

Notice of Meeting:

I hereby give notice that an ordinary meeting of the Regulatory Subcommittee will be held on:

Date: Thursday 8 April 2021
Time: 9.00 am
Venue: Edinburgh Room, Municipal Chambers, The Octagon, Dunedin

Sandy Graham
Chief Executive Officer

Regulatory Subcommittee
Dangerous and Insanitary Buildings Policy Review
PUBLIC AGENDA

MEMBERSHIP

Chairperson	Cr Andrew Whiley
Members	Cr Carmen Houlahan Cr Lee Vandervis
Senior Officer	Simon Pickford, General Manager Community Services
Governance Support Officer	Rebecca Murray

Rebecca Murray
Governance Support Officer

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Note: Reports and recommendations contained in this agenda are not to be considered as Council policy until adopted.

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1 APOLOGIES

At the close of the agenda no apologies had been received.

2 CONFIRMATION OF AGENDA

Note: Any additions must be approved by resolution with an explanation as to why they cannot be delayed until a future meeting.

DECLARATION OF INTEREST

EXECUTIVE SUMMARY

1. Members are reminded of the need to stand aside from decision-making when a conflict arises between their role as an elected representative and any private or other external interest they might have.
2. Elected members are reminded to update their register of interests as soon as practicable, including amending the register at this meeting if necessary.

RECOMMENDATIONS

That the Subcommittee:

- a) **Notes/Amends** if necessary the Elected Members' Interest Register attached as Attachment A; and
- b) **Confirms/Amends** the proposed management plan for Elected Members' Interests.

Attachments

	Title	Page
A	Dangerous and Insanitary Buildings Policy Regulatory Subcommittee Register of Interest	7

Regulatory Subcommittee - Dangerous and Insanitary Buildings Policy Review - Register of Interest - Current as at 24 March 2021				
Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
Cr Andrew Whiley	Owner/Operator	Whiley Golf Inc and New Zealand Golf Travel Ltd	No conflict identified	Withdraw from discussion and leave the table. If the meeting is in confidential leave the room. Seek advice prior to the meeting.
	Director/Shareholder 22 May 2017	Estate of Grace Limited	No conflict identified	Withdraw from discussion and leave the table. If the meeting is in confidential leave the room. Seek advice prior to the meeting.
	Trustee	Japek (Family Trust) - Property Ownership - Dunedin	Duties to Trust may conflict with duties of Council Office.	Withdraw from discussion and leave the table. If the meeting is in confidential, leave the room. Seek advice prior to the meeting.
	Member	Otago Golf Club	No conflict identified	Withdraw from discussion and leave the table. If the meeting is in confidential, leave the room. Seek advice prior to the meeting.
	Member	Dunedin South Rotary Club	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Board Member	New Zealand Professional Golfers Assn	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Institute of Directors	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	National Party	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Chairman	Volunteering Otago	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Otaru Sister City Society (Council appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Public Art Gallery Society (Council appointment)	Potential grants recipient	Withdraw from discussion and leave the table. If the meeting is in confidential, leave the room. Seek advice prior to the meeting.
	Member	Grow Dunedin Partnership (Council appointment - alternate)	Potential grants recipient	Withdraw from discussion and leave the table. If the meeting is in confidential, leave the room. Seek advice prior to the meeting.
	Member	NZ Masters Games Trust Board (Council appointment)	Potential grants recipient	Withdraw from discussion and leave the table. If the meeting is in confidential, leave the room. Seek advice prior to the meeting.
	Deputy Chair	Dunedin Community House Executive Committee	Potential grants recipient	Withdraw from discussion and leave the table. If the meeting is in confidential, leave the room. Seek advice prior to the meeting.
Member	Puketai Residential Centre Liaison Committee (Council appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.	
Member	Otago Peninsula Community Board (Council appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.	
Cr Carmen Houlahan	Owner	Residential Property - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Rental Property - North Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Part Owner	Adobe Group Ltd, Wanaka	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Rotary Club	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Institute of Directors	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
Cr Carmen Houlahan cont.	Member	Otago Property Investors Association	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Company Owner/Sole Director	Shelf Company - RU There	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Toitu Otago Settlers Museum Board (Council appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Public Art Gallery Acquisitions Committee (Council appointment)	Possible grants recipient	Withdraw from discussion and leave the table. If in confidential leave the room. Seek advice prior to the meeting.
	Shareholder	Startup Business	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Mosguel Taieri Community Board (Council appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Lee Vandervis	Director	Lee Vandervis, Antonie Alm-Lequeux and Cook Allan Gibson Trustee Company Ltd - Residential Property Ownership - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Bunchy Properties Ltd - Residential Property Ownership - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Vandervision Audio and Lighting - Hire, Sales and Service Business	May contract and provide service to DCC	Withdraw from discussion and leave the table. If the meeting is in confidential leave the room. Seek advice prior to the meeting.

- 6 The Building Amendment Act 2013 also requires that policies on dangerous and insanitary buildings take into account affected buildings. An affected building is one that is adjacent, adjoining or nearby a dangerous building or dangerous dam.

Policy history

- 7 In 2018, the Council reviewed the Dangerous and Insanitary Buildings Policy. Inadvertently, affected buildings were not included as part of that review.

DISCUSSION

- 8 The special consultative procedure was used for the policy review, as required by the Act. Formal consultation took place from 25 January - 26 February 2021.
- 9 Consultation included information on the Dunedin City Council website and in the Otago Daily Times noticeboard.

Results of consultation

- 10 One submission was received which did not agree with the proposed Dangerous, Insanitary and Affected Buildings Policy.

General support

- 11 The submission form asked: *Overall, do you agree with the proposed Dangerous, Insanitary and Affected Buildings Policy? and Why/Why not?* The one submitter did not agree and would like to see firmer action on the cleaning up of dangerous and insanitary sites.

General comments

- 12 The submission form asked: *Do you have any other comments about the proposed Dangerous, Insanitary and Affected Buildings Policy?* The submitter suggested including timeframes for action, and that demolition by neglect should be dealt with in a timely manner.

Staff comments

- 13 The issues of demolition by neglect or cleaning up of sites are issues outside the scope of this Policy and the Act. The Council provides other avenues to discourage demolition by neglect e.g. heritage grants. Depending on the circumstances, other legislation or policies may be more appropriate to manage these issues e.g. the Health Act.
- 14 Case law has been clear that the provision of what is 'dangerous' and/or 'insanitary' is a high threshold. For example, a simple tarpaulin may stop a building with a leaking roof being classed as insanitary and on private land, with no other building affected, a danger can be mitigated through a barrier fence.

OPTIONS

- 15 There are no options to this report as the purpose is to present the summary of submissions.

SUMMARY OF CONSIDERATIONS

Fit with purpose of Local Government

This decision enables democratic local decision making and action by, and on behalf of communities. This decision promotes the social well-being of communities in the present and for the future.

Fit with strategic framework

	Contributes	Detracts	Not applicable
Social Wellbeing Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Economic Development Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environment Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Arts and Culture Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3 Waters Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Spatial Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Integrated Transport Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks and Recreation Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other strategic projects/policies/plans	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

This Policy review contributes to the priorities of healthy and safe people within the Social Wellbeing Strategy and liveable city within the Spatial Plan.

Māori Impact Statement

There are no specific impacts for tangata whenua.

Sustainability

There are no specific implications for sustainability.

LTP/Annual Plan / Financial Strategy /Infrastructure Strategy

There are no implications for these documents.

Financial considerations

There are no financial implications.

Significance

This decision is considered low in terms of the Council’s Significance and Engagement Policy.

Engagement – external

The special consultative procedure was used to review this Policy, as required by the Act.

Engagement - internal

There has been no internal engagement.

Risks: Legal / Health and Safety etc.

There are no identified risks.

Conflict of Interest

There is no conflict of interest.

SUMMARY OF CONSIDERATIONS

Community Boards

There are no specific implications for Community Boards.