

In the matter of the Resource Management Act 1991

and

In the matter of the Far North Proposed District Plan

and

In the matter of submissions by the House Movers Section of the New Zealand Heavy Haulage Association Inc for Hearing 9 – Rural, Horticulture & Horticulture Processing

**Statement of Evidence of Jonathan Bhana-Thomson (CEO, House Movers
Section of New Zealand Heavy Haulage Association Inc)**

For: **Hearing 9** – Rural, Horticulture & Horticulture Processing

Hearing date: 2 December 2024

NEW ZEALAND HEAVY HAULAGE ASSOCIATION INC

PO BOX 3873, WELLINGTON 6140 | LEVEL 10, PETHERICK TOWER, 38 WARING TAYLOR STREET,
WELLINGTON 6011

04 472 0366 (Ph) | 027 417 5554 (Mob)

jonathan@hha.org.nz | www.hha.org.nz | jonathan.nzhha (Skype)

I, Jonathan Bhana-Thomson, state:

1. Introduction

- 1.1 Thank you for the opportunity to address you in relation to Hearing 9 rural zone matters.
- 1.2 I am the Chief Executive of the New Zealand Heavy Haulage Association Inc (the Association) and have been in this role 21 for years.
- 1.3 I am very familiar with the process of relocating buildings and have made submissions in the past at various district plan hearings. I am authorised to give this evidence on the Association's behalf.
- 1.4 The New Zealand Heavy Haulage Association was established in 1965 as the national trade association for member companies that transport overweight or over dimension loads.
- 1.5 The Association has an advocacy role with central and local government agencies.
- 1.6 There are 35 members of the House Movers Section of the Association. By numbers the Association estimates that its members move about 80% of the buildings relocated in any one year nationally. With a couple of exceptions, most of the Association's House Mover members are family-owned businesses. Most have been involved in the industry for many decades. Members are also involved construction and fabrication of (new) transportable or prefabricated buildings as well as 'second hand' used buildings. This includes shifting of classrooms and similar for government agencies as well as buildings for the private sector.
- 1.7 The Association has been submitting on district plans around the country for 20+ years. Initially many first-generation RMA plans had restrictions on relocated buildings. In most second and third generation plans, the trend over time has been more permissive i.e. to provide for relocated buildings as a permitted activity with standards, or in more recent plans not to differentiate between new and relocated buildings, and to leave matters to the Building Act.

2. Summary of case for submitters – Hearing 9 – Rural zones

- 2.1 The Association's primary concern is the provision for relocated buildings as a permitted activity in the Far North Proposed District Plan. The PDP currently contains no separate activity status rule for relocated buildings (which are not heritage resources) in any zones (apart from the Carrington Estate).
- 2.2 The activity of “*new buildings or structures, or extensions or alterations to existing buildings or structures*” is a permitted activity in the Rural Production (RPROZ-R1), Rural Lifestyle (RLZ-R1), and Rural Residential zones (RRZ-R1). However, this rule does not clearly apply to relocated buildings which are not “new”. Relocated buildings are defined as in the PDP as a “used building more than 2 years old [...]”.¹ There is a risk that relocated buildings will fall under default rules as a discretionary activity, which would be contrary to the decision of the Environment Court in *New Zealand Heavy Haulage Association Inc v The Central Otago District Council* (C45/2004, Thompson EJ).
- 2.3 The outcome that the Association is seeking is:
- (a) Modification of the definition of “building” to include relocated buildings to add clarity that relocated buildings are covered by the definition of building, particularly where there is a separate definition of relocated building indicating a distinction between building and relocated building.
 - (b) Modification of the definition of “relocated building” to delete the words “more than 2 years old”, as part of further relief to provisions of the district plan to give effect to the provision for relocated buildings as a permitted activity.²

¹ “means a used building more than 2 years old that has been removed from a site, from within or from outside the District, and transported to another site. The definition includes used buildings that have been divided into sections for the purpose of transport and reassembly on the new site. The definition also includes alterations or additions to such buildings that occur concurrently with their initial establishment on the new site.”

² It is understood that definitional issues are to be addressed at Hearing 17: General / Miscellaneous / Sweep Up.

- (c) The inclusion of permitted activity rules for relocated buildings – suggested text of rules contained in **Schedule 1**, with performance standards.³

2.4 The Association:

- (a) **Supports** the addition of rules providing for relocated buildings as a permitted activity in Rural zones, with standards, and restricted discretionary status for buildings which do not meet the permitted activity standards.
- (b) **Requests** the amendment of objectives, policies, and rules to provide for relocated buildings as a permitted activity.
- (c) **Considers** that relocated buildings have positive effects, including on housing supply.
- (d) **Supports** the inclusion of a building pre-inspection report (as a non-statutory form).⁴

2.5 This evidence addresses:

- (a) The staff reports;
- (b) The sequence of relocation of buildings;
- (c) Pre-Inspection/Reinstatement report;
- (d) Controls in other districts.

3. Staff Reports

- 3.1 I have read the s 42A staff reports for Rural Wide Issues and Rural Production, Rural Lifestyle, and Rural Residential zones. Relocated buildings are discussed in the Rural Wide Issues and Rural Production report. The Rural Lifestyle and Rural Residential reports agree with the recommendations in the Rural Production report.⁵

³ For suggested text of performance standards, refer Schedule 1 of Submission of the New Zealand Heavy Haulage Association dated 21 October 2022.

⁴ Refer suggested text at Schedule 2 of Submission of the New Zealand Heavy Haulage Association dated 21 October 2022.

⁵ Rural Lifestyle s42A report at [102], Rural Residential s42A report at [91].

- 3.2 I disagree with the recommendation that a specific related building rule should not be included in the rural zones. The Rural Production report refers at [241] to the analysis at paragraphs [62]-[68] of the s42A report on Moturoa Island prepared by Kenton Baxter dated 20 May 2024, as providing a more detailed explanation for the position that relocated building rules should not be added.
- 3.3 The s42A report on Moturoa Island [62]-[68] provides, in summary:
- (a) “new buildings or structures” in R1 includes relocated buildings because “new” means new to the site, not new in terms of when it was built. The report writer relies on the definition of “new” from Oxford Languages.⁶
 - (b) The definition of “building” in the PDP supports this interpretation because it includes “movable” physical construction.
 - (c) There is no need for a specific rule as R1 already treats new and relocated buildings the same.
- 3.4 In response:
- (a) The text of R1 in its context does not support the more specific interpretation of “new” as meaning new to the site. The definition cited by the report writer supports the interpretation that “new” means *new construction* as this would be “produced...for the first time; not existing before.” The definition of relocated building in the PDP means a “used building more than 2 years old [...]”. Therefore, relocated buildings would be excluded from R1 if “new” means new construction.
 - (b) The definition of “building” in the PDP does refer to movable physical construction. However, the definition does not assist in clarifying whether R1 applies to relocated buildings which are not new.
 - (c) As above, it is unclear whether R1 deals with relocated buildings which are not new.

⁶ “1. Produced, introduced, or discovered recently or now for the first time; not existing before. 2. Already existing but seen, experienced, or acquired recently or now for the first time.”

- 3.5 Furthermore, a specific relocated building rule is necessary so that specific performance standards can apply to relocated buildings, including the use of a pre-inspection report, on terms set out in **Schedule 1**.
- 3.6 In the alternative, I agree with the recommendation that the existing R1 rules in each of the rural zones should be amended to include reference to relocated buildings.

4. Sequence of Relocation of Buildings

- 4.1 In the Industry we refer to *removal* (from a site), *relocation* (to a site) and *re-siting* (within a site). The process and sequence of relocation is largely the same whether the building is a dwelling, or a non-habitable building.
- 4.2 The shifting of a typical building (both its removal, and the relocation) involves a series of steps, typically in this order:
- (a) Land purchase for the destination (relocation) site.
 - (b) Building purchase. The building will have either been purchased privately or from a relocation company.
 - (c) Building consent obtained to relocate to the new location.
 - (d) Disconnection of services from the removal site (power, phone, gas, water, drainage).
 - (e) Removal of the building to its new site (or storage location) which may involve:
 - (f) Possible temporary structural bracing.
 - (g) Possible cutting of the building into sections, depending on the size of the building.
 - (h) Possible removal or partial roof removal (which requires tarpaulins).
 - (i) Loading onto the transporter.
 - (j) Securing to the transporter, lighting if night travel applicable.
 - (k) Road transport requirements for over dimension loads, including:
 - Uplifting of any necessary approvals from roading authorities,

NZTA, Police, telecom, power companies, rail, any other utility companies.

- Compliance with Vehicle Dimensions and Mass Land Transport Rule 2016. The rule covers the requirements for dimension and mass limits for heavy truck and trailer combinations to be operated on roads.
- (l) Placement of the building on the new site in its correct position in accordance with the building consent.
 - (m) Unloading onto house/building jacks.
 - (n) Installing foundations.
 - (o) Placement of the building onto foundations.
 - (p) Re-joining building sections, reinstatement of the roof, replacement of doors, windows, ceilings removed (as necessary).
 - (q) Upgrading of ceiling or floor insulation (as necessary).
 - (r) Connection of services (water, power, gas if available).
 - (s) Installation of base boards, steps, decks and landings.
 - (t) Any necessary remedial works, painting and decoration etc. (some can be done prior to relocation).
 - (u) Driveway, fencing, footpath, garaging, and landscaping of the site.
 - (v) Code of compliance certificate obtained under the Building Act 2004.
- 4.3 Time issues are important to both the removal, and the relocation. To be financially viable any project has to be done in a reasonable time frame.
- 4.4 Regardless of the size of the relocation job, a house mover will aim to do the removal and the relocation in the same movement. This is so that we don't have to end up storing the building in another site, or at a storage yard, and can shift it direct from the removal site to its final destination site.
- 4.5 If the building has to be stored between its removal from one site, and its relocation to another, then there is added cost and risk. There is added risk

of damage from the rain or wind, particularly if the roof has been removed. There is added cost because there will be double handling.

- 4.6 If there is a delay at the relocation site caused by the need for a resource consent, or a hold-up in obtaining neighbours approvals, then this will increase the likelihood that the building may need to be stored, and increase the price.
- 4.7 In the ideal situation, foundations can be installed in one day, and the house or building lowered onto those foundations the next day. This assumes the building has shifted in one piece and has not had to be cut into pieces due to width restrictions.
- 4.8 If the building is large, has an irregular shape, or is wider than what the transport route will allow, then it is more likely that the building will need to be cut and shifted in sections, and then joined at the relocation/destination site. The building relocation company will join the sections of the building together on site.
- 4.9 Generally, the aim will be to get the building to the section around daybreak. The roof may have been lowered and covered with tarpaulins. Ideally neighbours will have been informed that the building is coming. This initial impact can be unexpected for neighbours. It can trigger calls to Councils. However, this is a temporary effect. Typically, within a number of days the building will have been placed on a new foundation, re-joined and the roof reinstated. Because of the risk of weather damage there is a strong incentive to have the roof reattached and the building closed in quickly. At this point the process will be a lot quicker than the average construction in situ.
- 4.10 With the building on site, and weathertight, owners generally do the finishing work themselves, although if the building needs re-roofing or a structural alteration a Licenced Building Practitioner will be involved. Owners often redecorate the inside of the building themselves and also add value and save money by fitting the base boards, steps, decks, and completing any necessary external remedial works including painting if needed. Then comes the driveway, fencing, footpaths, garaging, and landscaping of the site.
- 4.11 Even allowing for a building being moved in sections, there is an obvious potential time advantage compared to in situ construction. My experience is that relocation will generally involve far less overall construction disturbance to the neighbourhood than the typical on-site construction of a new dwelling.

- 4.12 While the initial relocation to a site is typically more machinery intensive than construction of a new dwelling, the benefit is that the project can be substantially quicker. Any remedial or refurbishment work can begin on the home straight away (or even beforehand).
- 4.13 These time benefits also apply to prefabricated or transportable new dwellings, which are becoming more common. With a transportable new dwelling work at the factory can commence ahead of the issue of building consent for the destination site and there are lower on-site labour costs.
- 4.14 The Association and its members consider that there are also community benefits with building relocation, including reuse of the existing housing stock (both within a District and outside of it) and providing for peoples housing needs.
- 4.15 A typical relocated building can weigh anywhere between 15-70 tonnes. A typical 30–40-year-old wooden construction three-bedroom family house will weigh approximately 25 tonnes. Assuming each building relocated is 25 tonnes, the Association estimates building relocation is the third biggest recycling industry nationally (by weight) after metals and paper. The diversity of the materials re-cycled is large. If a building is demolished, and landfilled, then only certain products are suitable for being recycled. In contrast, if a building is relocated nearly everything will be reused.

5. Pre-Inspection/ Reinstatement Report

- 5.1 In the Association's submission, Council can retain a degree of control over relocated buildings through the use of permitted activity standards including a standardised pre-inspection/reinstatement report (a suggested template is attached to the Association's submission).
- 5.2 Further to the proposed standards for permitted activity status in the PDP, the report details in advance what reinstatement and update work needs to be completed by the building owner within a 12 month timeframe. I consider that this is a key component to gaining compliance with the outcome of a relocated building being reinstated into the new location.
- 5.3 The requirement to gain an estimate of the costs provides a second aspect of the compliance requirements for a relocated building, as this provides substantive information to the building owner about the costs of the project.

- 5.4 Some Councils have adopted (or adapted) the Association's pre-inspection report and have published on their websites their own version (for example, Central Hawkes Bay District, Hastings District, Queenstown Lakes District) – as non-statutory forms.

6. Other territorial authorities in New Zealand

- 6.1 Relocation of buildings is now typically a permitted activity in most Council areas around New Zealand. Many have specific performance controls to control reinstatement within specific time frame – while an equal number have no specific controls aside from those on a new built in-situ building.
- 6.2 Because our members shift buildings both within and between districts the Association seeks a general standardisation in approach unless there is a compelling reason to depart from this for local environmental reasons.
- 6.3 I refer to **Schedule 2** for a map showing the activity status of relocated buildings throughout the country.
- 6.4 There are other Councils that have within the last few years seen the benefits of promoting the use of relocatable buildings as a cost-effective way to provide housing and utility buildings by adopting permitted activity status for those applications that meet the required standards. Areas that have moved from a more restrictive regime to allowing permitted activity status include New Plymouth and Central Hawkes Bay.
- 6.5 For example, this year (2024), the Association has been involved with submissions and/or hearings for the following councils:
- West coast
 - Waitomo
 - Gore
 - Central Otago (PC 19)
 - Mackenzie District
 - Far North District
 - Wellington

- Selwyn

6.6 I encourage the Hearings Panel to endorse the benefits of the Far North District Plan adopting a similar planning control scheme in your area.

Dated: 29 November 2024

Jonathan Bhana-Thomson

Chief Executive, New Zealand Heavy Haulage Association

SCHEDULE 1: suggested drafting amendments sought by House Movers:

Relocated buildings	
<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Any relocated dwelling complies with the relevant standards for permitted activities in the District Plan.</p> <p>PER-2 Any relocated building intended for use as a dwelling must have previously been designed, built and used as a dwelling.</p> <p>PER-3 A building pre-inspection report shall accompany the application for a building consent for the destination site. That report is to identify all reinstatement works that are to be completed to the exterior of the building. The report shall include a certification by the property owner that the reinstatement works shall be completed within the specified 12 month period.</p> <p>PER-4 The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site.</p> <p>PER-5 All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within 12 months of the building being delivered to the site. Without limiting PER-3 (above) reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.</p>	<p>Activity status where compliance not achieved with PER-1, PER-2, PER-3, PER-4, PER-5: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Whether the building is structurally sound, the condition of the building, and the work needed to bring the exterior of the building up to an external visual appearance that is tidy, of an appropriate standard, and is compatible with the other buildings in the vicinity. 2. The requirement for any screening and landscape treatment. 3. The bulk, design, and location of the building in relation to the requirements of the zone. 4. The need for structural repairs and reinstatement of the building and the length of time for completion of that work.

SCHEDULE 2: map showing activity status of relocated buildings

Relocated dwelling activity status - updated to 25/09/2024

