

# Statement of Proposal

## Draft Dangerous, Affected and Insanitary Buildings Policy 2024

### Introduction

Kawerau District Council ('the Council') is committed to ensuring Kawerau District is a safe place to live, work and play.

The Council has reviewed its existing Dangerous and Insanitary Building Policy, as required under section 131 and 132A of the Building Act 2004 ('the Act'). Council is now seeking your views on the proposed draft.

This statement of proposal has been prepared in accordance with section 83 of the Local Government Act 2002 and relates to section 132 of the Building Act 2004.

This statement of proposal is seeking to adopt the Kawerau District Council Dangerous, Affected and Insanitary Policy 2024 and revoking the Dangerous and Insanitary Buildings Policy 2019.

### Reasons for the proposal

The Act requires Council to have a policy for dangerous, affected and insanitary buildings. After reviewing the existing policy, Council is proposing a number of changes to the Dangerous and Insanitary Building Policy 2019. As changes are proposed, Council are required to consult on the proposal and provide an opportunity for public feedback.

Council has approved the draft policy for consultation and is now seeking your views on the proposed draft.

### Summary of proposed changes:

The key proposed changes in the Draft Dangerous, Affected and Insanitary Buildings 2024- are outlined below:

1. The inclusion of 'affected' to the heading of the policy as required by the Act.
2. Included Policy Information Table.
3. Introduction added.
4. Background removed and incorporated into the Policy Purpose.
5. Definition for Building Owner removed and replaced with definition of Owner to align with section 7 of the Building Act 2004.
6. Definition of Heritage Building added.
7. Definition of Notice amended to included the definition at set out in section 125 of the Building Act 2004.
8. Council Approach heading amended to Policy Approach and section updated incorporating information previously under the Functions section.

9. Approach table removed as legislation outlines process and is covered later in the policy.
10. Economic Impact of Policy incorporated into policy to acknowledge a balancing of social and economic interest alongside of associated costs.
11. Council Priorities updated to included additional clauses.
12. Policy Statement heading removed as it is not required.
13. Identifying Dangerous, Affected and Insanitary Buildings section expanded to acknowledge all complaints will be investigated.
14. Assessing Dangerous, Affected or Insanitary Buildings section amended to incorporate the legislation in which assessments are completed and that Council can seek further advice.
15. Taking Action heading and section expanded to outline the actions Council may take including undertaking urgent work and recovering fees from the building owner, and where the danger is a result of non-consented building work, Council may question the owners.
16. Copy of Notices section removed and incorporated into the Taking Action section.
17. Working with Building Owners section reworded and clause added identifying Council may take urgent remedial action prior to contact being successfully made with owner.
18. Remedial Work section removed as these matters were addressed under Taking Action and Working with Building Owners.
19. Disputes section added.
20. Recording the Status of Dangerous, Affected and Insanitary Buildings section added to set out the record keeping, addition to property files and inclusion of notices on land information memorandum and project information memorandum.

## **Policy Objective**

The proposed Draft Dangerous, Affected and Insanitary Buildings Policy has three main objectives:

1. To improve the control of, and encourage better practice in design and construction; and
2. To reduce the potential risk posed to residents in the district by dangerous, insanitary or affected buildings;
3. To provide a clear framework on how Council will manage unsatisfactory building conditions.

## Have your say on this policy?

Council is seeking your opinion on the Draft Dangerous, Affected and Insanitary Buildings Policy 2024. Any person or organisation is welcome to make a submission.

The consultation period for the Draft Dangerous, Affected and Insanitary Buildings Policy 2024 will begin on 17 June 2024 and conclude on 19 July 2024.

The Council will take all submissions into account when it decides on the final content of the policy.

There are many different ways you can tell us what you think.

You can:

- Visit our website – [www.kaweraudc.govt.nz](http://www.kaweraudc.govt.nz) and use our online submission form.
- Email – [submissions@kaweraudc.govt.nz](mailto:submissions@kaweraudc.govt.nz)
- Drop in – Hard copy of submission forms to Council Office
- Post – post to Chief Executive, Kawerau District Council, Private Bag 1004, Kawerau 3169

Copies of the Statement of Proposal and the Draft Dangerous, Affected and Insanitary Buildings Policy 2024 are available on our website or from our District Office.

- The following documents are available on the Kawerau District Council's website: Draft Dangerous, Affected and Insanitary Buildings Policy 2024;
- Statement of Proposal – Draft Dangerous, Affected and Insanitary Buildings Policy 2024;
- Submission form - Draft Dangerous, Affected and Insanitary Buildings Policy 2024
- Current Dangerous and Insanitary Buildings Policy 2019

Hard copies are available from:

- Kawerau District Council, Islington Street, Kawerau

### **Submissions close at 5pm on Friday 19 July 2024.**

Submitters should note that their submission will be copied and made available to the public after the submission period closes.

Submissions should state if you wish to speak to Council in support of your submission.

Hearings of submissions are scheduled to be held on 31 July 2024.

The Council will contact all submitters who wish to be heard to advise the confirmed time, date and venue of the hearing.

Council will then deliberate on any changes required and adopt the final Dangerous, Affected and Insanitary Policy 2024.