

STATEMENT OF PROPOSAL

DRAFT DANGEROUS, AFFECTED AND INSANITARY BUILDINGS POLICY

Introduction

The Building Act 2004 directs that councils are to adopt a policy that details the approach they take in relation dangerous, affected and insanitary buildings under the policy. This policy outlines how Council will engage and deal with owners and sites of dangerous, affected and insanitary buildings and that buildings are safe for the intended use. The policy was initially adopted in 2006 and reviewed in 2011 and 2019. This policy is due for review and requires that a Special Consultative Procedure be undertaken under section 132 of the Building Act 2004.

Reason for proposal

Councils are required to adopt a policy on dangerous, affected and insanitary buildings under section 131 of the Building Act 2004. The act outlines that the policy must include the approach and the priorities in dealing with dangerous, affected and insanitary buildings, and must also include how the policy applies to heritage buildings. The policy has been reviewed and updated with new requirements to wording. Stating Councils priorities in performing DAI functions as required under s131(2)(b).

Proposal

Council is proposing to amend the policy to reflect updated terminology and be compliant with the requirements of the Act and consistent in the approach that Council takes in addressing dangerous, affected and insanitary buildings. The policy has been revised to capture Council's guiding principles and approach to evaluating and assessing dangerous and insanitary buildings, including those classified as heritage buildings. The draft policy (attached) shows the proposed changes by highlighting amended text and by striking through text where it is being removed.

Options

Option	Description	Advantages	Disadvantages
1. Amend the policy (Recommended)	Update the policy to reflect legislative changes and best practice	Ensures compliance, improves clarity and effectiveness	Requires staff time and resources for implementation
2. Do not amend the policy	Retain the current version of the policy	No immediate cost or time required.	Policy may be inconsistent with current legislation and best practice
3. Revoke the policy	Remove the policy entirely	None identified	Non-compliance with section 131 of the Building Act 2004

Submissions and Consultation

Council invites feedback from all interested parties. Submissions open on 6 August 2025.

Submissions can be made via:

- Online: Council's website – Connect Hono Mai connect.odc.govt.nz
- Email: info@odc.govt.nz
- In person: Drop off at 108 St John Street, Ōpōtiki

Submissions close at 12pm, Wednesday 3 September 2025

Next Steps

Following the consultation period, all submissions will be considered before the final policy is adopted. The revised policy will then be published and implemented in accordance with the Building Act 2004.