

# Review of the Dangerous and Insanitary Buildings Policy 2018

Overview of Review process

Thursday 15 August 2024

# Background - need for the Review

- The Building Act requires Council to have a **Dangerous, Affected & Insanitary Buildings Policy**.
- The Policy is now required to cover buildings that are 'Affected' by a Dangerous Building (eg neighbouring buildings).
- This policy was not listed on the Policy Work Programme (PWP) but must be reviewed ever five years.
- It was last reviewed in 2018. An internal review was carried out by the Regulatory Group last year, and no changes proposed. Subsequent to this, Council received advice from MBIE that their audit of our policy identified that changes are needed.
- The Policy was added to PWP for Review in May 2024

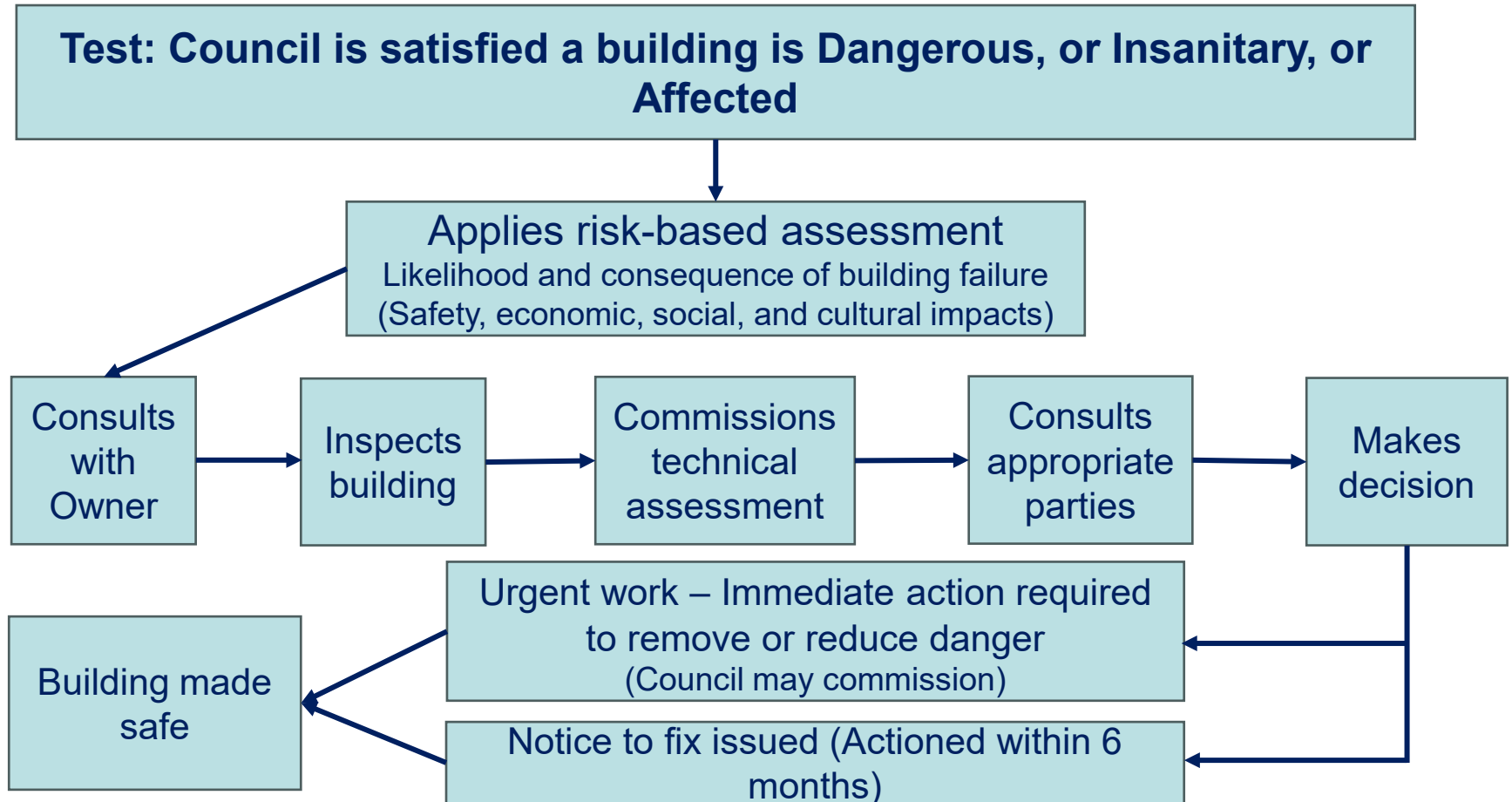
# What the Policy does

- Ensures buildings can perform their functions without putting building users, residents, visitors or those using surrounding buildings or adjacent areas at risk.
- Provides clarity and guidance to Council officers, building owners and users, and the public on how Council will implement requirements for managing dangerous, affected, and insanitary buildings.
- Uses a balanced risk-based assessment to safeguard buildings as:
  - structurally sound, and
  - not posing health risks.

# What are dangerous, affected and insanitary buildings

- **Dangerous Building:** a building that is likely to fail structurally, or is hazardous in the event of fire, and is likely to cause death or injury, to a person in it, or damage to other buildings/property.
- **Affected building:** a building that is adjacent to, adjoining, or nearby a dangerous building.
- **Insanitary Building:** a building that:
  - is offensive or injurious to health because of its situation or construction
  - lacks a potable water supply or adequate sanitary facilities.

# Policy approach and taking action



# Technical updates to the Policy

- The Policy will be updated to reflect:
  - Inclusion of ‘Affected Buildings’
  - Changes in MBIE’s supporting guidance and changes and improvements in best practices.
- The Policy will not cover Earthquake Prone Buildings or buildings that are Dams (both of which have their own provisions under the Act ).

# Stakeholders and Engagement

- Key stakeholders for this policy include:
  - Building owners, occupiers and frequent users of building that are potentially impacted,
  - The Economic Development Kotahitanga Board, and our business ecosystem (including the Chamber of Commerce)
  - Aged care facilities and owners/occupiers of higher risk buildings with automated fire systems (eg Apartments)
  - Contractors undertaking work on dangerous, affected, and insanitary buildings.
- We will be using the Local Government Act Special Consultative Procedure to consult on changes as required by Section 132 of the Building Act 2004.

# Timeline

<b>Action</b>	<b>Timeframe</b>
<b>Approval for consultation (Council meeting)</b>	29 August 2024
<b>Consultation Period</b>	September 2024
<b>Hearings (if needed)</b>	October 2024
<b>Adoption of Policy (Council meeting)</b>	November 2024
<b>Policy finalised and in place</b>	December 2024



# Questions