

Nelson City Council
Proposed Dangerous,
Insanitary and Affected
Buildings Policy

4 November 2019

For more information please contact:
Jane Murray
NMH Public Health Service
Email: jane.murray@nmdhb.govt.nz
Phone: (03) 543 7805

Submitter details

1. Nelson Marlborough Health (Nelson Marlborough District Health Board) (NMH) is a key organisation involved in the health and wellbeing of the people within Te Tau Ihu. NMH appreciates the opportunity to comment from a public health perspective on the Nelson City Council's Proposed Dangerous, Insanitary and Affected Buildings Policy.
2. NMH makes this submission in recognition of its responsibilities to improve, promote and protect the health of people and communities under the New Zealand Public Health and Disability Act 2000 and the Health Act 1956.
3. This submission sets out particular matters of interest and concern to NMH.

Specific Comments

4. NMH supports the introduction of the Policy and agrees with the Policy Principles and the overall approach of the Policy.
5. In regards to regulating insanitary buildings, the Building Act 2004 is the primary legislation. However, the Health Act 1956 Section 23(c) imposes general powers and duties on local authorities in respect of nuisance conditions set out in Section 29 of the Act. Although the nuisance section does not specifically address insanitary buildings, it does define overcrowding which may also be associated with insanitary conditions. Section 42 of the Act specifies insanitary conditions likely to cause injury to the health of persons, or a dwelling that is otherwise unfit for human habitation. As the Health Act 1956 remains a statutory option to control overcrowding and insanitary conditions, the Council should consider acknowledging this within the Policy.
6. Page 7 notes that the Council consults with Medical Officer of Health as required. This wording should be changed to read "*a Medical Officer of Health or Health Protection Officer*". Both of whom are designated officers of the Ministry of Health.

Conclusion

7. NMH thanks the Nelson City Council for the opportunity to comment on the Proposed Dangerous, Insanitary and Affected Buildings Policy.
8. NMH **does not wish to be heard** in support of its submission.

Yours sincerely



Peter Bramley
Chief Executive
peter.bramley@nmhs.govt.nz