

**Full Council**

**19 March 2026**

**Report for Agenda Item | Rīpoata moto e Rāraki take [11]**

**Department: Planning & Development**

**Title | Taitara: Dangerous and Insanitary Buildings Policy 2025**

**Purpose of the Report | Te Take mō te Pūroko**

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The purpose of this report is to seek Council adoption of the proposed updates to the current Dangerous and Insanitary Buildings Policy 2021 following public consultation.

**Recommendation | Kā Tūtohu**

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That the Council:

1. **Note** the contents of this report; and
2. **Adopt** the draft Dangerous and Insanitary Buildings Policy 2025.

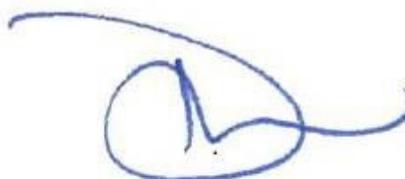
**Prepared by:**



**Name:** Matthew Bridle  
**Title:** Principal Building Advisor

29 January 2026

**Reviewed and authorised by:**



**Name:** David Wallace  
**Title:** Planning & Development General  
Manager

17 February 2026

## Context | Horopaki

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1. The Dangerous and Insanitary Buildings Policy ('the policy') must be reviewed every five years under Section 132 of the Building Act 2004 (the Act). The policy was first adopted by Council in 2007, then reviewed in 2021. The 2021 review resulted in the addition into the policy of a statement regarding buildings affected by neighbouring dangerous buildings.
2. In February 2025, a Ministry of Business, Innovation and Employment (MBIE) audit found that the policy lacked a statement regarding how Queenstown Lakes District Council (QLDC) prioritises potentially dangerous or insanitary buildings for assessment, a statement that is required under the Section 132 of the Act. The audit also found that some minor updates to references and wording corrections were needed.
3. Following the audit the Building Services leadership team decided to bring forward the five-year review by one year and combine any changes as an outcome of the review with the updates required by the MBIE audit. The review found that clarification regarding the management of dangerous or insanitary buildings during a declared state of emergency was also needed.
4. The Act requires Council to undertake a special consultative procedure as outlined in Section 83 of the Local Government Act 2002 when making changes to the policy.
5. The previous Council endorsed the draft Dangerous and Insanitary Policy 2025 at the July 2025 full council meeting and public consultation was subsequently undertaken.
6. The consultation resulted in one public submission which came from the National Public Health Service - Te Waipounamu, Health New Zealand – Te Whatu Ora who did not wish to speak at a hearing, meaning that a hearing of submissions was not held.
7. Feedback on the submission was sought from a QLDC Environmental Health Officer (EHO).
8. With consideration of the Health New Zealand submission and feedback received from the EHO several minor changes were made:
  - a. In the 'Identification' section it was clarified that information about a potentially dangerous, affected or insanitary building can come from external agencies, the public or internally from Council officers, for example, an EHO.
  - b. In the 'Assessment' section a note was added clarifying that if there are concerns about insanitary conditions not stemming from the actual building's construction or state of repair, that the matter would be referred to QLDC's Environmental Health Office to be dealt with under the Health Act 1956 instead of or in addition to any Insanitary Building notice under the Building Act 2004.
  - c. Aged Care and Health New Zealand – Te Whatu Ora were added as examples of health or social services from which the Council may seek advice or to which a vulnerable person might be referred.

9. During the consultation period, input was sought from the Cemeteries and Heritage Officer. As a result, a line was added to the heritage buildings section stating that advice would be sought from the Cemeteries and Heritage Officer and the heritage buildings definition was updated to reference QLDC's heritage features list and heritage precincts under the District Plan.
10. During the consultation period some mistakes were identified in the Monitoring and Enforcement (M&E) section. This resulted in a correction of which department under which the M&E team operates and updating from VADE (Voluntary, Assisted, Directed and Enforced) to referencing the ESPP (Enforcement Strategy and Prosecution Policy). These are considered inconsequential amendments in terms of the intent of the policy.
11. Once the new Dangerous and Insanitary Policy 2025 is adopted, the Council must provide a copy to MBIE.

### Analysis and Advice | Tatāritaka me kā Tohutohu

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#### Options Analysis

12. The minor amendments made to the policy are considered to meet statutory requirements, respond to the matters raised in MBIEs audit and have appropriately addressed matters raised through the submission period. The amendments do not disadvantage any party.
13. This report identifies and assesses the following reasonably practicable options as required by Section 77 of the Local Government Act 2002.
14. Option 1: The Council adopts the draft Dangerous and Insanitary Building Policy for publication.

#### *Advantages:*

- The proposed Dangerous and Insanitary Building Policy 2025 ensures matters raised by the MBIE audit are addressed, and the policy reflects statutory requirements under the Act.
- Additional changes made by the draft policy ensure it is fit for purpose in the event of a state of emergency.

#### *Disadvantages:*

- None identified

15. Option 2: The Council does not adopt the draft Dangerous and Insanitary Building Policy.

*Advantages:*

- The review process would start again, and the entire adoption process would be overseen by the newly elected Council.

*Disadvantages:*

- There is a legal risk as Council will continue to have a policy which does not comply with the legislation.
- There is a health and safety risk for residents in the district in general, as well as during a state of emergency.
- There is a risk that future MBIE audits will not look favourably at QLDC for not acting in a timely manner to advice from the national auditing body.

16. This report recommends **Option 1**. This will enable council to adopt a fit for purpose Dangerous and Insanitary Building Policy that aligns with legislation and the needs of the district well into the future. The additional post consultation updates and corrections do not change the intent of the current approved policy.

### Consultation Process | Hātepe Matapaki

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### Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

17. This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy 2024 because:

- The matter has minimal impact on the community as these buildings are rare within the district;
- The proposal is consistent with intent of Council's 2021 Dangerous and Insanitary Buildings policy;
- The proposal will not change Council's capability or capacity to address dangerous or insanitary buildings;
- There are no economic or environmental considerations.

18. The persons who are potentially affected by or interested in this matter are building owners and residents of the district.

19. Public consultation is complete. QLDC received one submission and no hearing was held.

### **Māori Consultation | Iwi Rūnaka**

20. The Council has not undertaken direct consultation with Iwi, but the opportunity to make a submission during the consultation period was available to Iwi and Rūnaka.

### **Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka**

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21. This matter relates to the Regulatory/Legal/Compliance risk category. It is associated with RISK10026 Ineffective enforcement within the QLDC Risk Register. This risk has been assessed as having a moderate residual risk rating.

22. Approval of the recommended option to adopt the proposed policy will allow Council to avoid the risk. This will be achieved by an accurate, up to date and definitive dangerous and insanitary buildings policy being published.

### **Financial Implications | Kā Riteka ā-Pūtea**

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23. There are no operational or capital expenditure requirements additional to existing approved budgets resulting from the proposed changes and updates

### **Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera**

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24. The following Council policies, strategies and bylaws were considered:

- Community outcomes as defined in [Vision Beyond 2050](#)
- [Enforcement Strategy and Prosecution Policy](#)
- [Heritage Strategy](#)

25. The recommended option is consistent with the principles set out in the Vision Beyond 2050's wellbeing outcomes, Enforcement Strategy and Prosecution Policy's intent and that heritage buildings are assessed with consideration to the Heritage Strategy.

26. Timely review of policies is provided for in the 2024-34 Long Term Plan

### **Legal Considerations and Statutory Responsibilities | Ka Ture Whaiwhakaaro me kā Takohaka Waeture**

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27. QLDC as the Territorial Authority must comply with sections 131 and 132 of the Building Act 2004. The Council must have a dangerous and insanitary buildings policy which must include a statement of priority. Adoption of the policy will be in accordance with the special consultative procedure in section 83 of the Local Government Act 2002.

Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kiaka

28. Section 10 of the Local Government Act 2002 states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. The proposed policy aids social well-being by helping ensure residents and visitors can safely use buildings and adjacent spaces. As such, the recommendation in this report is appropriate and within the ambit of Section 10 of the Act.

29. The recommended option:

- Has no effect on and can be implemented through current budgets;
- Is consistent with the Council's plans and policies; and
- Would not alter the intended level of service provision for any activity undertaken by or on behalf of the Council.

Attachments | Kā Tāpirihaka

A	Dangerous and Insanitary Buildings Policy 2025 (proposed with minor changes highlighted)
B	Submission from Health New Zealand - Te Whatu Ora