

DANGEROUS AND/OR INSANITARY BUILDINGS POLICY



1. Introduction

Section 131 of the Building Act 2004 (the Act) requires that the Gore District Council must adopt a policy on how it intends to discharge its powers, duties and functions under sub-part 6 of the Act. The policy must consider:

- The overall approach to be taken in respect of dangerous and/or insanitary buildings;
- The priorities of the Council in performing its functions concerning such buildings; and
- How it will approach heritage buildings.

2. Purpose of policy

The purpose of the policy is to describe the manner in which buildings deemed to be potentially dangerous and/or insanitary will be identified, categorised and what action shall be taken.

The Council will respond to complaints and determine the appropriate course of action based on the circumstances of each individual case.

3. Dangerous and/or Insanitary Building Policy statement

3.1 On receipt of a complaint or as a result of other information being made available to the Council that a building may be dangerous or insanitary, the Council must first be satisfied that the building is dangerous and/or insanitary. Any assessment shall be on the basis:

- Building and site inspection by a Building Control Officer.
- If required by a Building Control Officer, the advice of the NZ Fire Service, registered engineer, Environmental Health Officer or Health Protection Officer.

3.2 A notice pursuant to Section 124(1)(c) of the Act (amended by section 30 Building Amendment Act 2013) shall be issued in respect of any building deemed to be either dangerous and/or insanitary.

3.3 The time for a building consent to be applied for and the extent of required work or other action required of the Council shall be determined by the Council taking the following matters into consideration:

- Potential risk to human life.
- The location of the building in relation to other buildings and public places.
- The level of use of the building and its immediate environs.
- The size of the building.
- The complexity of the building.
- The current or likely future use of the building, including any specific cultural or traditional or historic values.
- The reasonable practicality of any work.
- Any matters that the Council considers to be relevant, taking into account the specific circumstances of the case.

4. Policy review

4.1 To comply with section 132 of the Act, this policy must be reviewed by May 2021.

4.2 Previous policy reviews

June 2017 – The current policy review was as a result of the introduction of the Building (Earthquake-prone Buildings) Amendment Act 2016 regulations on 1 July 2017 which eliminates the need for each Council to have their own EQ Prone buildings policy. All reference to EQ prone buildings was removed from the previous combined policy.

May 2011 – The policy was reviewed and compared to neighbouring territorial authorities. Council decided to roll over the existing policy with the attached statement.

Adopted by the Gore District Council at its meeting on 27 June 2017 and came into effect on Monday 3 July 2017.