



DRAFT Dangerous, Affected and Insanitary Buildings Policy 2024

Statement of Proposal

FOR CONSULTATION



Introduction

This Policy is a requirement of section 131 of the Building Act 2004 which states that a territorial authority must adopt a policy on dangerous and insanitary buildings within its district.

Council adopted its first Earthquake-prone, Dangerous and Insanitary Policy at its meeting on 12 July 2006. The Policy was reviewed in 2011 and 2016. In 2019, the Policy was amended as per the Building (Earthquake-prone Buildings) Amendment Act 2016 to the Building Act 2004 (Act) which came into force on 1 July 2017. Council were required to amend the Policy to remove references to earthquake-prone buildings. Additionally, the Policy was amended to include reference to “affected buildings”. The Policy is once again due for review.

The Act requires us to review this policy every five years using the special consultative policy of the Local Government Act 2002 (LGA).

Background

This is a proposal by the Matamata-Piako District Council (Council) to make amendments to its Dangerous, Affected and Insanitary Buildings Policy (Policy) under sections 131 and 132 of the Building Act 2004. This Statement of Proposal is part of the Special Consultative Procedure for the review of the Policy under the Local Government Act 2002 (LGA 2002).

Consultation is being undertaken with the community so Council can assess public support for the proposed amendments and can consider alterations to the draft policy as a result of the public submissions received. This document includes a summary of the proposed policy and how you can have your say.

What is included in the Policy?

The Policy ensures that buildings in the district do not compromise people’s health and safety through dangerous or insanitary conditions. The Policy aims to balance potential health and safety benefits with any economic costs. This policy sets out:

- The approach that Council will take in performing its functions under the Building Act 2004 in relation to Dangerous, Affected and Insanitary Buildings;
- Council’s priorities in performing these functions; and
- How the policy will apply to Heritage buildings.

Why do we have this Policy?

The Policy helps to reduce the potential risk posed to residents by Dangerous, Affected or Insanitary Buildings and sets out a clear framework about how Council will manage unsatisfactory building conditions. We are also required to have this Policy under the Act.

What changes are Council proposing?

We have made a number of changes to the layout of this Policy and added some further content to assist in readability and clarity. This includes the following:

- Added information to the introduction section around how a building may become a dangerous, affected or insanitary building.
- Inclusion of further information relating to our district and how the Policy has been developed to reflect this.
- Previously, we've had a separate section for 'procedures' for the detection, assessment and action for dangerous, affected and insanitary buildings. To improve readability, this information has now been included in the 'policy' section.
- We've made other changes such as adding further information on how buildings may be identified as requiring an inspection and have moved all information relating to heritage buildings to the 'application of Policy to Heritage Buildings' section.
- Minor updates to the definitions contained in the Policy have been made and these have been moved to the back of the Policy.

Analysis of reasonably practicable options

This is a Policy required by legislation. Council have reviewed the reasonably practicable options as below:

Option one: Keep the status quo

This option is for Council to 'roll over' the current Policy with no amendments

Advantages	Disadvantages
No significant advantages identified.	Council's Dangerous, Affected and Insanitary Buildings Policy would not contain the updates identified to assist in clarity and to assist in understanding.
	Council is required by legislation to review its Dangerous, Affected and Insanitary Buildings Policy every five years.



Option 2 – Adopt the amended Dangerous, Affected and Insanitary Buildings Policy
This is Council's preferred option.

This option is for Council to adopt the draft Policy containing minor amendments to assist in clarity.

Advantages	Disadvantages
Council has met the legislative requirement to review its Dangerous, Affected and Insanitary Buildings Policy every five years.	No significant disadvantages identified.
Council's Dangerous, Affected and Insanitary Buildings Policy would contain the updates identified to assist in clarity and understanding.	
Following consultation, the Policy can be updated as a result of feedback received.	

What does Council want to know?

We want to know from you what you think about the proposed changes and if any further updates are required to meet the needs of the community.

Have your say

Whether you agree, oppose or you have suggestions on things we could change for this proposal or any other proposal, we want to hear from you.

You can make a submission between 21 March and 21 April 2024.

For more information about this proposal, and to see what else we are consulting on, go to mpdc.govt.nz/ltf

Please be aware that submissions made to Council are public information. Your submission will be used and reproduced for purposes such as reports to Councillors, which are made available to the public and media.

Key Dates

Council adopt proposal for community consultation	13 March 2024
Submission period	21 March – 21 April 2024
Community present submissions to Council	8 May (9 May if needed) 2024
Proposal is adopted	26 June 2024
New Dangerous, Affected and Insanitary Buildings Policy applies	1 July 2024

Making a submission

📄 Go to mpdc.govt.nz/ltf to fill out the online form

📄 Drop off form: Any Council office

📧 Mail to: PO Box 266, Te Aroha 3342

Head to mpdc.govt.nz/ltf to make a submission and have your say by 21 April 2024

