

# **Proposed Amended Dangerous, Affected and Insanitary Buildings Policy**

## **Statement of Proposal**

This statement of proposal includes:

- the proposed amended Dangerous, Affected and Insanitary Buildings Policy
- the proposed changes
- how you can have your say on the proposed changes.

### **Proposed amended Dangerous, Affected and Insanitary Buildings Policy**

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The Building Act 2004 (Act) requires Tauranga City Council to adopt a policy on dangerous, affected and insanitary buildings. This policy is an important tool for council to ensure the community is protected against the risks of unsafe buildings.

The Act also requires the council to review the policy every five years and to consult on any changes it wants to make to the policy.

We have reviewed our current Dangerous and Insanitary Buildings Policy and incorporated recommendations from the Ministry of Business, Innovation and Employment (MBIE) into a draft Dangerous, Affected and Insanitary Buildings Policy.

The changes to the policy are not significant and have been made to ensure clarity and to address the recommendations from MBIE.

### **Proposed changes**

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- We have included 'affected' in the title of the policy to better reflect that these buildings are part of the policy. Affected buildings are buildings that pose a risk to building users and passers-by because of their proximity to a dangerous or insanitary building.
- Clarified that the council will exercise its statutory power under section 124 of the Act where action is required to avoid immediate danger or in circumstances where an acceptable solution cannot be reached by the building owner.
- Noted that council maintains a register of all potential dangerous, affected and insanitary buildings that it investigates, and all notices to fix and notices of dangerous and affected buildings are included on property files.
- Notes that the powers under the Civil Defence Emergency Management Act 2002 may be used by council instead, of or in addition, to the powers under the Act.
- Referenced legislative requirements in the policy as recommended by MBIE.

### **Submissions**

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We want to hear your views on the draft Policy. Have we missed anything out or should we change anything to make the Policy clearer?

Full copies of the draft proposed policy and the submissions forms on council's website at [have you say INSERT LINK AND DATES](#)