

Dangerous and Insanitary Buildings Policy Consultation

September – October 2025

Full submission booklet

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Gambling Venue and Dangerous and Insanitary Buildings Policy Review



Submitter Details

Submission Date: 01/10/2025

First name: Patricia

Last name: King

Would you like to present your submission in person at a hearing?

I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Feedback

What policy are you submitting on?

Gambling Venue Policy Dangerous and Insanitary Buildings Policy

Gambling Venue Policy

1. Do you support the proposal to allow stand-alone TAB venues to establish in the district?

No

Please explain: Place your bets at the races or the local pub.

2. Do you support the proposal to introduce an additional location control that prohibits new venues from establishing in, or existing venues relocating to high deprivation areas in the district?

Yes

Please explain:

They waste enough money on alcohol and tobacco already and then fine that they can't afford school shoes and food. Let's not add gambling to the list. Make this difficult to access.

3. Do you support the proposal to retain a cap of five machines for any new venues being established in the district?

No

Please explain: We don't want anymore venues.

4. Do you support the proposal to introduce a district-wide cap of 20 venues?

Yes

please explain: 20 is enough.

5. Do you support the proposal to allow relocations of existing venues for certain reasons?

No

Please explain:

Unless we put them where the gamblers can't find them, they might as well stay where they are; ie pubs and clubs?

7. Do you have any other feedback or comments regarding the policy?

We lived in W.A., Australia for 6 years and found that that state banned casinos completely. What a good idea that was and nobody died because of the ban! Let's have the courage to follow suit.

Dangerous and Insanitary Buildings Policy

1. Do you support the draft policy as presented?

Yes

Please explain: Consistency seems to be the main goal and this is good.

Gambling Venue and Dangerous and Insanitary Buildings Policy Review



Submitter Details

Submission Date: 03/10/2025

First name: Alf

Last name: James

Would you like to present your submission in person at a hearing?

I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Feedback

What policy are you submitting on?

Gambling Venue Policy Dangerous and Insanitary Buildings Policy

Gambling Venue Policy

1. Do you support the proposal to allow stand-alone TAB venues to establish in the district?

No

Please explain: We need fewer, not more, gambling opportunities in our community.

2. Do you support the proposal to introduce an additional location control that prohibits new venues from establishing in, or existing venues relocating to high deprivation areas in the district?

Yes

Please explain:

Reasons are obvious, assuming our elected decision makers have any understanding or empathy for people in high deprivation areas.

3. Do you support the proposal to retain a cap of five machines for any new venues being established in the district?

Yes

Please explain: But would refer a sinking lid.

4. Do you support the proposal to introduce a district-wide cap of 20 venues?

No

please explain: Would prefer a sinking lid.

5. Do you support the proposal to allow relocations of existing venues for certain reasons?

No

Please explain: Leadership that cares would take every opportunity to reduce this hazard.

7. Do you have any other feedback or comments regarding the policy?

Yes. Council needs to advocate firmly against plans to tax online betting without putting money back into communities. Online betting drives the problem underground and will reduce funding for community groups.

Dangerous and Insanitary Buildings Policy

1. Do you support the draft policy as presented?

Yes

Please explain: It seems to be a simple tidy-up for legal compliance reasons.

Gambling Venue and Dangerous and Insanitary Buildings Policy Review

Submitter Details

Submission Date: 03/10/2025

First name: Jennifer

Last name: Beardsall

Organisation:

Beca, on behalf of Fire and Emergency New Zealand

Would you like to present your submission in person at a hearing?

I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Feedback

What policy are you submitting on?

Dangerous and Insanitary Buildings Policy

Dangerous and Insanitary Buildings Policy

1. Do you support the draft policy as presented?

No

Please explain:

Fire and Emergency New Zealand are neutral to the content of the Policy but request that outdated references to the New Zealand Fire Service are corrected to Fire and Emergency New Zealand as part of the Policy review.

Gambling Venue and Dangerous and Insanitary Buildings Policy Review



Submitter Details

Submission Date: 04/10/2025

First name: Patricia

Last name: Pedofsky

Would you like to present your submission in person at a hearing?

I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Feedback

What policy are you submitting on?

Dangerous and Insanitary Buildings Policy

Dangerous and Insanitary Buildings Policy

1. Do you support the draft policy as presented?

Yes

Please explain:

Gambling Venue and Dangerous and Insanitary Buildings Policy Review

Submitter Details

Submission Date: 12/10/2025

First name: Janette

Last name: Martin

Would you like to present your submission in person at a hearing?

I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Feedback

What policy are you submitting on?

Gambling Venue Policy Dangerous and Insanitary Buildings Policy

Gambling Venue Policy

1. Do you support the proposal to allow stand-alone TAB venues to establish in the district?

No

Please explain: Need to deter gambling so less is more

2. Do you support the proposal to introduce an additional location control that prohibits new venues from establishing in, or existing venues relocating to high deprivation areas in the district?

Yes

Please explain:

Its those areas particularly drawn to gambling in the hopes it will improve their situation but we all know you lose more than you win. So we should protect them.

3. Do you support the proposal to retain a cap of five machines for any new venues being established in the district?

Yes

Please explain: we need less preferrably but definately dont need more.

4. Do you support the proposal to introduce a district-wide cap of 20 venues?

Yes

please explain: should be less

5. Do you support the proposal to allow relocations of existing venues for certain reasons?

No

Please explain:

6. Do you agree with our other proposed changes?

Yes

Please explain:

Dangerous and Insanitary Buildings Policy

1. Do you support the draft policy as presented?

Yes

Please explain:

Gambling Venue and Dangerous and Insanitary Buildings Policy Review



Submitter Details

Submission Date: 24/10/2025

First name: Glynn

Last name: O'Rourke

Organisation: NPHS Te Waipounamu

Would you like to present your submission in person at a hearing?

I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Feedback

What policy are you submitting on?

Dangerous and Insanitary Buildings Policy

Dangerous and Insanitary Buildings Policy

1. Do you support the draft policy as presented?

No

Please explain:

It is positive that Council recognises its legislative obligations under the Building Act 2004 in relation to dangerous and insanitary buildings but there are also relevant sections within the Health Act 1956 that may be applicable when considering and assessing buildings that might be deemed as insanitary. See full submission for recommendations.

Attached Documents

Name
Technical Advice Ashburton Dangerous, Affected and Insanitary Buildings Policy



20 October 2025

Ashburton District Council
2 Baring Square East
Ashburton 7700

Ashburton District Council's Dangerous, Affected and Insanitary Buildings Policy

1. This technical advice on Ashburton District Council's Dangerous, Affected and Insanitary Buildings Policy has been compiled by the National Public Health Service (NPHS) Te Waipounamu region, Health New Zealand – Te Whatu Ora. NPHS Te Waipounamu provides public health services for the South Island, including the Ashburton District.
2. NPHS recognises its responsibilities to improve, promote and protect the health of people and communities of Aotearoa New Zealand under the Pae Ora (Healthy Futures) Act 2022 and the Health Act 1956.
3. Pae Ora requires the health sector to protect and promote healthy communities and health equity across different population groups by working together with multiple sectors to address the determinants of health.
4. NPHS is focused on the achievement of equitable health outcomes. We use the Ministry of Health/Manatū Hauora's definition of equity:

In Aotearoa New Zealand people have differences in health that are not only avoidable, but unfair and unjust. Equity recognises different people with different levels of advantage require different approaches and resources to get equitable health outcomes.¹

5. This technical advice responds to some of the questions provided in the Ashburton District Council's Dangerous, Affected and insanitary Buildings Policy submission template.
6. It sets out matters of interest and concern to NPHS Te Waipounamu, and information included is based on evidence about public health and equity, as well as the experience of public health officers.

¹ Ministry of Health – Manatū Hauora (2024, July 2). Achieving equity. <https://www.health.govt.nz/about-ministry/what-we-do/achieving-equity>

Specific Comments

7. NPHS Te Waipounamu acknowledges Ashburton District Council for the development and review of its Dangerous, Affected and Insanitary Buildings Policy (the Policy). Councils have an important role to play when responding to issues related to these types of buildings.
8. Living in insanitary and dangerous conditions can have negative health effects. Councils have a range of legislative and regulatory tools available to them that can contribute to minimising the potential risks that insanitary and dangerous building conditions can pose to human health.
9. It is positive that Council recognises its legislative obligations under the Building Act 2004 in relation to dangerous and insanitary buildings but there are also relevant sections within the Health Act 1956 that may be applicable when considering and assessing buildings that might be deemed as insanitary. The Health Act 1956 is only referenced within the Policy in respect to Council reserving its right to use powers available to it under s34. There is no discussion of the other sections of the Act that may be applicable when considering and assessing buildings that may be deemed insanitary, particularly in respect of Councils powers and duties under Part 2 of the Act.
10. NPHS Te Waipounamu supports Council engaging with Fire and Emergency New Zealand (FENZ) in accordance with s121(2) of the Building Act.

Recommendations

11. NPHS Te Waipounamu recommends that the Policy includes reference to Council seeking advice from the Medical Officer of Health during the investigation process where insanitary conditions are identified or where the occupants are neglected or infirm.
12. NPHS Te Waipounamu recommends that the Policy makes specific reference to the following relevant sections of the Health Act 1956. Councils' response to dangerous and insanitary buildings is intertwined with its roles in relation to sections 29,41 and 42 of the Health Act 1956, which include specific definitions and actions associated with insanitary housing and section 126 which defines infirm and neglected persons.

- a. Section 29 of the Health Act 1956 defines the term nuisance which may relate to overcrowding and insanitary conditions that are likely to cause injury to the health of people, and dwellings that are unfit for human habitation. Incidents of severe domestic squalor can include extremely unhygienic conditions and hoarding, where the accumulation of material has led to the living environment being unclean, insanitary, or dangerous. This section of the Health Act also applies to areas of land outside the premises for the purposes of reducing harbourage for pests and accumulation on properties.
- b. Sections 41 and 42 of the Health Act 1956 detail the circumstances in which Council may issue a cleansing order or require repairs and/or issue closing orders due in part to insanitary conditions likely to cause injury to the health of any persons living there.
- c. Section 126 of the Health Act 1956 refers to infirm and neglected persons. These persons are often affected by dangerous and/or insanitary buildings and living conditions. A committal order can be sought by the Medical Officer of Health if they believe the person's health and wellbeing are at risk from the conditions in which they are living.
- d. Although a Medical Officer of Health may invoke section 126 to deal with situations where infirm and neglected persons or domestic squalor are involved, this power must be exercised with restraint. The decision is made by the District Court and the threshold to deny someone their normal freedoms is very high. Application for a committal order should not be considered unless the Medical Officer of Health believes the person's health and well-being are at risk from the conditions in which they are living, and there are no other feasible options to address that risk. The aim is to ensure there is appropriate support in place so that the person can remain living as independently as possible without significantly compromising their personal health or the health of the public. It is only when this is not possible, and all other courses of action have been explored and exhausted, that the powers of committal under section 126 the Health Act 1956 should be considered.
- e. Nuisance conditions or substandard housing should be dealt with using the other appropriate legislative and regulatory tools available, rather than through invoking section 126.

13. NPHS Te Waipounamu recommends that the Policy expands on the enforcement options that are available to Council and includes details regarding responses and actions in relation to environmental interventions, for example cleansing orders and the abatement of nuisance conditions under the Health Act 1956.
14. NPHS Te Waipounamu recommends that the Policy recognises the complex nature of people living in insanitary conditions and identifies how Council intends to liaise with agencies from a health perspective. A multi-agency approach has been identified as model of best practice. This will usually include Council (environmental health and building compliance staff), NPHS (Health Protection Officers and Medical Officers of Health) Fire and Emergency NZ, as well as appropriate health care providers (such as general practitioners, older persons' health services and/or mental health services), relevant community social support services (such as Age Concern), and relevant community support organisations.
15. When referring to assessing buildings, the Policy encourages staff to seek advice from external operators such as Fire and Emergency NZ. We suggest expanding this reference to include other potential stakeholders, such as public health services, that may need to be involved in helping to manage complex situations.
16. NPHS Te Waipounamu recommends that the role of key Council staff such as Environmental Health Officers is expanded on in the policy. These responsibilities may include assessing whether the building meets Building Act 2004 and Health Act 1956 requirements, acting to remedy insanitary or nuisance conditions, and referring to the Medical Officer of Health where they consider further action is necessary.
17. Council could consider setting up an interagency group to provide pathways for referral, as well as guidelines and information to ensure that the people living in severe domestic squalor are assisted in a consistent, sustainable, and efficient way. Such groups have been successful in other regions.

Conclusion

18. NPHS Te Waipounamu does not wish to be heard with respect to this submission.

Ngā mihi,



Vince Barry

Regional Director
National Public Health Service
Te Waipounamu Region



Dr Cheryl Brunton

Medical Officer of Health
National Public Health Service
Te Waipounamu Region

Contact details

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