

# Review of Dangerous Affected and Insanitary Buildings Policy - 2025

**Meeting:** Council Briefing  
**Date of meeting:** 3 February 2025  
**Reporting officer:** Michael Webster, Policy Analyst

## Purpose | Ngā whāinga

To advise elected members about the upcoming review of the Dangerous Affected and Insanitary Buildings Policy and provide the findings from the high-level desktop analysis.

## Context | Horopaki

This is a statutory policy mandated under the Building Act 2004 (the Act). Section 131 of the Act requires Council to adopt and maintain a Dangerous and Insanitary Buildings Policy (Policy) that sets out how Council will deal with buildings that are dangerous, affected or insanitary and how Council will manage these issues in heritage buildings.

Council is required under the Act to review the Policy every five years, with statutory requirements attached to the Policy review and adoption processes under section 132 of the Act.

Staff have now completed a high-level desktop review of the Policy, which included initial discussions with relevant key staff members and present the initial findings.

## Discussion | Ngā kōrerorero

The purpose of this Policy is to:

- Protect public health and safety from potentially dangerous, affected and/or insanitary buildings.
- Recognise that historic buildings may require a variation to the general approach if their particular heritage values could be compromised.

The Policy does this by setting out Council's approach in addressing dangerous, affected or insanitary buildings within the district.

The requirement to adopt and review a Policy is set out in Sections 131 and 132 of the Act. The sections dealing with interpretation and application of the Policy are set out in Sections 121 through 130. Section 132A requires the Policy to consider affected buildings. Due to the lengthy timeframe between statutory reviews, it is best practice to undergo a full policy review process to ensure that the Policy is robust and continues to comply with all applicable statutory requirements.

The deadline for the statutory review to be completed is 24 February 2026.

### Previous statutory review

At the last statutory review of the Policy in 2021, reference to earthquake prone buildings was removed as these policy elements were absorbed into the Act itself. Other changes included the addition of a supporting assessment framework (SAF) to address the lack of Policy implementation transparency issues. This SAF is not intended to be included in the scope of this review as it is not part of the policy itself.

### High level desktop analysis

While internal stakeholders have indicated the current Policy is functioning well, the high-level desktop analysis has found:

- Recommended Policy enhancements from the external auditors of the Ministry of Business Innovation and Employment (MBIE).
- Council's internal monitoring indicates that the Policy use has been low with a recorded 6 DAIB notices served since the last policy review, in response to the same number of referrals/complaints.
- From initial analysis the Policy appears compliant with statutory provisions, but a deeper check will occur as part of the research/findings process.
- Central government is currently undertaking a review of the earthquake prone building requirements; however, this is unlikely to directly affect this policy.

### **Policy review timeframe**

The statutory review of the Policy is scheduled to be completed at the end of 2025.

### **Next steps | E whaiake nei**

Staff will use any feedback received to inform and develop a Findings report for the Policy review and present this at a future Council meeting.

### **Attachments | Ngā tapiritanga**

	<b>Title</b>
A	Adopted Dangerous Affected and Insanitary Buildings Policy