

STATEMENT OF PROPOSAL OTOROHANGA DISTRICT COUNCIL

Proposed Dangerous and Insanitary Buildings Policy

WHAT'S BEING PROPOSED

- Otorohanga District Council (Council) is required to review its policy for Dangerous and Insanitary Buildings.
- The process includes a requirement for Council to carry out a public consultation process in accordance with sec 83 Local Government Act.
- The policy is written to reflect the approach and measures that Council will take in the event a building becomes either dangerous or insanitary in terms of the Building Act 2004.
- Council wants your feedback on this proposal which identifies how Council intends to apply the highest level of safety in order to protect the public where a dangerous or insanitary building is brought to Council's notice.

BACKGROUND

- The Building Act 2004 outlines the powers and actions available to Council to protect the public where a dangerous or insanitary building exists.
- Councils must adopt a policy outlining their approach to ensuring that any dangerous or insanitary building is made safe at the earliest date in order to protect building users and the public.
- Council where possible intend a pro-active approach through communication with the building owner to have the dangerous or insanitary situation remedied. However, the policy provides for any level of action or enforcement deemed necessary depending on the outcome of the discussions with the owner.
- The overall intent of the policy is to ensure an outcome that protects building users and the public from any harm.

QUICK FACTS

What changes are there between the current policy and the new policy?

The powers available to Council have not changed but the policy has been worded to reflect the current best-practice.

The policy must now give consideration to 'affected buildings'. The Act defines an affected building as a building that is adjacent to, adjoining, or nearby a dangerous building.

The proposed Policy has additional detail on matters to be considered when assessing Heritage buildings with specific mention of buildings of significance to iwi, and other buildings of significance to the community.

How does Council find out that a building is dangerous or insanitary?

Council is constantly networking with Fire Engineering New Zealand (FENZ) and with Independent Qualified People (IQPs) who are involved in the ongoing checks on public and commercial buildings. Early notification from any of these sources or a member of the public will be quickly investigated by Council.

What powers can Council apply to protect the public

Council has the power to order the building owner to take any and all steps necessary to make a building safe and sanitary.

OPTIONS

Option 1:

Under this option Council would approve the proposed Dangerous and Insanitary Building Policy 2022 for public consultation:

The proposed policy has been drafted to align with best practice in the Local Government sector.

This option means that the policy has had a complete review and has been updated to reflect a best practice model.

Option 2:

Under this option Council will postpone consultation on the Dangerous and Insanitary Building Policy.

This option means that Council consider further changes to the proposed policy are necessary before consultation can commence.

Before making any final decisions, we would like to have your input.

TELL US YOUR THOUGHTS ON A PREFERRED OPTIONS

You can give us feedback from:

1 November to 31 November 2022

How to give feedback

There are a number of ways you can give your feedback:

- Fill out the submission form online at <https://www.otodc.govt.nz/council/consultations-feedback/>.
- Fill out the submission form attached to this Statement of Proposal and send to buildingcontrol@otodc.govt.nz
- Fill out the submission form and deliver or post to the Council Office, PO Box 11, 17 Maniapoto Street, Otorohanga 3940.

Feedback forms and the proposed policy are on the website and available from Council ground floor reception of the Council Building.

For any queries please phone 07 873 4000

