



Rangitikei District Council

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Rangitikei
UNspoilt...

Bulls Community Committee Meeting

Order Paper

**Tuesday, 10 March 2015,
5.30pm**

Supper Room, Bulls Town Hall, High Street, Bulls

Website: www.rangitikei.govt.nz

Email: info@rangitikei.govt.nz

Chair
Hew Dalrymple

Membership
Jane Dunn, David Fraser, John Guinan, Braden Hammond, Chris Hart,
Jodi Jamieson, Carol Lewis, Keith Scott, Heather Thorby, Andy Walker

His Worship the Mayor, Andy Watson, (ex officio)

Councillors Rebecca McNeil and Tim Harris

Please Note: Items in this Agenda may be subject to amendments or withdrawal at the Meeting. It is recommended therefore that items not be reported upon until after adoption by the Committee.

Rangitikei District Council

Bulls Community Committee Meeting

Order Paper – Tuesday 10 March 2015 – 5:30 p.m.

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The quorum for the Bulls Community Committee is 6 plus one elected member of Council

At its meeting of 28 October 2010 Council resolved that 'The quorum at any meeting of a standing committee or sub-committee of the Council (including Te Roopu Ahi Kaa, the Community Committees, the Reserve Management Committees and the Rural Water Supply Management Sub-committees) is that required for a meeting of the local authority in SO 2.4.3 and 3.4.3

1 Welcome

2 Apologies

3 Confirmation of minutes

Recommendation

That the Minutes of the Bulls Community Committee meeting held on 10 February 2015 be taken as read and verified as an accurate and correct record of the meeting.

4 Matters arising

5 Council decisions on recommendations from the Committee

The following recommendation was confirmed by Council at its meeting on 26 February 2015:

15/BCC/004

That the kowhai tree between Platts Pharmacy and the Bulls Library be removed.

6 Report from the Sub-Committee addressing the transition issues for Samoan families into the Bulls Community

A verbal report will be provided at the meeting.

7 Community Gardens in Bulls

At its meeting on 12 February 2015, the Assets/Infrastructure Committee confirmed the inclusion of Haylock Park (Wilson and Johnson Streets, Bulls) as an available site for establishing a community garden in Bulls.

8 Update on the Bulls Town Centre Plan March 2015

A verbal update will be provided at the meeting.

9 Update on the Bulls Wastewater Upgrade Project Focus Group

Previously Iwi had been asked for their preferred option for the discharge structure from the wastewater ponds to the Rangitikei River. The options varied from the ponds discharging into a ditch then flowing to the river, to a discharge from the ponds through a meandering wetland before reaching the river. Ngati Apa have given their support the meandering wetland option. Work is also being completed, at the request of Iwi, into the affordability of seasonal land discharge (discharge onto surrounding farmland during summer) as part of the wastewater scheme. Investigations into the area of land required for seasonal discharge and the potential land parcels within 2.5km of the site are almost complete. Meetings with the

identified land owners will be held throughout March to discuss their willingness to enter into an agreement with Council to irrigate their land with treated wastewater. If this option is determined to be affordable it would require a separate discharge consent application.

Consultation is planned with DoC and Fish and Game before the resource consent application is submitted to Horizons Regional Council. It is expected that the consent application, to renew the consent to discharge treated wastewater to the Rangitikei River will be lodged at the end of March.

10 Bulls Gaol Refurbishment

A memorandum is attached.

File ref: 6-CF-4

Recommendations

- 1 That the 'Bulls Gaol Refurbishment' memorandum be received.
- 2 That Council's proposal to accept the quotes from McIlwaine Building Solutions for Option 2 (\$13,921.85 plus GST) to refurbish and protect the exterior, and remove the asbestos roof and replace with a new colour steel iron roof, and for \$3,043.98 plus GST to prepare and paint the exterior of the Bulls Gaol, be endorsed.

11 Dangerous and Insanitary Buildings Policy 2015

It is a statutory requirement under section 131 of the Building Act 2004 for every Council to have a Dangerous and Insanitary Buildings Policy. Section 132(4) of that Act requires the policy to be reviewed by Council every five years. At its meeting on 26 February 2015, Council adopted the draft policy for public consultation using special consultative procedure as set out in section 83 of the Local Government Act 2002. The main changes from the earlier policy address the new legislative requirement to address "affected" (i.e. neighbouring) buildings and dangerous dams.

Council is interested in knowing the community's views on this proposal and invites written submissions in relation to this draft policy. Submissions must be returned to Council by 12pm (noon) Thursday 2 April, 2015. You may also lodge a submission electronically at www.rangitikei.govt.nz.

The draft Policy, Statement of Proposal, Summary of Information and Submission Form are attached.

12 Children's playground equipment

At its last meeting, the Committee asked if Council had a Policy on updating children's playground equipment. Council does not have a Policy for updating children's playground equipment in Council operated playgrounds. Broken equipment is repaired/replaced on an as-required basis.

A submission to an Annual Plan or Long Term Plan is the most appropriate avenue for the Committee to request upgrades to any playground equipment within the Bulls Ward.

13 Current infrastructure projects/upgrades and other Council activities in the Bulls Ward

A memorandum is attached.

File ref: 3-CC-1-5

Recommendation

That the memorandum 'Current Infrastructure projects / upgrades and other Council activities in the Bulls Ward' be received.

14 Small projects grant scheme

The balance of the Small Projects Grant Scheme for the Bulls Ward is \$855.00 (being the allocation of \$1,193.00 minus the \$338.00 spent).

The start and finish dates for the allocation of the Small Projects Grant Scheme is 1 July to 30 June each year.

15 General business

16 Notification of business for the next meeting

17 Next meeting

Tuesday 14 April 2015, 5.30 pm

18 Meeting closed

Attachment 1

Rangitikei District Council

Bulls Community Committee Meeting

Minutes – Tuesday 10 February 2015 – 5:30 p.m.

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Present: Mr H Dalrymple (Chair)
Ms J Dunn
Mr J Guinan
Mr B Hammond
Ms J Jamieson
Ms C Lewis
Mr A Walker
Cr T Harris
Cr R McNeil

In attendance: Ms H Cooper, Bulls Museum
Ms S Boxall, RNZAF Ohakea

Unconfirmed

1 Welcome

The Chair welcomed everyone to the meeting and thanked H Cooper from the Bulls Museum for providing the venue.

The Chair then welcomed Ms S Boxall from RNAF Ohakea who was standing in for C Hart.

2 Apologies

That the apologies for absence from His Worship the Mayor, D Fraser, C Hart, K Scott and H Thorby, and the apology for lateness from Cr Harris, be received.

Mr Hammond / Ms Jamieson. Carried

3 Confirmation of minutes

Resolved minute number

15/BCC/001

File Ref

That the Minutes of the Bulls Community Committee meeting held on 9 December 2014 be taken as read and verified as an accurate and correct record of the meeting.

Mr Guinan / Cr McNeil. Carried

4 Matters arising

None

5 Council decisions on recommendations from the Committee

Mr Hammond spoke about the possible 70km/h speed reduction from Ferry Road along Parewanui Road, to the 50km/h zone in High Street. Ms Lewis had had discussions with the Bulls Police and she was told that Feilding Police would have a presence along the above roads to evaluate car movements.

6 Report from the Sub-Committee addressing the transition issues for Samoan families into the Bulls Community

Cr McNeil gave a verbal report. She had met with two mothers, and His Worship the Mayor would meet with them personally, and had helped two families arrive in the community. Two houses were fitted-out.

Cr McNeil met with Work and Income New Zealand to discuss the translation of welcome packs to Samoan. She said J Anderson will liaise with the Samoan Families.

Late last year there were issues with ANZCO.

7 Community Gardens in Bulls

The Chair asked for comments. It was noted that 'Haylock Park, Taumaihi Street' should read 'Haylock Park, Johnson Street'. The Committee felt it was the right place for a community garden in Bulls.

8 Update on the Bulls Town Centre Plan February 2015

Ms Dunn presented her report to the Committee. This report is attached as an appendix to these minutes.

Cr McNeil informed the meeting about Rangitikei Tourism's 'Walking Gallery' around the town, involving a photo competition. She also spoke about plans to bring the 'Cow Parade' to Bulls. Funding is required for over \$130,000. She suggested that Bulls investigate getting their own fibreglass bulls and renting them out to other towns.

Ms Dunn asked for approval for more paint to be purchased to paint the three planter boxes outside the Rathole. The Committee agreed, but only if the paint fails to be donated if a request were made to the owner of The Rathole.

Mr Dalrymple had received a written request, and also spoken to Annabel Whisker, suggesting that the Bulls Community Committee endorses 'Cows on Parade' to come to Bulls. The Committee endorsed this request, and suggested that the Bulls and District Community Trust liaise with 'Cows on Parade'.

Resolved minute number **15/BCC/002** **File Ref** 1-CP-7-2

That the memorandum 'Update on the Bulls Town Centre Plan February 2015' be received.

Resolved minute number **15/BCC/003** **File Ref**

That the colour palette in the Bulls Town Centre Plan report be strongly encouraged for community projects within the Bulls town centre.

Mr Walker / Mr Hammond. Carried

Resolved minute number **15/BCC/004** **File Ref**

That the kowhai tree between Platts Pharmacy and the Bulls Library be removed.

Ms Jamieson / Mr Guinan. Carried

Resolved minute number

15/BCC/005

File Ref

That the Bulls Community Committee approves the reimbursement of \$66.26 to Ms Dunn.

Mr Hammond / Mr Guinan. Carried

Resolved minute number

15/BCC/006

File Ref

That the Bulls Community Committee approves the purchase of additional paint for the planter boxes outside The Rathole, if the request for paint to be donated by the owner is declined.

Cr Harris / Mr Walker. Carried

9 Update on the Bulls Wastewater Upgrade Project Focus Group

The Committee noted that there was no further progress to report.

10 Feedback on proposed work programme for Bulls and District Community Trust, Project Marton, Rangitikei Tourism and Taihape Community Development Trust

General discussion took place. Ms Dunn expressed her unease about the Bulls and District Community Trust implementing the Town Centre Plan. She suggested that the Committee be kept in the loop regarding all projects.

Cr Harris advised the Committee that it was district-wide funding and that Council had to be accountable.

Ms Lewis raised the question of the Community Development Manager's job description, and suggested that it be made available to the Committee so they have a better understanding of the role and how they can complement what is currently being done. Ms Boxall supported this but stated that it was not the employment contract only the job description that Ms Lewis had requested.

Ms Boxall suggested that 2.4 needed to be expanded for simplicity and transparency, and that projects should go through the Committee (with particular reference to 6.4 and 6.5).

The Chair expressed concern that community projects are being shifted towards the Bulls and District Community Trust, and also the implementation of the Town Centre Plan. He also referred to 6.5, that all projects relating to Council work in the town should be directed to the Committee.

Mr Guinan stated that the Committee's job is to be the first point of call for residents and community group projects.

Resolved minute number

15/BCC/007

File Ref

3-GF-10

That the memorandum 'Feedback on proposed work programme for Bulls and District Community, Project Marton, Rangitikei Tourism and Taihape Community Development Trust' be received.

Cr Harris / Mr Guinan. Carried

11 Response to issues raised at the previous meeting

The Committee commented that it was pleased with the work done.

Resolved minute number

15/BCC/008

File Ref

3-CC-1-1

That the memorandum 'Response to issues raised at the previous meeting' be received.

Mr Guinan / Ms Jamieson. Carried

12 Current infrastructure projects/upgrades and other Council activities in the Bulls Ward

The Committee noted that due to the change in date of the Assets/Infrastructure Committee meetings in late 2014, there will be no update to this meeting of the Committee and that an update covering November and December 2014 and January 2015 would be provided to the next meeting.

13 Small projects grant scheme

The Committee asked to be advised of the start and finish dates for the Small Projects Grant Scheme.

14 General business

Cr Harris

- The caravan effluent disposal site is about two months away.

Mr Guinan

- The cenotaph project is in hand.

Ms Lewis

- A local resident had approached Ms Lewis to ask if there was any truth to the rumour that the Chief Executive had the authority to dispose of Council owned assets up to a value of \$250,000 without consultation (e.g. the Town Hall and the Bulls Information Centre).
- Cr Harris responded that the above statement was not true. Mr Dalrymple stated that Council is proposing that any Council owned assets will be sold through the correct process, and that the Committee had endorsed the project.

Ms Cooper

- Bulls Museum will be hosting an official opening of the Mounted Rifles this year, with a top official from Linton to have the honour of opening it. TVNZ had contacted the Bulls Museum last week.

Mr Hammond

- The Fire Brigade has been extremely busy and there was a good save last week. Water kept up very well. Council is preventing fire on vacant sections.

15 Notification of business for the next meeting

Mr Hammond asked about Council's policy on updating children's playground equipment in Council operated playgrounds. Ms Lewis informed the meeting that there is a Bulls resident who installs playground equipment nationwide. Ms Jamieson commented on the poor state of the playground equipment at Walker Park.

16 Next meeting

Tuesday 10 March 2015, 5.30 pm

17 Meeting closed – 7.30 pm

Confirmed/Chair: _____

Date: _____

Attachment 2



MEMORANDUM

TO: Bulls Community Committee

FROM: Gaylene Prince

DATE: 3 March 2015

SUBJECT: **Bulls Gaol Refurbishment**

FILE: 6-CF-4

1 Background

- 1.1 As the Committee are aware, Council has allocated \$30,000 this year for the exterior maintenance and painting of the Bulls Gaol.
- 1.2 At the Bulls Community Committee meeting of 9 September 2015 the Committee asked for detailed cost estimates in order to properly evaluate the project.

2 Proposal

- 2.1 Attached are two quotes from McIlwaine Building Solutions.
- 2.2 The first quote is for the required exterior refurbishment and includes two options. The second quote is for the external (and internal) painting.
- 2.3 Although the building is not listed as heritage, Option One of the first quote (\$10,945.33 plus GST) would maintain the look of the building in the era of its construction.
- 2.4 Option Two (\$13,921.85 plus GST) would also add to the longevity of the building with the removal of the asbestos tiles and the supply and fit of a colour steel iron roof, with all other refurbishment work as per option one.
- 2.5 Option Two is Council's proposed approach.
- 2.6 The second quote for preparation and painting of the exterior is \$3,043.98 plus GST (plus a small additional charge for tinting if required). An interior painting quote of \$3,618.62 was also provided and is an indication of costs for future planning.
- 2.7 All quotes are within the allocated budget of \$30,000.
- 2.8 On acceptance of the quotes, McIlwaines will be advised of the requirement to have the work completed prior to 30 June 2015.

3 Recommendation

- 3.1 That the 'Bulls Gaol Refurbishment' memorandum be received.
- 3.2 That Council's proposal to accept the quotes from McIlwaine Building Solutions for Option 2 (\$13,921.85 plus GST) to refurbish and protect the exterior, and remove the asbestos roof and replace with a new colour steel iron roof, and for \$3,043.98 plus GST to prepare and paint the exterior of the Bulls Gaol, be endorsed.

Gaylene Prince
Community & Leisure Services Team Leader

Appendix 1



Gaylene Prince
Community and Leisure Services
Rangitikei District Council
Marton

11th February 2015.

Dear Gaylene

Re: Bulls Jail Refurbishment

Thank you for the opportunity to quote for the refurbishment of the Jail building. I have taken the liberty to make some suggestions after having had a good look the building.

In the essence of staging the job to fit with your proposed funding I offer the following proposal-

Stage 1 To protect the exterior envelope of the building

Option 1

To repair a number of the asbestos roof tiles by cutting 4.5mm Hardieflex to the same configuration as the existing tiles and patching the roof to prevent the ingress of rainwater.

To refurbish and metal prime the existing ridging and roof cowels.

To supply and fit new Barge and Barge cap boards.

To supply and fit new weather board where the existing is either missing or damaged by rot.

To supply and fit new corner boxes.

To supply and fit new base boards.

To strip and prime the exterior of the building ready for paint.

To strip and rust kill hinges, locks and grills.

To supply and fit new metal "Gothic" style spouting and downpipes (close to the existing look)

Our price for the above option would be \$10945.33 plus GST

Option 2

To carry out the above work but remove the asbestos roof tiles, supply and fit a new colour steel iron roof complete with colour steel ridging and barge flashings on new treated purlins.

NB(Whilst option 2 would add to the longevity of the building it is not in the true era of the construction.)

Our price for option 2 would be \$13921.85 plus GST

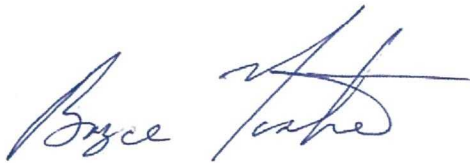
McIlwaine

No consideration has been given to the interior of the building at this stage due to the tight time frames in which to price this work however we would be more than happy to quote for this or any other work required in the future.

It is the opinion of the writer that the primary focus should be to protect the envelope in the first instance and deal with the interior when funding becomes available.

If you wish to discuss any of the above please don't hesitate to contact me.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Bryce Tasker', with a stylized flourish at the end.

.....
Alan Benson/Bryce Tasker
Projects Managers
McIlwaine Building Solutions
Licensed Building Practitioner

LBP Number 105706

Class: Carpentry, Design 2, Site 2 and Roofing 2

PH 06 327 4723

Cell 027 442 3504

Please note this quotation remains valid for thirty days from the date above.

The current terms and conditions of trade of McIlwaine Builders Ltd apply to this document and all other documents.



Gaylene Prince
Community and Leisure
Rangitikei District Council
Marton

19th February 2015

Dear Gaylene

As requested by yourself please find our prices for the painting of the Bulls Jail

For preparation and paint of the exterior of the Jail \$3043.98 plus GST

For preparation and paint of the Interior of the Jail \$3618.62 plus GST

Please Note that if any tinting of paint is required there may be a small additional charge

If you wish to discuss any of the above please don't hesitate to contact me.

Yours faithfully

.....
Alan Benson
For
Bryce Tasker
Projects Manager
Building Solutions
Licensed Building Practitioner

LBP Number 105706

Class: Carpentry, Design 2, Site 2 and Roofing 2

PH 06 327 4723

Cell 027 442 3504

Please note this quotation remains valid for thirty days from the date above.

The current terms and conditions of trade of McIlwaine Builders Ltd apply to this document and all other documents.



McIlwaine

Attachment 3

DANGEROUS AND INSANITARY BUILDING POLICY

Policy Title: DANGEROUS AND INSANITARY BUILDINGS POLICY

Date of Adoption: 25 May 2006

Resolution: 06/RDC/144

Review Date: ~~2011~~2020

Statutory reference for adoption: Building Act 2004 s131

Statutory reference for review: Building Act 2004 s132

Included in the LTCCP: no

Date Amended or Reviewed	Resolution
Reviewed XXXX 2015	

Introduction & Background

Section 131 of the Building Act 2004 ("the Act") requires territorial authorities ("TAs") to ~~adopt~~ have a policy on dangerous and insanitary buildings ~~by 31 May 2006~~. Additionally, Council is now also required to take into account affected buildings¹.

One of the key purposes of the Act, as set out in section 3, is to ensure 'people who use buildings can do so safely and without endangering their health.' Section 4 details the principles to be applied in performing functions under the Act and specifically states that TAs must take these principles into account in the adoption and review of their dangerous and insanitary building policies.

The definition of a dangerous building is set out in Section 121 (1) of the Act:

"A building is dangerous for the purposes of this Act if,-

- (a) in the ordinary course of events (excluding the occurrence of an earthquake), the building is likely to cause –*
 - (i) injury or death (whether by collapse or otherwise) to any persons in it or to persons on other property, or*
 - (ii) damage to other property; or*
- (b) in the event of fire, injury or death to any person in the building or to persons on other property is likely ~~because of fire hazard or the occupancy of the building.~~*

The definition of an insanitary building is set out in Section 123 of the Act:

"A building is insanitary for the purposes of this Act if the building -

- a) is offensive or likely to be injurious to health because-*
 - (i) of how it is situated or constructed; or*
 - (ii) it is in a state of disrepair; or*

¹ [Section 132A Building Act 2004 which came into force on 28 November 2013,](#)

- b) *has insufficient or defective provisions against moisture penetration so as to cause dampness in the building; or in any adjoining building; or*
- c) *does not have a supply of potable water that is adequate for its intended use; or*
- d) *does not have sanitary facilities that are adequate for its intended use."*

The definition of an affected building is set out in Section 121A of the Act:

"A building is an affected building for the purposes of this Act if it is adjacent to, adjoining, or nearby –

- (a) a dangerous building as defined in Section 121; or
- (b) a dangerous dam within the meaning of Section 153."

This ~~policy document was originally sets out the policy proposed to be~~ adopted by Rangitikei District Council ("Council") on 25 May 2006 in accordance with the requirements of the Building Act 2004.

The policy is required to state²:

The approach that the Council will take in performing its functions under the Act;
Council's priorities in performing those functions; and
How the policy will apply to heritage buildings.

In ~~developing reviewing, amending~~ and adopting ~~its Dangerous and Insanitary Buildings~~ this policy, ~~Rangitikei District~~ Council has followed the special consultative procedure set out in Section 83 of the Local Government Act 2002.

~~It is likely that i~~In many, but not all, cases a building is dangerous, affected or insanitary status will not be readily apparent. For that reason, any attempt to identify these buildings proactively is unlikely to be successful unless Council has considerable resources to undertake inspections and evaluations of buildings.

As a consequence, the most likely sources of information concerning dangerous, affected or insanitary buildings ~~continues to will~~ be from building occupants, neighbours, or as the result of an inspection by the police, the fire service or other agencies authorised to inspect buildings. Other sources of information will be known directly by Council, possibly following a significant weather event.

Relying on complaints to provide information concerning potentially dangerous or insanitary buildings ~~is likely to be the only~~ continues to be the most practical way in which Council can identify both these buildings and affected buildings within the district and undertake its statutory responsibilities.

POLICY APPROACH

Policy Principles

Provisions of the Act in regard to dangerous, affected ~~and or~~ insanitary buildings reflect the government's broader concern with the safety of the public in buildings, and with the health

² Sec 131(2) of the Building Act 2004

and safety of people occupying buildings that may be considered to be dangerous, affected or ~~and~~ insanitary. However, Council recognises that public safety must be balanced against the other broader economic issues and in relation to other Council Policy.

~~The Council has noted that the development of a dangerous and insanitary building policy is to be undertaken by TAs independently and has responded accordingly. This policy will be developed after due consultation with Rangitikei District Council ratepayers and stakeholders in accordance with section 83 of the Local Government Act 2002.~~

Overall approach

Sections 124 to 130 of the Act provide the authority necessary for TAs to take action on dangerous, affected or ~~and~~ insanitary buildings and set out how this action is to be taken.

The Council will continue to encourage the public to discuss their development plans with Council and to obtain building consent for work Council deems is necessary prior to any work commencing. This is particularly important in order to avoid creating dangerous ~~and~~ or insanitary conditions that could be injurious to the health of occupants, particularly children and the elderly, or where safety risks are likely to arise from a change in use.

Council has in the past relied upon complaints from various sources to identify dangerous ~~and or~~ insanitary buildings and will continue with this passive approach.

Identifying Dangerous, Affected or ~~and~~ Insanitary Buildings

The Council will:

- Take a passive approach to identification of buildings.
- Actively respond to and investigate all buildings complaints received.
- Identify from these investigations any buildings that are dangerous, affected or insanitary.
- For dangerous buildings, inform the owner(s) and occupier of the building to take action to reduce or remove the danger, as is required by Section 124 and 125 of the Act; (and liaise with the New Zealand Fire Service when Council deems it is appropriate, in accordance with Section 121 (2) of the Act).
- For insanitary buildings, inform the owner(s) of the building to take action to prevent the building from remaining insanitary as is required by Section 124 and 125 of the Act; (and liaise with the Medical Officer of Health when required to assess whether the occupants may be neglected or infirm).
- For affected buildings, inform the owner(s) of the building only when restricting entry to the building.

Assessment criteria

The Council will assess dangerous, affected and or insanitary buildings in accordance with the Act and established case law, as well as the building code:

The Council will:

- Investigate as to whether the building is occupied.
- Assess the use to which the building is put.
- Assess whether the dangerous ~~and or~~ insanitary conditions pose a reasonable probability of danger to occupants or visitors, ~~or~~ to the health of any occupants of the building.
- Upon the determination that a building or dam is dangerous assess whether the dangerous building or dangerous dam pose a reasonable probability of danger to occupants or visitors of any adjacent, adjoining or nearby buildings.

Considerations as to dangerous assessment where a building is either occupied or not may include:

- Structural collapse.
- Loose materials/connections.
- Overcrowding.
- Use which is not fit for purpose.
- Seeking advice from New Zealand Fire Service³ ~~(121(2)(a))~~

Considerations as to insanitary assessment where a building is occupied may include:

- Adequate sanitary facilities for the use.
- Adequate drinking water.
- Separation of use for kitchen and other sanitary facilities.
- Likelihood of moisture penetration.
- Natural disaster.
- Defects in roof and walls/poor maintenance/occupant misuse.
- The degree to which the building is offensive to adjacent and nearby properties.

A building will be deemed to be an affected building if it is adjacent, adjoining or nearby a building which Council has assessed as being a dangerous building or a dam which Horizons Regional Council has by writing notified Council that it is deemed to be a dangerous dam pursuant to section 153 of the Act (Meaning of dangerous dam).

Taking Action

In accordance with sSection 124 and sSection 125 of the Act the Council will:

- Advise and liaise with the owner(s) of buildings identified as being dangerous, affected or insanitary.
- As a consequence of a building or dam being identified as dangerous consider whether any buildings should be regarded as being an affected building for the purposes of the Act.
- May request a written report on the dangerous building from the New Zealand Fire Service; ~~(dangerous building).~~

If found to be dangerous or insanitary:

³ Sec 121(2)(a) Building Act 2004

- Attach written notice to the building requiring work to be carried out on the building, within a time stated in the notice being not less than 10 days, to reduce or remove the danger.
- Give copies of the notice to the building owner, occupier, and every person who has an interest in the land, or is claiming an interest in the land, as well as the ~~New Zealand Historic Places Trust~~ [Heritage New Zealand Pouhere Taonga](#), if the building is a heritage building.
- Contact the owner at the expiry of the time period set down in the notice in order to gain access to the building to ascertain whether the notice has been complied with.
- Where the danger is the result of non-consented building work, Council will formally request the owner(s) to provide an explanation as to how the work occurred and who carried it out and under whose instructions; (and apply for a Certificate of Acceptance if applicable).
- Pursue enforcement action under the Act if the requirements of the notice are not met within a reasonable period of time as well as any other non-compliance matters.

Where Council has determined under section 121A of the Act that a building is an "affected building" Council may do any or all of the following:

- Erect a hoarding or put up a fence around the building;
- Attach a notice warning people not to approach the building;
- Issue a written notice restricting entry to the affected building for particular purposes or to particular groups of people for a maximum period of 30 days. Such notice may be reissued once for a further 30 days.

If the building is considered to be immediately dangerous or insanitary the Council ~~will~~ may

- Cause any action to be taken to remove that danger or insanitary condition (this may include prohibiting persons using or occupying the building and demolition of all or part of the building); and
- Take action to recover costs from the owner(s) if the Council must undertake works to remove the danger, or insanitary condition
- The owner(s) will also be informed that the amount recoverable by ~~Rangitikei District~~ Council will become a charge on the land on which the building is situated.

All owners have a right of appeal as defined in the Act, which can include applying to the Department of Building and Housing for a determination under ~~sSection~~ [Section](#) 177(e) of the Act.

Interaction between the Dangerous and Insanitary Buildings policy and related sections of the Act

Section 41: Building consent not required in certain cases

In cases where a building is assessed as being immediately dangerous or insanitary the Council may not require prior building consent to be obtained for any building work required so as to remove the dangerous ous or insanitary condition immediately. However, where Council has issued a notice under section 125(1) of the Act it must advise the owner

of the building if a building consent will be required prior to the owner commencing any remedial works to the building.

Prior to the lodging of a building consent application for the work required under the notice any action being taken it is imperative that building owners discuss any works with the Council. In those circumstances where Council has not required a building consent to be issued prior to the commencement of the remedial works required by the notice the building owner will still be required to, and then subsequently apply for the building consent a certificate of compliance as required by the Act. within 10 days of the initial assessment.

Record Keeping

Any buildings identified as being dangerous or insanitary will have a requisition placed on the property file for the property on which the building is situated until the danger or insanitary condition is remedied.

A note will be placed on the property file of an affected building until such time as the dangerous condition of the adjacent, adjoining or nearby building or dam have been rectified.

In addition, the following information will be placed on the LIM:

- Notice issued that the building is dangerous, ~~or~~ insanitary or is an affected building.
- Copy of letter to owner(s), occupier and any other person that the building is dangerous, ~~or~~ insanitary or is an affected building.
- Copy of the notice given under section 124(1) that identifies the work to be carried out on the building and the timeframe given to reduce or remove the danger or insanitary condition.

Economic impact of policy

Due to the low number of dangerous, affected or ~~and~~ insanitary buildings encountered annually by the Council, the economic impact of this policy is, at this date, considered to be low.

Access to information

Information concerning dangerous, affected or ~~and~~ insanitary buildings will be contained on the relevant LIM, and Council records.

In granting access to information concerning dangerous, affected or insanitary buildings ~~the~~ Council will conform to the requirements of the Local Government Official Information and Meetings Act 1987 and the Local Government Act 2002.

HERITAGE BUILDINGS

No special dispensation will be given to heritage buildings under this policy.

The fact that a building has heritage status does not mean that it can be left in a dangerous or insanitary condition. As per Section 125(2)(f) of the Act a copy of any notice issued under s124 of the Act will be sent to the ~~New Zealand Historic Places Trust~~ Heritage New Zealand Pouhere Taonga where a heritage building has been identified as a dangerous, ~~and affected~~ or insanitary building.

PRIORITIES

The Council will give priority to buildings where it has been determined that immediate action is necessary to fix dangerous ~~and or~~ insanitary conditions. Immediate action will be required in those situations to fix those dangerous ~~and or~~ insanitary conditions – such as prohibiting occupation of the property, putting up a hoarding or fence and taking prosecution action where necessary.

Buildings that are determined to be dangerous ~~and or~~ insanitary, but not requiring immediate action to fix those dangerous ~~and or~~ insanitary conditions, will be subject to the minimum timeframes to prevent the building from remaining dangerous ~~and or~~ insanitary (not less than 10 days) as set in Section 124(1)(c) of the Act.



Statement of Proposal to amend the Dangerous and Insanitary Buildings Policy

INTRODUCTION

One of the principal purposes of the Building Act 2004 ("Act") is to provide the setting of performance standards for buildings to ensure that:

- People who use buildings can do so safely and without endangering their health; and
- Buildings have attributes that contribute appropriately to the health, physical independence, and well-being of the people who use them; and
- People who use a building can escape from the building if it is on fire.

LEGISLATIVE FRAMEWORK

Council has a statutory obligation under section 131 of the Act to have a district wide policy in respect of:

- dangerous buildings,
- insanitary buildings and
- affected buildings.

Section 131 sets out those matters which Council must consider and include in its policy.

This policy must be reviewed every five years, although it does not cease to have effect because it is due for review or being reviewed.

In November 2013 the Building Amendment Act 2013 was enacted inserting a new section into the Act – section 132A. Section 132A requires Council to amend its Dangerous and Insanitary Buildings Policy to take into account affected buildings.

Affected buildings are defined in section 121A of the Act as being a building if it is adjacent to, adjoining or nearby a dangerous building as defined by section 121 of the Act; or a dangerous dam within the meaning of section 153 of the Act.

Policy Considerations

Every policy adopted under section 131 of the Act must state:

- The approach that Council will take in performing its functions under the Act; and
- Council's priorities in performing those functions; and
- How the policy will apply to heritage buildings.

Section 132(1) of the Act requires Council to follow the special consultative procedure set out in section 83 of the Local Government Act 2002 to adopt, amend or replace the Dangerous and Insanitary Buildings Policy. This Statement of Proposal relates to the proposed amendments to Council's existing Dangerous and Insanitary Buildings Policy.

MAIN CHANGES PROPOSED

Policy Objective

Section 4 of the Act sets out various principles that Council must take into account in order to achieve the purpose of the Act, these include *inter alia*:

- The need to ensure that any harmful effect on human health resulting from the use of particular building methods or products or of a particular building design, or from building work, is prevented or minimised;
- The importance of ensuring that each building is durable for its intended use;
- The importance of standards of building design and construction in achieving compliance with the building code;
- The reasonable expectations of a person who is authorised by law to enter a building to undertake rescue operations or firefighting to be protected from injury or illness when doing so;
- The need to provide protection to limit the extent and effects of the spread of fire, particularly with regard to household units (whether on the same land or on other property); and other property;
- The need to provide for protection of other property from physical damage resulting from the construction, use and demolition of a building.

Reasons for the proposal to amend the policy

Council is required under section 132A of the Act to amend its existing policy to take into account affected buildings.

Proposed changes to the existing policy

Council therefore proposes to amend its existing Dangerous and Insanitary Buildings Policy to reflect the legislative changes to the Act since the policy was first approved in 2006; specifically the provision requiring Council to amend its existing policy to take into account affected buildings.

The Act limits Council's powers with respect to affected buildings to doing any or all of the following actions:

- Erecting a hoarding or fence to prevent people from approaching the building nearer than is safe;

- Attaching in a prominent place on, or adjacent to the building a notice that warns people not to approach the building;
- Issuing a notice that complies with Section 125(1A) restricting entry to the building for particular purposes or restricting entry to particular persons or groups of persons. This notice is for a maximum period of 30 days and can be reissued once for a further maximum period of 30 days.

This means that Council can, at its discretion, restrict or prevent people from entering an affected building for up to 60 days while the dangerous conditions to the adjacent, adjoining or nearby dangerous building or dangerous dam are rectified.

Council must give a copy of a notice issued under Section 125(1A) to:

- The owner of the building;
- An occupier of the building;
- Every person who has an interest in the land on which the building is situated under a mortgage or other encumbrance registered under the Land Transfer Act 1952; and
- Every person claiming an interest in the land that is protected by a caveat lodged and in force under section 137 of the Land Transfer Act 1952; and
- Any statutory authority, if the land or building has been classified; and
- Heritage New Zealand Pouhere Taonga, if the building is a heritage building.

Along with the inclusion of affected buildings into the Policy Council also proposes a number of other minor amendments which are 'editorial' in nature and do not alter the substantive aspects of the Policy.

As currently drafted, the proposed substantive amendments to the Policy:

- Include the definition of an 'affected building' as per Section 121A of the Act.
- Identify Council's discretionary statutory powers with respect to affected buildings (Section 124 of the Act).
- Upon the Council making a determination that a building is an 'affected building' for the purposes of the Act, advise and liaise with the owner of the affected building.
- A note will be placed on the property file of an affected building until such time as the conditions making the adjoining, adjacent or nearby building or dam dangerous have been rectified.
- Information about a building's 'affected building' status will be contained in Council records and accordingly may be made available to a member of the public through an official information request under the Local Government Official Information and Meetings Act 1987.

CONSULTATION

Council is keen to hear from our communities – both rural and urban during this review process. We encourage people to write and tell Council their thoughts about the proposed amendments to this policy. The period for making written submissions will begin at **8am on Monday 2 March and close at 12 noon on Thursday 2 April 2015.**

Please note that all submissions including your contact details will be made available to the public and the media unless you specifically request in your submission that your contact details be kept private.

METHODS FOR MAKING A SUBMISSION

This Statement of Proposal, Summary of Information, draft Policy and the Submission Form may all be downloaded from Council's website on www.rangitikei.govt.nz and are available for viewing at the following locations during normal opening hours:

- Customer Services counter at Council's main municipal building in Marton – 46 High Street;
- Bulls Public Library - 73 High Street Bulls;
- Marton Public Library - 31 High Street Marton; or
- Taihape Public Library - 90-92 Hautapu Street Taihape.

If you would like copies of these documents posted to you, please call our customer service personnel on 0800 422 522.

HEARING OF SUBMISSIONS

People who make a written submission may also choose to speak to it to Elected Members. An oral submission hearing for the draft Dangerous and Insanitary Buildings Policy is scheduled for **Thursday 30 April 2015** at Council Chambers in Marton. Please note that policy hearings are open to the public.

If you wish to speak to Council on your submission please indicate this by ticking the appropriate box on the left hand side of the Submission Form and include a daytime phone number and email address to ensure that we can contact you easily and let you know your appointed time to speak to your submission to Elected Members at the Policy / Planning meeting on Thursday 30 April 2015.

DELIVERY OF SUBMISSIONS

Post it to: Dangerous and Insanitary Buildings Policy submissions
Rangitikei District Council
Private Bag 1102
Marton 4741

Email it to: info@rangitikei.govt.nz

Deliver it to: Customer Service Centre at 46 High Street, Marton
Taihape Information centre, Town Hall, Taihape
Bulls Information Centre, Bridge Street, Bulls



Rangitikei
District
Council

Summary of Information to amend the Dangerous and Insanitary Buildings Policy

BACKGROUND

Under Section 131 of the Building Act 2004 (**'the Act'**) Rangitikei District Council (**'Council'**) is required to have a Dangerous and Insanitary Buildings Policy (**'Policy'**).

This Policy must state:

- The approach that Council will take in performing its functions under the Act; and
- Council's priorities in performing those functions; and
- How the policy will apply to heritage buildings.

Council is required to review this Policy every five years although it will not cease to have effect because it is due for review or is being reviewed.

This Policy can only be amended or replaced by Council through the use of the special consultative procedure as set out in Section 83 of the Local Government Act 2002 (**'LGA 2002'**).

As a consequence of the Building Act Amendment Act 2013 Council must now amend its existing Policy to take into account 'affected buildings' (as defined by Section 121A of the Act).

For the purposes of the Act an 'affected building' is one which is *"adjacent to, adjoining, or nearby a dangerous building as defined in Section 121; or a dangerous dam within the meaning of Section 153."*

MAIN POINTS OF THE PROPOSED AMENDMENTS TO THE POLICY

Council proposes to amend the current Policy to reflect legislative changes to the Act since the Policy was first approved in 2006; specifically those requiring Council to amend its existing Dangerous and Insanitary Buildings Policy to now take into account affected buildings.

The Act limits Council's powers with respect to affected buildings to doing any or all of the following actions:

- Erecting a hoarding or fence to prevent people from approaching the building nearer than is safe;
- Attaching in a prominent place on, or adjacent to the building a notice that warns people not to approach the building;
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Along with the inclusion of affected buildings into the Policy Council also proposes a number of other minor amendments which are 'editorial' in nature and do not alter the substantive aspects of the Policy.

As currently drafted, the proposed substantive amendments to the Policy:

- Include the definition of an 'affected building' as per Section 121A of the Act.
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- Information about a building's 'affected building' status will be contained in Council records and accordingly may be made available to a member of the public through an official information request under the Local Government Official Information and Meetings Act 1987.

CONSULTATION

Council is keen to hear your views about the proposed amendments to this policy. The period for making written submissions will begin at **8am on Monday 2 March and close at 12 noon on Thursday 2 April 2015.**

Please note that all submissions including your contact details will be made available to the public and the media unless you specifically request in your submission that your contact details be kept private.

This Summary of Information is a summation of the key issues contained in the Statement of Proposal and is prepared in accordance with Section 87 of the LGA 2002.

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Bulls Information Centre, Bridge Street, Bulls

Attachment 4



Rangitikei
UNDISCOVERED...

MEMORANDUM

TO: Bulls Community Committee

FROM: Samantha Whitcombe

DATE: 3 March 2015

SUBJECT: **Current Infrastructure Projects/Upgrades and other Council Activities in the Bulls Ward**

Water Supply in the Bulls Ward

- 1 Install new water supply filling station: Preliminary design underway, In consultation with Roading and Operations teams.
- 2 Work planned for the next three months:
 - Install new water supply filling station: Complete design and award tender.

Sewerage and the Treatment and Disposal of Sewage in the Bulls Ward

- 1 Waste water Treatment plant upgrade (improvement of Bulls treatment plant to meet water quality standards), Caravan effluent disposal site: Pre application public consultation being undertaken.
- 2 Work planned for the next three months:
 - Waste water Treatment plant upgrade (improvement of Bulls treatment plant to meet water quality standards), Caravan effluent disposal site: Complete scoping works and formalise application to horizons for resource consent.

Stormwater in the Bulls Ward

- 1 Community apportionment \$14,510; High St/ Wilson St: Project identified preliminary design undertaken.
- 2 Work planned for the next three months:
 - Community apportionment \$14,510; High St/ Wilson St: Complete culvert works for High St/Wilson St.

Recommendation

That the memorandum 'Current Infrastructure Projects/Upgrades and Other Council Activities in the Bulls Ward' be received.

Samantha Whitcombe
Governance Administrator