



Statement of Proposal

PROPOSED DANGEROUS, AFFECTED AND INSANITARY BUILDINGS POLICY

Submit online at www.westlanddc.govt.nz

**PLEASE ENSURE YOUR SUBMISSION IS WITH COUNCIL BY 5.00PM
ON 2 October 2026**

Reason for the Proposal

The Building Act 2004 requires Council to adopt a Dangerous, Affected and Insanitary Buildings Policy under section 131. When adopting or amending this policy, councils must follow the Special Consultative Procedure set out in the Local Government Act 2002.

Section 132 of the Building Act 2004 requires councils to review the policy at least every five years. However, the policy remains in force while it is being reviewed and does not cease to have effect simply because it is due for review or undergoing the review process.

During a technical audit of some of the Council's building functions, the Ministry of Business, Innovation and Employment (MBIE) reviewed the Council's current Dangerous, Affected and Insanitary Buildings Policy. In response to MBIE's recommendations, and in recognition of the policy's scheduled review date, the Council has undertaken a comprehensive review of the policy.

The review has been carried out to ensure the policy continues to comply with legislative requirements, aligns with current best practice, and effectively supports the Council in fulfilling its responsibilities under the Building Act 2004.

Current Dangerous, Affected and Insanitary Buildings Policy

The purpose of the Policy is to ensure that buildings within the Westland District do not present an unacceptable risk to public health and safety because they are dangerous, affected or insanitary.

The Policy sets out:

- how Council will perform its functions under the Building Act 2004 in relation to dangerous, affected and insanitary buildings;
- Council's priorities when exercising those functions; and
- how the Policy applies to heritage buildings.

The Policy provides a consistent framework for identifying, assessing and managing dangerous, affected and insanitary buildings while balancing public safety with the economic and social impacts on building owners and the wider community.

Proposal changes

The proposed amendments are intended to enhance the effectiveness and use of the Policy while ensuring it remains aligned with current legislative requirements and best practice. The amendments do not materially alter the intent or purpose of the existing Policy; rather, they improve clarity, provide greater guidance on its application, and ensure ongoing consistency with the requirements of the Building Act 2004.

The proposed changes include:

- updating terminology and wording throughout the policy to ensure alignment with current legislative requirements and guidance;
- confirming Council's passive approach, whereby Council does not proactively inspect every building in the district but will respond promptly when potentially dangerous, affected or insanitary buildings are brought to its attention (2.4);
- introducing a provision for engagement with building owners, where appropriate, before formal notices are issued, to support communication, clarify concerns, and encourage voluntary resolution where possible (2.5);
- incorporating additional legislative references relating to non-compliance;
- including Council's priorities for responding to dangerous, affected and insanitary buildings, including immediate urgent situations (2.7);
- adding a clause that may request written reports from Fire and Emergency New Zealand or other relevant parties where appropriate (2.7);
- Enhancing the policy by including MBIE forms as appendices and strengthening section 2.7 with references to guidance and criteria used in the assessment of dangerous and insanitary buildings;
- Clarifying that Council's Enforcement Policy may be used if requirements of notices are not met with a reasonable period of time (2.7);

Consultation provides an opportunity for residents, property owners, businesses and other interested parties to provide submissions on the proposed policy before Council makes a final decision on its adoption.

Options Considered by Council

Option 1 – Adopt the Proposed Dangerous, Affected and Insanitary Buildings Policy (Preferred Option)

Council adopts the updated Policy incorporating the proposed amendments.

Advantages

- Aligns the Policy with current legislation.
- Improves clarity and transparency.
- Reflects current best practice.
- Provides a clear framework for Council, property owners and the community.

Disadvantages

- No significant disadvantages have been identified.

Option 2 – Retain the Existing Policy

Council continues to operate under the current Policy without amendment.

Advantages

- No changes to current processes.

Disadvantages

- The Policy may not fully reflect current legislative requirements.
- Opportunities to improve clarity and consistency would be missed.
- The Policy would not incorporate recommendations identified through recent policy reviews.

Legal Considerations

Relevant Legislation

- Building Act 2004
- Local Government Act 2002

The Building Act 2004 establishes the legislative framework for regulating building work in New Zealand and requires every territorial authority to adopt a Dangerous, Affected and Insanitary Buildings Policy.

The purpose of the Policy is to reduce risks to public health and safety arising from dangerous, affected or insanitary buildings while recognising the differing circumstances of individual districts.

The Local Government Act 2002 requires Council to use the Special Consultative Procedure when adopting or amending this, Policy.

Having considered the decision-making requirements of the Local Government Act 2002 and Council's Significance and Engagement Policy, the proposed amendments are considered to have a low level of significance.

More Information

The Proposed Dangerous, Affected and Insanitary Buildings Policy and supporting information are available:

- on the Westland District Council website; and
- at Council offices.

Submissions

Westland District Council welcomes submissions on the proposed Dangerous, Affected and Insanitary Buildings Policy.

Whether you support the proposal, oppose it, or have suggestions for improvement, Council encourages you to make a submission.

Please note that all submissions received by Council are public information and may be included in reports considered by Council and made publicly available.

Council will take account of all submissions made when making decisions on the proposed bylaw. There will be a Council hearing for those submitters who indicate they wish to speak in support of their submission.

All submissions, including name and contact details of the submitter, will be made available to the public and media on Council's website, unless you specifically request that your contact details are kept private.

All enquiries (not submissions) should be directed to the Building Control Manager, Ana Coleman, ana.coleman@westlanddc.govt.nz

You can make a submission by:

- Completing the online submission form.
- Emailing your submission to Council.
- Posting your submission to Westland District Council.
- Delivering your submission in person to a Council office.

Submission dates and hearing information will be published in the public notice and on the Council website.

Timetable

Submissions open:	31 August 2026
Submissions close:	2 October 2026
Hearing of submissions:	22 October 2026
Council meeting:	26 November 2026

Don't forget, get your submission to Council by 5:00pm on 2 October 2026

Westland District Council

Submission Form

Proposed Dangerous, Affected and Insanitary Buildings Policy

Submissions close at 5.00 pm on 2 October 2026

Westland District Council invites you to provide feedback on the proposed **Dangerous, Affected and Insanitary Buildings Policy**.

Your feedback will assist Council in making a final decision on the Policy.

Your Details

Name

Organisation (if applicable)

Postal Address

Email

Phone

Submission

1. Do you support the proposed Dangerous, Affected and Insanitary Buildings Policy?

☐ Yes

☐ Yes, with changes

☐ No

2. Please tell us why.

3. Do you have any comments or suggestions on the proposed Policy?

4. Are there any parts of the proposed Policy that you think should be changed?

☐ No

☐ Yes

If yes, please tell us which section(s) and why.

5. Are there any other comments you would like Council to consider?

Hearing of Submissions

Would you like to speak to your submission at the Council hearing?

☐ Yes

☐ No

If you wish to speak to your submission, Council staff will contact you with the hearing details.

Privacy Statement

The information you provide in this submission will be used for the purpose of considering the proposed Dangerous, Affected and Insanitary Buildings Policy.

Please note:

- Your submission, including your name, may be included in reports that are made publicly available.
 - Contact details will be used only for Council's consultation process.
 - Personal information will be managed in accordance with the Privacy Act 2020.
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Signature

Signature

Date

How to Make a Submission

You can lodge your submission by:

Online

Complete this form

Complete submission form on the Westland District Council website www.westlanddc.govt.nz

Email

buildingadmin@westlanddc.govt.nz

Post

Private Bag 704
Hokitika 7842

In Person

Deliver your submission to:

Westland District Council
36 Weld Street
Hokitika

Submissions close at 5.00 pm on 2 October 2026

Thank you for taking the time to provide your feedback.
