of the performance standards in RLB – Table 2 are complied with. 	<p>Activity status where compliance is not achieved: RDIS</p> <p>See RLB-R6 for matters of discretion.</p>
Te Kumi commercial precinct (PREC2)	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 2. All of the performance standards in RLB – Table 2 are complied with; and 3. The building must be situated to the rear of buildings where it cannot be seen from a public place. Where there are no existing buildings on the site, this rule is not met and resource consent is required. 	<p>Activity status where compliance is not achieved with RLB-R3-2: RDIS</p> <p>See RLB-R6 for matters of discretion.</p> <p>Activity status where compliance is not achieved with RLB-R3-3: RDIS</p> <p>Where the activity is RDIS, the matters over which discretion is restricted are:</p> <p>(a) Condition of the exterior of the building; and</p> <p>(b) Repairs and works identified for action in a Council approved or certified Building Relocation Inspection Report and timing for completing any required works; and</p> <p>(c) Visual effects, including bulk, scale and location of the building; and</p>

		(d) Parking and access, impacts on traffic safety, efficiency and on street parking; and (e) Potential reverse sensitivity effects on any adjoining activities; and (f) Effects on the character, values and the function of any precinct.
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Effectiveness and efficiency

9. For second-hand relocated buildings 30 m² in size or larger, in the notified version of this rule, the activity status defaulted to discretionary in all zones and precincts (except PREC1, PREC6 & PREC7 which has full discretionary status). It is now proposed to allow the activity status to default to restricted discretionary outside of PREC1, PREC6 & PREC7 which remain unamended.
10. Again, this approach is more effective and efficient as it provides greater certainty for applicants and decision-makers by specifying the matters of discretion. The matters of discretion are specified in RLB-S1 (discussed below). The provisions apply outside of those precincts with identified character and heritage values which ensures that those areas are still effectively and fully provided for.

Costs and benefits

11. As above, costs should be reduced as restricted discretionary applications are slightly cheaper and tend to reduce the need for expert reports and technical assessments because the matters of assessment are clearly defined. This also means that applications are processed more quickly and are less likely to be notified or result in hearings and appeals.

Risk of acting or not acting

12. There are some risks in amending the default activity status given this provision covers the majority of the district. However, there are six broad matters of discretion and two specific matters for PREC2. This should help to ensure that the potential adverse effects are appropriately covered. As such, it is considered that there is sufficient information to justify this change.

Decision about the most appropriate option

13. The recommended rule is the most appropriate way to achieve the purpose of the RMA. Additionally, this approach is consistent with the policy framework, particularly RLB-O1 and RLB-P1.

RLB-R6.	Second-hand relocated buildings 30 m ² or larger	
1. <u>All relocated buildings must comply with the relevant standards for permitted activities in this Plan; and</u>	Activity status where compliance is not achieved: <u>RDIS</u>	<u>The matters over which discretion is restricted are:</u>

<p>2. <u>Any relocated building intended for use as a dwelling must have previously been designed, built, and used as a dwelling; and</u></p> <p>3. For any relocated building 30 m² or larger, a Building Relocation <u>Pre-Inspection</u> Report must accompany an <u>the</u> application for a building consent <u>for the destination site</u>. The Building Relocation <u>Pre-Inspection</u> Report must be prepared by <u>a licensed building practitioner or other appropriately qualified person; and</u></p> <p>4. one of the following suitably qualified and experienced people:-</p> <p>(i) A Waitomo District Council Building Compliance Officer (or equivalent); or</p> <p>(ii) A member of the New Zealand Institute of Building Surveyors; or</p> <p>(iii) A licensed building practitioner (carpenter or design category); or</p> <p>(iv) A building inspector from the local authority where the building is being relocated from;</p> <p>AND</p> <p>5. If the Building Relocation Inspection Report has been prepared by a person other than a Waitomo District Council Building Compliance Officer (or equivalent position), the accuracy and completeness of the Building Relocation Inspection Report must be confirmed by a Waitomo District Council Building Compliance Officer (or equivalent position) by undertaking an on-site inspection of the relocated building once it has been relocated. Should the Waitomo District Council Building Compliance Officer determine that the relocated building requires external repair works in addition to that identified in the submitted Building Relocation Inspection Report in order to achieve a tidy and workmanlike external appearance, then:-</p> <p>(i) The owner of site to which the building is to be relocated will be contacted and must agree in writing to the additional works within 2 weeks of notification of the requirement for additional works. The additional works then become part of the Building Relocation Inspection Report;</p> <p>AND</p> <p>6. The Building Relocation <u>Pre-Inspection</u> Report must identify all reinstatement works that are to</p>	<p>(a) <u>The proposed timetable for completion of the work required to reinstate the exterior of the relocated building as per the Building Pre-Inspection Report; and</u></p> <p>(b) <u>The extent to which the location, bulk, scale and built form of the relocated building impacts on character and amenity; and</u></p> <p>(c) <u>Safety and efficiency of the transport network, including access, the availability of on-street parking and provision of on-site parking; and</u></p> <p>(d) <u>Potential reverse sensitivity effects on any adjoining activities; and</u></p> <p>(e) <u>In PREC2, the ability to soften the visual impact of the relocated building from adjacent properties and public places, including retention of any existing mature trees and landscaping.</u></p> <p>(f) <u>In PREC2, the use to which the relocated building will be put and whether it is compatible with the planned character and amenity of the precinct and complementary with permitted activities.</u></p> <p>(g) <u>The extent to which building design, siting and landscaping of the structures minimises extent of impervious surfaces; and</u></p> <p>(h) <u>The effects of non-compliance with any relevant zone standards.</u></p>
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<p>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; and</p> <p>7. 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; and</p> <p>8. All other reinstatement work required by the Building Relocation <u>Pre-Inspection</u> 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. The reinstatement work must include connections to all infrastructure services and closing in and ventilation of the foundations.</p>	
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Effectiveness and efficiency

14. RLB-R6 (now RLB-S1) is related to the provisions in RLB-R3. RLB-R3 permits second-hand relocated buildings 30 m² in size or larger in all zones and precincts (except PREC1, PREC6 & PREC7 which have full discretionary status). The rule requires that all of the performance standards in RLB-S1 are complied with and relies heavily on Building Pre-Inspection Reports. There are other safeguards in the performance standards including the requirement that any relocated building intended for use as a dwelling must have previously been designed, built, and used as a dwelling. There is also the standard requiring the building be located on permanent foundations approved by building consent, no later than 2 months after being moved to the site. In addition to a stronger reliance on Building Pre-Inspection Reports, the main change is the default activity status, moving from discretionary to restricted discretionary with new assessment matters.
15. This approach is more effective as the requirement for a timetable for exterior reinstatement ensures that relocated buildings do not remain in an unfinished state, which could negatively impact visual amenity. The matters of discretion are efficient as they provide clear expectations for applicants **regarding the 'fit' of** relocated buildings within the existing streetscape and seek to ensure that relocated buildings do not create traffic hazards or exacerbate parking issues.
16. Specific provisions for PREC2 are effective as they require visual softening through landscaping, ensuring that relocated buildings do not appear out of place in the Te Kumi commercial precinct, and the intended use of the relocated building is generally compatible with the **precinct's character**.

Costs and benefits

17. Costs should be reduced through the provision of clear performance standards and assessment matters. Applicants that cannot comply with the provisions will need to apply for a consent, but greater reliance on Building Pre-Inspection Reports offers a broader opportunity to be compliant with reinstatement and structural requirements at the early stages of the project. The main benefit of the

approach is lower development costs that are not at the expense of good-quality, well-integrated housing and the efficient reuse of buildings.

Risk of acting or not acting

18. There are some additional risks in amending the default activity status should a matter require assessment and it is not listed in the rule. However, there are six broad matters of discretion and two specific matters for PREC2. This should help to ensure that the potential adverse effects are appropriately covered, and as such it is considered that there is sufficient information to justify this change.

Decision about most appropriate option

19. The recommended rule is the most appropriate way to achieve the purpose of the RMA. Additionally, this approach is consistent with the policy framework, particularly RLB-O1 and RLB-P1 and P2.