



Rangitikei District Council

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**Rangitikei**  
UNSPOILT...

## Marton Community Committee

# Order Paper

**Wednesday 11 March 2015,  
7.00 pm**

**Youth Club, Humphrey Street, Marton**

**Website: [www.rangitikei.govt.nz](http://www.rangitikei.govt.nz)**

**Email: [info@rangitikei.govt.nz](mailto:info@rangitikei.govt.nz)**

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### **Chair**

Anne George

### **Membership**

Lorraine Pearson, Nathan Kane, Carolyn Bates, Jennifer Greener

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

Councillor Lynne Sheridan and Councillor Nigel Belsham

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**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 Council. Reporters who do not attend the meeting are requested to seek confirmation of the agenda material or proceedings of the meeting from the Chief Executive prior to any media reports being filed.



# Rangitikei District Council

## Marton Community Committee Meeting

Order Paper – Wednesday 11 March 2015 – 7:00 p.m.

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The quorum for the Marton Community Committee is 4 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 Co-opting new members**

The Committee is required to have a minimum of seven members, and no more than 10.

### **Recommendation**

That ..... be co-opted as members of the Marton Community Committee.

## **4 Confirmation of minutes**

### **Recommendation**

That the Minutes of the Marton Community Committee meeting held on 11 February 2015 be taken as read and verified as an accurate and correct record of the meeting.

## **5 Council decisions on recommendations from the Committee**

The following recommendations were received by Council at its meeting on 26 February 2015:

### **15/MCC/007**

That the Marton Community Committee endorses the application and the petition on a proposed upgrade of the Marton Skate Park, as a matter of priority by the Rangitikei District Council.

### **15/MCC/003**

That the Marton Community Committee thanks those who have contributed to the work of the Steering Group as the draft Marton Town Centre Plan has evolved.

### **15/MCC/004**

That the Marton Community Committee recommends that Council adopts the draft Marton Town Centre Plan and includes it in the consultation process for the draft 2015-25 LTP.

### **15/MCC/005**

That the Marton Community Committee recommends that Council investigate options to coordinate the implementation of priority 1 place-making projects as outlined in the draft Marton Town Centre Plan.

## **6 Update from the Project Marton Co-ordinator**

A verbal report will be provided to the meeting.

## **7 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](http://www.rangitikei.govt.nz).

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

## **8 Update on the Marton Town Centre Plan**

A memorandum is attached

File ref: 1-CP-7-4

### **Recommendation**

That the memorandum ‘Update on the Marton Town Centre Plan’ be received.

## **9 Wilson Park Update, March 2015**

A memorandum is attached

File ref: 6-RF-1-18

### **Recommendation**

- 1 That the ‘Wilson Park Update, March 2015’ memorandum be received.
- 2 That the Volleyball poles and net be installed in the area marked ‘B’ on the Wilson Park proposal plan.
- 3 That the BBQ area is sited as originally indicated on the Wilson Park proposal plan,  
OR  
That the BBQ area is sited in the area marked ‘C’ on the Wilson Park proposal plan.
- 4 That additional equipment be installed and located in terms of the Wilson Park proposal plan  
OR



That the following changes regarding equipment and its location be made to the Wilson Park proposal plan:.....

## **10 Current infrastructure projects/upgrades and other Council activities in the Marton Ward**

A memorandum is attached. Due to the change in date of the Assets/Infrastructure Committee meetings in late 2014, there will be no further update to this meeting of the Committee. An update covering November and December 2014 and January 2015 will be provided to the next meeting.

File ref: 3-CC-1-5

### **Recommendation**

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

## **11 Small Projects Grant Scheme**

The balance of the Small Projects Grant Scheme for the Marton Ward is \$2,054.17 (being the allocation of \$3,101 minus the \$1,046.83 spent).

## **12 General business**

## **13 Notification of business for the next meeting**

## **14 Next meeting**

Wednesday 11 March 2015, 7.00 pm

## **15 Meeting closed**

# Attachment 1

# Rangitikei District Council

## Marton Community Committee Meeting

Minutes – Wednesday 11 February 2015 – 7:00 p.m.

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### Present:

Ms A George (Chair)  
Ms C Bates  
Ms J Greener  
Mr N Kane  
Ms L Pearson  
Cr L Sheridan  
His Worship the Mayor, A Watson

### In attendance:

Cr C Ash  
Ms L Richards, Marton Town Centre Plan Steering Group  
Mr K Morris, Rangitikei District Council

## **1 Welcome**

The Chair welcomed everyone to the meeting.

## **2 Apologies**

None

## **3 Co-opting new members**

The committee presently has five members; all members are actively working to source additional members.

## **4 Confirmation of minutes**

**Resolved minute number**                      **15/MCC/001**                      **File Ref**

That the Minutes of the Marton Community Committee meeting held on 12 November 2014, and the minutes of the inquorate meeting held on 10 December 2014, be taken as read and verified as an accurate and correct record of the meeting.

Ms L Pearson / Ms J Greener. Carried

## **5 Council decisions on recommendations from the Committee**

The Committee noted that there were no recommendations from the Committee presented to Council's 29 January 2015 meeting.

## **6 Update from the Project Marton Co-ordinator**

A verbal report was provided to the meeting.

## **7 Final Draft Town Centre Plan**

Mr Morris gave a presentation on the Plan and answered a range of questions from the Committee.

**Resolved minute number**                      **15/MCC/002**                      **File Ref**                      **1-CP-7-4**

That the report "Final Draft Marton Town Centre Plan" be received.

Ms J Greener / Ms A George. Carried

**Resolved minute number**                      **15/MCC/003**                      **File Ref**                      **1-CP-7-4**

That the Marton Community Committee thanks those who have contributed to the work of the Steering Group as the draft Marton Town Centre Plan has evolved.

Ms C Bates / Ms A George. Carried

**Resolved minute number**                      **15/MCC/004**                      **File Ref**                      **1-CP-7-4**

That the Marton Community Committee recommends that Council adopts the draft Marton Town Centre Plan and includes it in the consultation process for the draft 2015-25 LTP.

Ms A George / Mr N Kane. Carried

Ms C Bates voted against

**Resolved minute number**                      **15/MCC/005**                      **File Ref**                      **1-CP-7-4**

That the Marton Community Committee recommends that Council investigate options to coordinate the implementation of priority 1 place-making projects as outlined in the draft Marton Town Centre Plan.

Ms A George / Ms L Pearson. Carried

## **8 Upgrade of Marton Skate Park**

**Resolved minute number**                      **15/MCC/006**                      **File Ref**                      **1-CP-7-4**

That the submission from Roman Strong and 161 others on a proposed upgrade to the Marton Skate Park be received.

Ms C Bates / Mr N Kane. Carried

**Resolved minute number**                      **15/MCC/007**                      **File Ref**                      **1-CP-7-4**

That the Marton Community Committee endorses the application and the petition on a proposed upgrade of the Marton Skate Park, as a matter of priority by the Rangitikei District Council.

Ms C Bates / Ms J Greener. Carried



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

**Resolved minute number**                      **15/MCC/008**                      **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.

Ms C Bates / Ms L Pearson. Carried

**Resolved minute number**                      **15/MCC/009**                      **File Ref**                      **3-GF-10**

That the Marton Community Committee supports the proposed work programme of the Bulls and District Community, Project Marton, Rangitikei Tourism and Taihape Community Development Trust in the district.

Ms C Bates / Ms A George. Carried

## **10 Current infrastructure projects/upgrades and other Council activities in the Marton Ward**

**Resolved minute number**                      **15/MCC/010**                      **File Ref**                      **3-CC-1-5**

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

Ms C Bates / Ms A George. Carried

## **11 Small Projects Grant Scheme**

The Committee noted that the balance of the Small Projects Grant Scheme for the Marton Ward is \$2,054.17 (being the allocation of \$3,101 minus the \$1,046.83 spent).

## **12 Correspondence**

### **Inward**

The Chair has been asked if cut grass can be picked-up at Mount View. The Mayor will follow this up.

### **Letter Project Marton regarding Hanging Baskets**

- The letter had been received for the previous meeting and was time critical therefore the request for funding was withdrawn.

### **Letter from Clare Aston regarding Tennis Poles**

- The letter had been received for the previous meeting, Ms C Bates wrote to acknowledge its receipt. She spoke to Claire on Tuesday evening and confirmed she still wanted it to be presented at the February meeting.
- It was agreed to meet the cost.
- Carolyn will write to confirm the funding up to \$400 to Clare Aston.

**Resolved minute number**                      **15/MCC/011**                      **File Ref**

That the Marton Community Committee approves funding of up to \$400 for the purchase of tennis poles for the Marton Tennis Club from the Small Projects Grant Scheme.

Ms C Bates / Mr N Kane

Ms A George against

### **Proposal from Peter and Jill Yortt regarding Toilets in the Town**

- Proposes replacing the toilets at Lower High Street.
- This to be held over until the next meeting to allow members to read the proposal.

**Resolved minute number**                      **15/MCC/012**                      **File Ref**

That the proposal from P and J Yortt regarding the replacement of the public toilets in Lower High Street, Marton, lie on the table until the next meeting to allow members to read the proposal.

Ms C Bates / Ms A George

## **13 General business**

### **Wilson Park**

- The Committee requests an update report from Gaylene Prince (Rangitikei District Council) concerning issues discussed at and about Wilson Park Children's Playground, on 24 November 2014.

**Resolved minute number**                      **15/MCC/013**                      **File Ref**

That subject to approval by Ms G Prince, The Chair will investigate what can be installed by way of a tractor or similar equipment for children to play on.

Ms L Pearson / Ms C Bates. Carried

### **District Updates**

His Worship the Mayor gave updates on:

- Pre-hearing scheduled regarding demolition of buildings on High Street/Broadway; the Long Term Plan;

- He reported that for the first time in 20 years, the population in Rangitikei has increased;
- The Santoft Fire covered an area in the region of 2 x 400m.

**Pedestrian Crossing by Centennial Park**

Mr Morris confirmed the crossing should be complete before winter.

**14 Notification of business for the next meeting**

- Toilets in the Town centre.
- Update report on Wilson Park Children's' Playground discussions.

**15 Next meeting**

Wednesday 11 March 2015, 7.00 pm

**16 Meeting closed – 9.30 pm**

Unconfirmed

# Attachment 2

## DANGEROUS AND INSANITARY BUILDING POLICY

<b>Policy Title:</b> DANGEROUS AND INSANITARY BUILDINGS POLICY <b>Date of Adoption:</b> 25 May 2006 <b>Resolution:</b> 06/RDC/144 <b>Review Date:</b> <del>2011</del> 2020 <b>Statutory reference for adoption:</b> Building Act 2004 s131 <b>Statutory reference for review:</b> Building Act 2004 s132 <b>Included in the LTCCP:</b> no	
Date Amended or Reviewed	Resolution
<u>Reviewed XXXX 2015</u>	

### 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 buildings<sup>1</sup>.

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*

<sup>1</sup> 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 state<sup>2</sup>:

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~~n 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

<sup>2</sup> 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 tThe use to which the building is put.
- Assess wWhether 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 Service<sup>3</sup> ~~(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:

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<sup>3</sup> 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 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 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.



**Rangitikei  
District  
Council**

## **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](http://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](mailto: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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- An occupier of the building;
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- 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.
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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.

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

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### **Delivery of Submissions:**

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Rangitikei District Council  
Private Bag 1102  
Marton 4741

**Email it to:** [info@rangitikei.govt.nz](mailto: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





# Attachment 3



# MEMORANDUM

TO: Marton Community Committee

FROM: Kevin Morris

DATE: 3 March 2015

SUBJECT: **Update On The Marton Town Centre Plan**

FILE: 1-CP--7-4

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This Memorandum is to provide the Marton Community Committee with an update of the Marton Town Centre Plan Process.

## **Update**

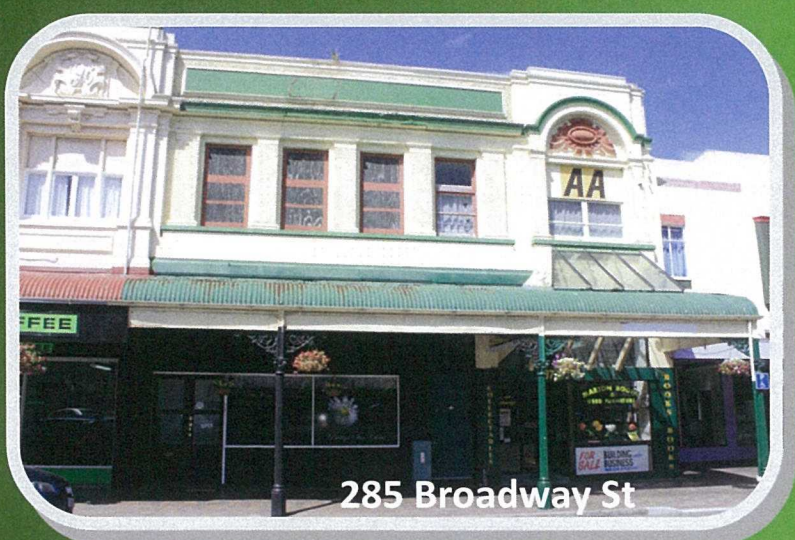
- 1 The Marton Town Centre Plan Steering group has met once, on 19 February, since presenting the Final Draft TCP to the Community Committee on 11 February 2015.
  - 1.1 The Steering Group Chair read and tabled a letter of thanks from the Marton Community Committee, thanking the Steering Group for their effort and commitment, developing the draft Marton Town Centre Plan.
  - 1.2 The Steering Group agreed to continue on with place-making projects as part of the Town Centre Plan process.
  - 1.3 The Steering Group have launched a competition for designs to “funkify” a heritage building in Marton. Three privately-owned and two Council-owned buildings have been made available and the prize for the winning design is an Asus Laptop Computer. One or more of the designs may be put into effect by the relevant building-owner. A copy of the poster promoting the competition is attached as Appendix 1.
  - 1.4 Council met on the 26 February 2015 and adopted the final draft Marton Town Centre Plan for inclusion in the consultation process of the 2015-25 LTP.
- 2 **Recommendation.**
  - 2.1 That the memorandum ‘Update on the Marton Town Centre Plan’ be received.

Kevin Morris  
Policy Team

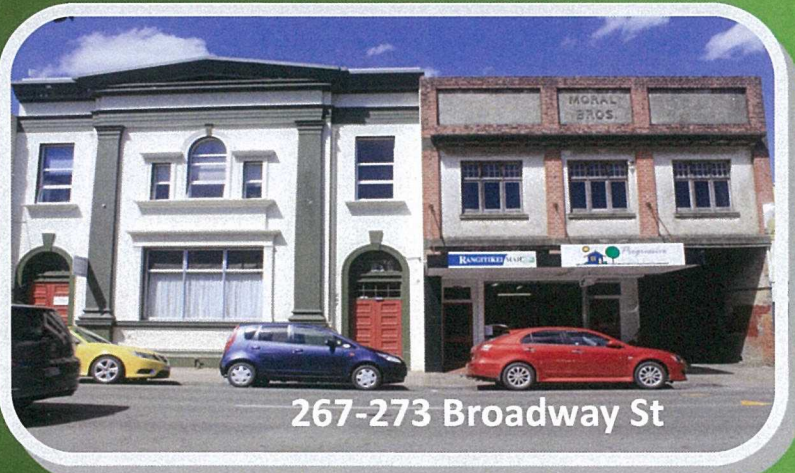
# *Appendix 1*



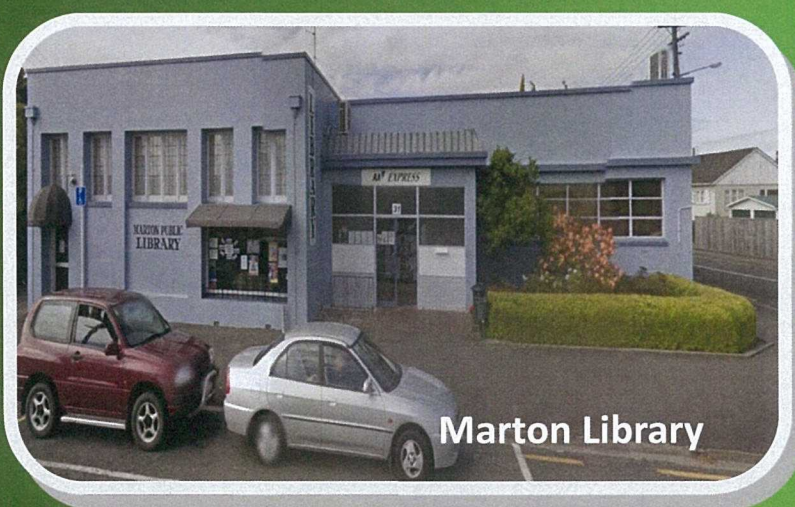
Design a new look for any of these buildings



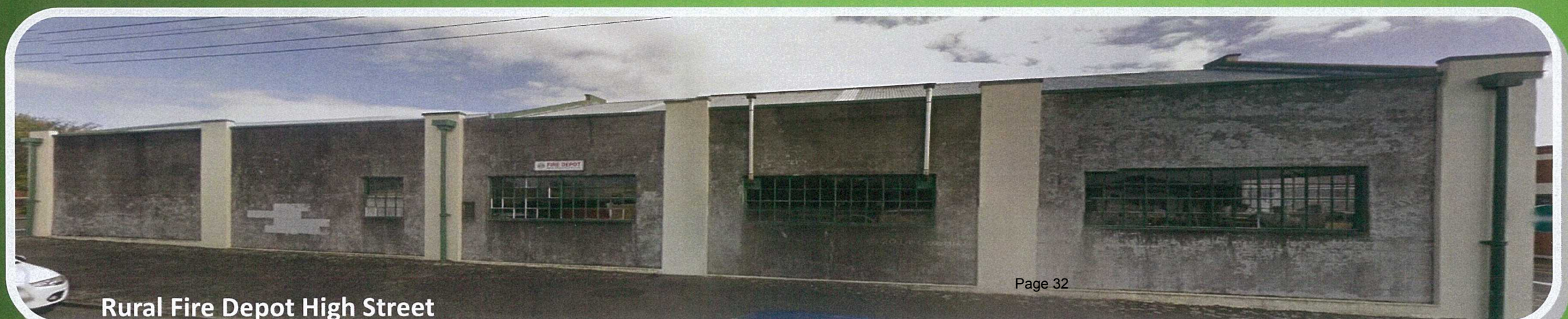
285 Broadway St



267-273 Broadway St



Marton Library



Rural Fire Depot High Street

# Public Art Competition

It's time to paint the town Red, (or yellow or blue or....)

Competition runs from 02 March to 27 March.

*Your chance to win a*

Asus Transformer T100T Laptop/Tablet

Create a statement for the town.

...by *funkifying* its commercial buildings

with public art, creative murals, funky & stylish designs.

(...Your entries may well end up on one of the buildings shown...)

Post or email entries to:

Rangitikei District Council, Private Bag, 1102, Marton

Kevin.Morris@rangitikei.govt.nz

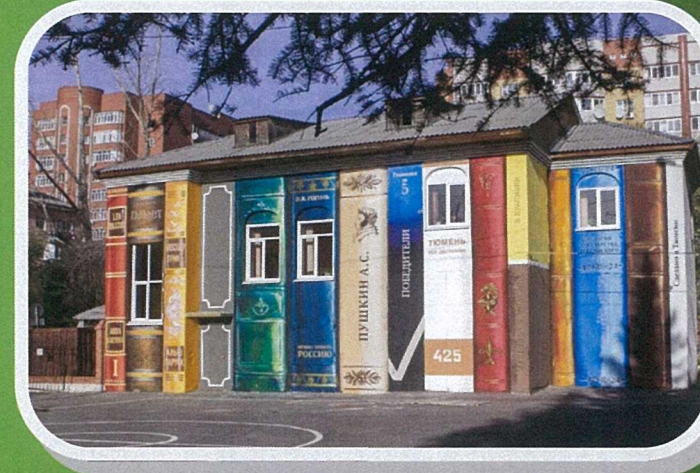
or upload to

Facebook: Marton Town Centre Plan Steering Group

Check out some other examples



In Joy Photography





# Attachment 4



# MEMORANDUM

TO: Marton Community Committee

FROM: Gaylene Prince

DATE: 4 March 2015

SUBJECT: **Wilson Park Update, March 2015**

FILE: 6-RF-1-18

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## 1 Background

- 1.1 The Committee submitted, as part of the Annual Plan process, a plan from the Playground Centre (copy attached) outlining proposals for the play area at Wilson Park.
- 1.2 At the February 2015 meeting of the Marton Community Committee an update was requested on issues discussed at, and about, Wilson Park on 24 November 2014.
- 1.3 A recommendation was made at the February 2015 meeting that the Chair would investigate a tractor or similar equipment for children to play on that could be installed subject to approval from the Community & Leisure Services Team Leader.

## 2 Proposals

- 2.1 At the onsite meeting in November 2014, it was agreed that the order of priority for the park development would be:
  - 1. Playground equipment (including hop scotch and volleyball that are not identified in the Playground centre proposal plan)
  - 2. BBQ
  - 3. Seating
  - 4. Fitness Trail.
- 2.2 Referring to the attached plan, in the area marked 'A', stepping poles have been erected, and there is room for hop scotch tiles to be placed in the top right hand corner between the submarine and stepping poles. We are presently waiting on a price for the tiles.
- 2.3 On-site, there was some discussion about the volleyball going in the area that is highlighted, on the attached plan, for the Black Forest. Another possible area for volleyball is marked 'B'. Two poles concreted into tyres are available to be placed on site, with the purchase of a net to complete this action.
- 2.4 The hop-scotch and volleyball are able to be accommodated within this years budget.

- 2.5 On the attached plan, the BBQ location is shown on the Marumaru Street boundary side of the playground, while at the on-site meeting it was discussed that it would go in the area marked 'C'.
- 2.6 The playground development proposal for Wilson Park, as per the Playground Centre quotation, will be highlighted in the 2015/25 LTP Consultation Document (along with the proposed upgrades to the district's skate parks). The community will be asked to consider how important it is for the District to have a range of modern recreational equipment in its parks, whether the community should take the lead in sourcing funding/sponsorship with a minimal ratepayer contribution, and whether Council itself should determine the priorities for such recreational equipment and fund this through rates. Implementation of the Playground Centre proposal will be dependent on Council's decision following deliberations on submissions to the Consultation Document.
- 2.7 Further to paragraphs 1.3 and 2.5, it is suggested that any supply and placement of further equipment not identified in the original plan be placed on hold until after the supply and placement of the items referred to in the Wilson Park Playground Centre proposal are implemented. However, the Committee may wish to deviate from this plan and make a formal recommendation that identifies the equipment, its proposed location, and if this piece of equipment will be in place of another item already identified on the plan.

### **3 Recommendations**

- 3.1 That the 'Wilson Park Update, March 2015' memorandum be received.
- 3.2 That the Volleyball poles and net be installed in the area marked 'B' on the Wilson Park proposal plan.
- 3.3 That the BBQ area is sited as originally indicated on the Wilson Park proposal plan,  
OR  
That the BBQ area is sited in the area marked 'C' on the Wilson Park proposal plan.
- 3.4 That additional equipment be installed and located in terms of the Wilson Park proposal plan  
OR  
That the following changes regarding equipment and its location be made to the Wilson Park proposal plan:.....

Gaylene Prince  
Community & Leisure Services Team Leader

# *Appendix 1*





# Attachment 5





**Rangitikei**  
UNSPOILT...

## MEMORANDUM

TO: Marton Community Committee

FROM: Samantha Whitcombe

DATE: 3 March 2015

SUBJECT: **Current Infrastructure Projects/Upgrades And Other Council Activities In The Marton Ward**

### Water Supply

- 1 Community apportionment \$1,058,934; Water Treatment Plant Upgrade, Tutaenui Rd Water main renewal, (Complete renewal of Marton water reticulation from Jeffersons Line to the new treatment plant) Wellington Rd renewal works. Grey st and Fergusson St watermain renewals: Tutaenui Road WaterMain Renewal, (WTP - Jeffersons). Tender awarded to ID Loaders. Commencement date 1st Dec 2014; construction works underway. Tutaenui Road WaterMain Renewal, (WTP - Jeffersons). Construction works underway.
- 2 Work planned for the next three months:
  - Complete Water Treatment Plant upgrading and construction of the falling main renewal.

### Sewerage and the Treatment and Disposal of Sewage

- 1 Community apportionment \$205,739; Goldings line sewage renewal: Goldings Line renewal alignment and scope being investigated. Commenced I & I investigation of Goldings line sewage infiltration. Investigated alternative tech solutions for pipeline renewal works.
- 2 Work planned for the next three months:
  - Community apportionment \$205,739; Complete design and award contract for Goldings Line renewal.

### Stormwater

- 1 Marton: Russell St/Wellington Road new works: Brief to Opus to complete detailed design of S/W solution. Option 3 direct connection to Tutaenui Stream is preferred option. Existing alignment through Childcare centre cleaned and currently working adequately. Investigation works has identified limited options for alignment. Revisited drilling option direct to Tutaenui Stream.

- 2 Community apportionment \$268,105; Hammond St, Main/Potaka St, Skerman/Bond: Hammond St outlet design completed Resource consent applied for. Main/Potaka complete. Skerman/Bond physical works completed.
- 3 Work planned for the next three months:
  - Community apportionment \$268,105; Hammond St, Main/Potaka St, Skerman/Bond St: Complete installation of Hammond St S/W outlet to Tutaenui Stream.
  - Complete design works and award tender for outlet to Tutaenui stream.

### **Recommendation**

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

Samantha Whitcombe  
Governance Administrator