Document ID: 960367

Report To: Council

Meeting Date: 14 April 2026

Subject: **Deliberation of Submissions - Proposed Oparure Road Speed Limit Change**

Type: Decision Required

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1 Purpose of Report

1.1 The purpose of this business paper is to present to Council the submissions received on the Oparure Road Speed Limit Consultation for deliberations and seek a decision from Council to complete the alternate speed method proposal to be submitted to the Director of Land Transport.

2 Suggested Resolutions

1 The business paper on the Deliberation of Submissions - Proposed Oparure Road Speed Limit Change be received.

2 Council receive and acknowledge the submissions.

3 Council supports the making of a submission on the alternate speed method proposal to the Director of Land Transport recommending that a speed limit change of 50km/h be implemented on the section of Oparure Road set out in Appendix 1 to this business paper.

4 Elected members and WDC staff would like to thank everyone who engaged in the Consultation and acknowledge the time and effort involved in making submissions.

3 Background

3.1 Central Government and the New Zealand Transport Agency (NZTA) implemented the Land Transport Rule: Setting of Speed Limits 2024 on 30 October 2024, which revoked the previous 2022 version of the rule.

3.2 In 2023, Council undertook extensive consultation under the 2022 rule and developed a Speed Management Plan (SMP), which included proposed speed limit changes outside various schools and marae across the district.

3.3 When the 2022 rule was revoked, any approved SMPs no longer had legal effect. Road controlling authorities were instructed by NZTA to either prepare a new Speed Management Plan or use the 'alternative method' process outlined in the new rule.

3.4 The new rule includes specific provisions outlining the process and requirements for setting safe speed limits around schools to improve safety for children and families travelling to and from school.

3.5 Under the new rule, road controlling authorities are required to use reasonable efforts to ensure that all schools in their district have safe variable speed limits in place by 1 July 2026.

3.6 The road outside Te Wharekura o Maniapoto currently has a speed limit of 80 km/h. The 2023 consultation undertaken under the previous rule supported reducing the speed limit on Oparure Road outside the school and marae to a permanent 50 km/h speed limit.

3.7 Since the previous rule was revoked, implementation of this speed limit change was unable to proceed. As an interim measure, Waitomo District Council installed a temporary 50 km/h speed limit outside the school until a permanent solution can be implemented.

3.8 To implement the speed limit change outside Te Wharekura o Maniapoto as previously consulted on, Council was required to undertake consultation in accordance with the new rule and submit an alternative method proposal for approval by the Director of Land Transport.

3.9 The rule requires territorial authorities to consult for a minimum period of six weeks. The consultation must also be undertaken in accordance with section 82 of the Local Government Act 2002.

3.10 On 9 December 2025, Council approved the Consultation Document (CD), which outlined the proposed speed limit change and explained why further consultation was required under the new rule.

4 Commentary

4.1 **PUBLIC CONSULTATION**

4.2 Enclosed for Council's information is a copy of the CD as consulted on (**Attachment 1).**

4.3 The CD contained a focus on:

- The new rule change regarding the setting of speed limits
- Why the need to consult again on behalf of NZTA
- Why Council is proposing to implement a speed change that deviates from the new rule
- The process following the close of consultation

4.4 Consultation took place from Monday 19 January 2026 to Monday 2 March 2026. It was advertised in the King Country News and on radio station Cruise FM; information and links were prominent on the WDC website; and posts were made to the WDC Facebook page.

4.5 Hard copies of the CD and submission form were also hand-delivered to properties on Oparure, Fullerton, Boddies, Troopers, Whataroa, Mathers, Waipapa and Waitepipi Roads.

4.6 Members of the public were able to submit using hardcopy forms (made available at three council locations), submit online via Council's website, or submit their feedback by their own preferred method.

4.7 A hui organised by the Te Raangai Whakakaupapa Koorero (Māori Relations Committee) was held with members of Oparure Marae, Te Wharekura o Maniapoto and the general public on Thursday 26 February 2026.

4.8 During the hui it was decided that the submission period was to be extended by one week to allow the marae, kura and other attendees to make submissions following the hui.

4.9 At the close of the submission period, 79 submissions were received. Eight of the submitters chose to speak at a hearing.

4.10 A summary of submissions and analysis is presented in the table below. Full submissions were previously presented to Council as part of the 24 March 2026 Council Agenda.

4.11 **SUMMARY OF SUBMISSIONS**

4.12 The question was asked: Do you agree with our proposal to change the existing 80km/h speed limit on a section of Oparure Road to 50km/h? The submitter was also given the opportunity to provide commentary.

4.13 The results from the community consultation on changing a section of Oparure Road to a permanent speed limit of 50km/h are outlined below:

- **Total number of submissions:** 89 *(75% online submissions vs. 25% written submissions)*
- **Number of duplicate submissions:** 10
- **Corrected number of submissions received**: 79
- **Number of submissions in favour of speed limit change**: 61 (77%)
- **Number of submissions <u>NOT</u> in favour of speed limit change**: 18 (23%)
- **Number of submissions that requested to speak at Council Hearing:** 8
- A copy of a petition supporting a reduced speed limit which was originally lodged in 2023 was re-submitted during the Hearing on 24 March 2026.

Submission Numbers	**Summary of comparable commentary in favour of the proposal to change the existing 80km/h speed limit on a section of Oparure Road to 50km/h.**	**Response**
2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 28, 29, 30, 32, 33, 34, 35, 37, 38, 42, 43, 44, 45, 47, 49, 50, 51, 52, 53, 54, 55, 60, 61, 62, 63, 65, 66, 67, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79	Lower speed limits would ensure the safety of all patrons who enter the school grounds. Supportive of the Oparure Community to make our roads safer for all, all the time. Indeed, this needs to be made safer by lowering the speed I 100% agree to the permanent change to 50km, the kura kids and locals frequently walk between the wharekura and marae on the roadside and speeding vehicles and trucks put the fear of Jesus into me. I look forward to the change, it's long overdue. I fully support this as it provides more safety for our tamariki around the kura areas, for whānau pulling in and out of the kura during pick up and drop off times, and for anyone travelling along that road, especially if they don't know the area well. I come home a lot and too scared to walk between our house too school. Also, with my Mum we had an accident the car rammed into the back of us because going too fast. My moko doesn't walk gets dropped off to risky. The people that live there want this, they should have it. There is a marae and a school there so it should be slower than 80km/h	Submission feedback will be incorporated into the proposal to the Director of Land Transport.

Submission Numbers	Summary of comparable commentary in favour of the proposal to change the existing 80km/h speed limit on a section of Oparure Road to 50km/h.	Response
	The 80km speed limit puts our tamariki and kaumātua at risk when attending various events at the wharekura and or marae. It would also make it safer for those of us who live in Oparure to be able to walk within the proposed 50km limits safely. It's a nobrainer! Kia haumaru te iwi! Reducing the speed in the identified area improves the safety for everyone. This stretch of road is also subject to a high volume of heavy vehicles, including seal trucks servicing nearby mining and quarry operations. These vehicles present an increased safety risk and are a significant contributing factor to ongoing road damage. A reduced speed limit through this short section is a reasonable and proportionate response to these known conditions. I agree because this will keep our kids at the kura and land owners in the area safe. The way vehicles travel along this stretch of road is genuinely concerning. Drivers regularly accelerate up the hill past my house, often at high speed, and this occurs on a corner where visibility is already limited. The speed and volume of traffic make it feel unsafe on a daily basis, and I am honestly surprised that there has not already been a serious crash in this location. Reducing the speed limit to 50km/h would significantly improve safety for everyone who travels along Oparure Road, particularly for tamariki and whānau accessing the kōhanga reo, kura, and marae. Lower speeds would reduce the likelihood of serious injury in the event of a crash and would also make it safer for vehicles to enter and exit driveways along this stretch of road. There has been numerous occasions travelling that road with near misses around the corners from high speeds. Could be safer for our tamariki travelling to and from kura if speed was reduced. Safety is more important for the community than shorter travel times. There are often event at the marae with lots of vehicles. It would be safer for through traffic and marae goers to have a lower limit. The same for the school children, teachers, kaumatua, coming and going. It would be safer to have the lower 50km/h limit. A reduced permanent speed limit to 50km/h will better align with the cultural, educational, and social significance of Oparure Road while contributing to safer outcomes for all who live, learn, and gather in this area.	

Submission Numbers	Other comments related to supporting the proposal to change the existing 80km/h speed limit on a section of Oparure Road to 50km/h. - Signage	Response
12, 13, 15, 23, 69, 79	I think there should also be warning signs along that road that the speed on that section of the road is changing to give people time to adjust to it. Add school and marae signs on the road, also fix the drop in the road or build a bridge its sinking more and more every year! No good putting a plaster on it. Speed cameras are needed in this area as vehicles both small and large vehicles speed along Ōparure Road. I support the installation of additional electronic speed signs near the wharekura entrance, as proposed, and believe these would help reinforce safe driving behaviour in an area where people currently travel far too fast. I live 100m from the 50km sign and it is clear that prewarning signage is required a lot further back from where it currently is now to warn traffic coming from the west that they are approaching a 50km speed sign reduction area. Install clearly visible school and kōhanga reo warning signage. Consider high-visibility or electronic school warning signs. We also need clear signs. School sign specifications.	Signage will be installed following the decision from the Director of Land Transport.
Submission Numbers	**Other comments related to supporting the proposal to change the existing 80km/h speed limit on a section of Oparure Road to 50km/h. – Extension of speed limit area.**	**Response**
26, 47, 49, 51, 52, 52, 54	I think the lower speed zone should start from the Fullerton Rd intersection as visibility at that intersection is poor. I do agree with reducing the speed limit to 50 km/h but not at 100m west of Fullerton Road but to 100m east of Fullerton Road and 800m west of Boddies Road. I don't agree with the 100 metres west of Fullerton-should be 100mtr east and 600mtr west of Boddies should be 800 metres to give Vehicles time to slow before Marae entrance Move to 100mtrs east of Fullerton Road and 800mtrs west of Boddies Road	Submission feedback will be incorporated into the proposal to the Director of Land Transport.

Submission Numbers	Other comments related to supporting the proposal to change the existing 80km/h speed limit on a section of Oparure Road to 50km/h. – Road remediation, traffic calming and safety upgrades	Response
50, 55, 59, 79	Graymont would also welcome any further opportunity to support the case for a permanent fix to the slump in the road just below the wharekura. Our understanding is that this arises from ongoing instability under the road, and the capital requirements for a fix are substantial. However, as a supplier of essential lime and limestone products that have significant local and national benefits, we believe funding applications to central Government, such as the Regional Infrastructure Fund, could be justified. we also support the addition of speed calming measures because a long 50km zone is needed for the entire length of Oparure Village. We would like to think that a footpath will be planned in the future. The road needs to be fixed first A lower speed limit with speed humps either end is going to make more noise for residents with the amount of heavy vehicles bouncing over them all day and night. This will cause a lot of complaints. Undertake a formal traffic safety assessment of 308 Oparure Road Install road safety bars by cutting shoulders Consider a roadside convex mirror to improve visibility of oncoming vehicles before turning into the kura driveway Install road marking such as "SLOW" approaching the entrance	Additional roading improvements are not part of this consultation. Council may consider these improvements through the Long Term Plan, or through other future roading initiatives.
Submission Numbers	**Other comments related to supporting the proposal to change the existing 80km/h speed limit on a section of Oparure Road to 50km/h. – Alternative speed limit**	**Response**
56, 57	A 50km/h limit around the school area, dropping to 30km/h during pick up and drop off times, supported by electronic signage like that used within town, would in my view achieve the desired level of safety for tamariki. Although this is the Village area along with the Marae, it is important to note that there are no footpaths and that most tamariki arrive and depart by school bus or by private vehicles. The bus and vehicles use a dedicated off road area that keeps children well away from traffic, which reduces the need for such an extended 50km/h zone. As in the past when there is an event at the Marae, event signs have been used along with wardens and cones – I believe that should continue, rather than a permanent 50km/h in this area. I believe a 70km/h limit across the remainder of the proposed area would strike a more appropriate balance between safety and traffic flow. I suggest they have 30km around the School area at School time and when there is something on at the Marae they continue with putting out cones to warn the public to slow down.	Submission feedback will be incorporated into the proposal to the Director of Land Transport.

Submission Numbers	Summary of comparable commentary against the proposal to change the existing 80km/h speed limit on a section of Oparure Road to 50km/h.	Response
1, 4, 5, 20, 27, 31, 36, 39, 40, 41, 46, 48, 56, 57, 58, 59, 64, 68,	There is no need to reduce the speed on this section of road as the loading zone for loading / unloading of school children off school buses etc is a long way off the Oparue Road. I travel this road 5 to 6 times per week at different times of the day. School children do not walk this road, they are collected by bus. The bus then parks well off the road to let the children off. I travel this road daily and have never once seen any children walking on the road, let alone near the Kura. The pickup and drop off points at the Kura, are a considerable distance from the road. Whenever there is something on at the Marae, Māori Wardens are posted, either side of the Marae. We do question, however, why a permanent restriction is required for the Kura when drop off and pick up speed restrictions appear to work adequately for other schools. We believe it is unnecessary to carry that 50kmph limit all the way past the marae. We are locals and very seldom see pedestrians walking along this part of the road or any kind of heavy traffic, either going to the marae or just travelling through. We believe a 70 or 80kmph is sufficient on that part of the road. Enabling the marae to have event exemptions appeared to work satisfactorily in the past. Putting a 50kmph limit in place for the entire part of the proposed road section would just result in motorists ignoring it. I don't see the need for a reduction in speed. It is a slow road anyway especially with all the large quarry trucks on it every few minutes. For the majority of the hours of the day the kura is closed. The parking at the Kura is extensive and the school runs pick up the children away from the road. There are wardens and 30km/h signs when a big function is held at the Marae; very slow. It will just be an inconvenience having it at 50km/h. I believe 50km/h is completely unnecessary form that area. The 50km/h area should be confined to the school area (at school departure and leaving times). Electronic signs would be ideal. A 70km/h restriction is much more sensible (and more likely to be observed). Currently very few vehicles observe to temporary 50km/h.	Submission feedback will be incorporated into the proposal to the Director of Land Transport.
Submission Numbers	**Other comments against the proposal to change the existing 80km/h speed limit on a section of Oparure Road to 50km/h. – Road remediation, traffic calming and safety upgrades**	**Response**
46,59	The quality of the road itself is something we believe should be considered before speed changes, especially through that part of the road. The road needs to be fixed first. A lower speed limit with speed humps either end is going to make more noise for residents with the amount of heavy vehicles bouncing over them all day and night. This will cause a lot of complaints	Additional roading improvements are not part of this consultation. Council may consider these improvements through the Long Term Plan, or through other future roading initiatives.

4.14 During the hui on 26 February 2026, Council also took minutes of the points raised by attendees at this meeting. These minutes and the Council comments are enclosed as **Attachment 2**.

5 Considerations

5.1 **RISK**

5.2 If the Alternate Method Proposal is not submitted to the Director of Land Transport at the end of April Council meeting, the 1 July 2026 deadline for implementation of variable speed limit signs outside school as set by the Land Transport Rule: Setting of Speed Limits 2024 may not be able to be met.

5.3 If the Alternate Method Proposal application is not successful, the standard 60km/h speed zone will need to be implemented for a rural school.

5.4 **CONSISTENCY WITH EXISTING PLANS AND POLICIES**

5.5 It is considered that the proposal is consistent with existing Council plans and policies, and the application for an Alternate Method Proposal is to be submitted by Council to the Director of Land Transport for approval.

5.6 **SIGNIFICANCE AND COMMUNITY VIEWS**

5.7 The decision to change a speed limit is considered to be of low to moderate significance under Council's Significance and Engagement Policy, as it does not involve the transfer of assets, changes to levels of service, strategic assets, or large financial implications for the wider district. However, speed limit changes can have a direct impact on specific communities, particularly residents, road users, schools and marae located in the affected area.

5.8 Consistent with the Significance and Engagement Policy, Council undertook targeted consultation with those most directly affected, including the school, marae, nearby residents, road users, emergency services, Waka Kotahi NZTA and the wider community through a public consultation process. This approach is consistent with the policy principle that engagement should be proportionate to the level of significance and focused on those most affected by the decision.

5.9 The consultation process undertaken for the Alternate Method proposal, including a minimum six-week consultation period and engagement with affected stakeholders and the wider community, is therefore considered to be consistent with Council's Significance and Engagement Policy.

6 Attachments/Separate Enclosures

Attachments:

1 Consultation Document – Oparure Road Speed Limit Change (Doc # 959980)

2 Hui Minutes - 26 February 2026 (Doc # 960365)

Separate Enclosures:

1 Submissions 001 – 079 (Refer separate enclosures to Council Agenda of 24 March 2026)

Appendix 1 – Location of proposed speed limit signs

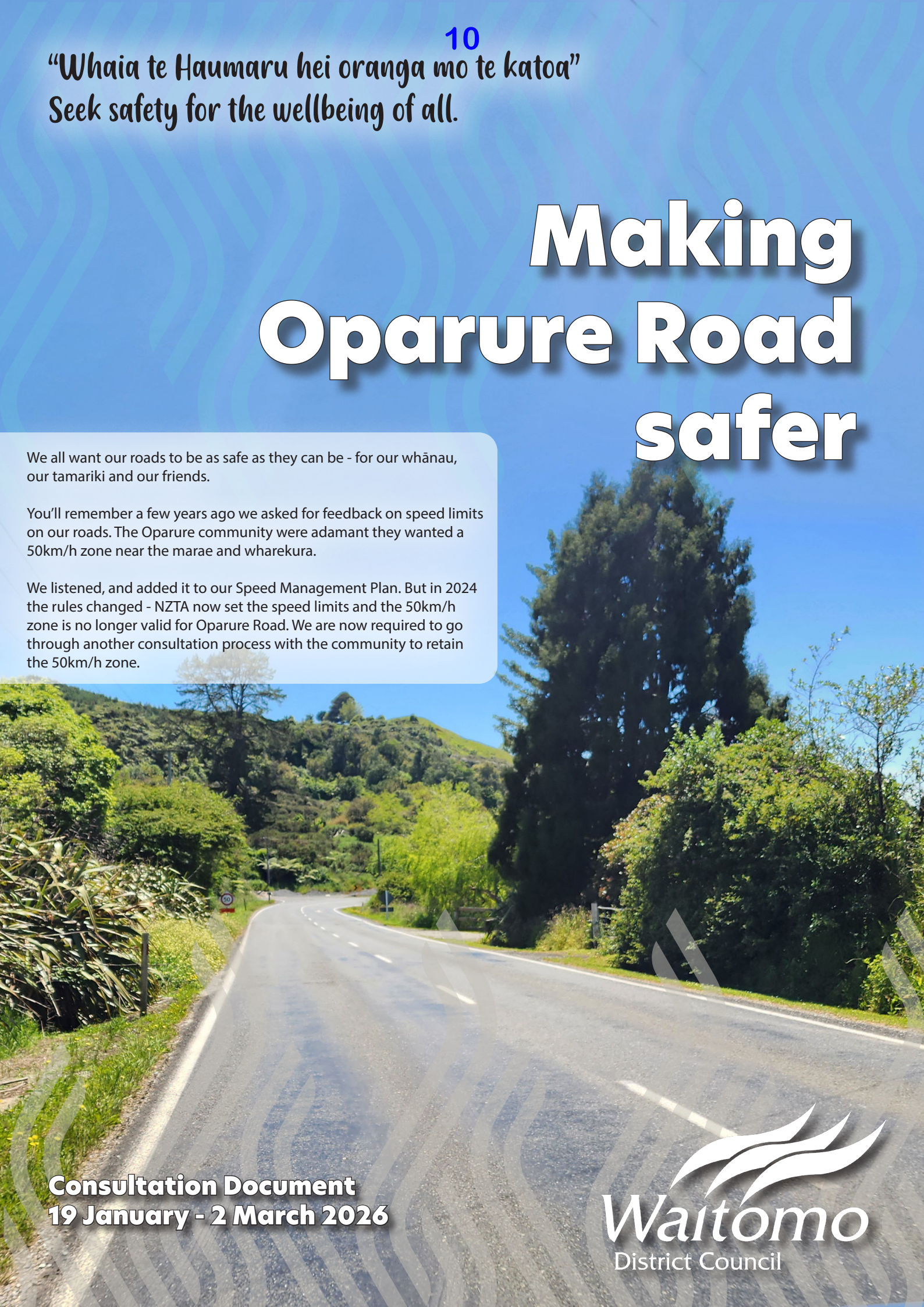
"Whaia te Haumaru hei oranga mo te katoa"
Seek safety for the wellbeing of all.

Making Oparure Road safer

We all want our roads to be as safe as they can be - for our whānau, our tamariki and our friends.

You'll remember a few years ago we asked for feedback on speed limits on our roads. The Oparure community were adamant they wanted a 50km/h zone near the marae and wharekura.

We listened, and added it to our Speed Management Plan. But in 2024 the rules changed - NZTA now set the speed limits and the 50km/h zone is no longer valid for Oparure Road. We are now required to go through another consultation process with the community to retain the 50km/h zone.



Consultation Document
19 January - 2 March 2026

Waitomo District Council

Making Oparure Road safer

What is the speed change proposal?

Waitomo District Council is proposing to change the existing 80km/h speed limit on Oparure Road to 50km/h, approximately from 100m west of Fullerton Road to 600m west of Boddies Road intersections.

Additional electronic speed signs are also proposed approximately 300m from the wharekura entrance for both approaches on Oparure Road.

The objective of the proposal is to set a safe speed limit around Te Wharekura o Maniapoto (wharekura) and Oparure Marae to improve safety for all tamariki and whānau travelling to and from these locations.

Why are we proposing to change the speed limit?

Central Government and NZ Transport Agency (NZTA) implemented a new Land Transport Rule: Setting of Speed Limits 2024 on 30 October 2024, which revoked the previous 2022 version.

The Rule requires road controlling authorities to use reasonable efforts to ensure that all schools in their district have safe speed limits set in accordance with the Rule by 1 July 2026.

Why are we undertaking consultation again?

Under the 2022 version, Waitomo District Council's roading team undertook consultation and developed a Speed Management Plan (SMP) which planned to change the speed limits outside Te Wharekura o Maniapoto and Oparure Marae.

The change involved:
- existing 80km/h speed limit being reduced to a permanent 50km/h speed limit from 95m east of Fullerton Road to 580m west of Boddies Road
- installing traffic calming treatments on Oparure Road on both approaches to the kura (ie. speed humps or road markings)

When the 2022 Rule was revoked, any approved SMPs had no legal effect and road controlling authorities were instructed by NZTA to either start a new SMP or use the alternative method following the processes in the new rule.

Why the change from 80km/h to 50km/h?

Reducing the speed limit on this road will greatly improve safety for all tamariki and whānau travelling to and from the wharekura and marae.

As speed limits are now set by the New Zealand Transport Agency (NZTA), Council has to submit the proposal for consideration following further community consultation.

Under the previous consultation, Council received positive feedback from the wider Oparure community regarding a speed reduction outside the wharekura and marae.

What is road safety infrastructure?

Making roads safer isn't just about speed. There are other things we can do to make our roads safer. That may involve installing or improving the safety of the road, such as signage and line marking.

Council recently installed new **variable** speed limits outside 14 schools across the Waitomo District. These changes mean the existing speed limits outside schools are reduced over the AM / PM periods.

The consultation on Oparure Road is about setting a **permanent** speed limit outside the wharekura and marae.

What happens next?

- A consultation will be undertaken for six weeks from 19 January to 2 March 2026.
- We encourage the community to review the proposal and submit feedback via this Consultation Document or online. www.waitomo.govt.nz/council/haveyoursay/oparure-speed-consultation/
- Our Te Raangai Whakakaupapa Koorero committee will engage with the wharekura, marae and community.
- Once the feedback is in, we'll analyse comments and consider if changes should be made to our proposal.
- Councillors will review those changes and hear from submitters who wish to speak at a Council hearing on 24 March 2026.
- The final plan will be decided and approved by Council.
- The final plan will then be submitted to NZTA's Director of Land Transport for approval and implementation.

Some questions answered

1. *Why is Council consulting on a new speed limit for Oparure Road?*
   The road outside Te Wharekura o Maniapoto currently has a speed limit of 80km/h. The first consultation under the old rule agreed to reduce the speed of Oparure Road outside the kura and marae to a permanent 50km/h speed limit. However, since the old rule was revoked by Central Government, implementation of the speed limit change has halted and WDC installed temporary speed limit restriction of 50km/h as a temporary solution until a final solution is implemented.

2. *Why does this consultation not focus on drivers?*
   Even the most skilled drivers make mistakes. Speed limits provide the safest possible environment for drivers and their passengers and other road users.
   Council will continue to promote road safety, and that includes public education campaigns targeting drivers.

3. *Who will enforce the new speed limit?*
   If the new permanent speed limit is accepted by NZTA, Police will enforce. (Policing is not the job of Council or Council staff.)

4. *If the new permanent speed limit gets approved, what happens next?*
   By law, Council must submit the proposed change to the Director of Land Transport. If approved, Council will then start implementing the change. That will include installing new speed limit signs.

5. *If I have a concern about another road not included in this consultation, what can I do?*
   Speed limits on all roads are now set by NZTA. Council undertook a consultation in 2023 regarding the setting of speed limits across the district, ahead of the 2024 Central Government regulation change. We are unable to consider your issue as part of this process, but we value your feedback and may look at it in future.

SUB NO: _____

Waitomo District Council Consultation - Oparure Road Speed Limit Change

FORMAL SUBMISSION FORM

Submissions close at 4pm on Monday 2 March 2026

You can share your views by:

- Completing this submission form and returning it to us by:
  - Visiting our Customer Services and Visitor Hub at 160 Rora Street, Te Kūiti
  - Emailing it to: haveyoursay@waitomo.govt.nz (scan and pdf or take a photo)
  - Posting to: FREEPOST 112498, Waitomo District Council, PO Box 404, Te Kūiti 3941
- Visiting our website: www.waitomo.govt.nz/council/haveyoursay/oparure-speed-consultation/ and fill in an online submission form

FULL NAME: _____ PHONE: _____

ADDRESS: _____

EMAIL: _____

ORGANISATION (if responding on behalf of): _____

I wish to speak to Council about my submission ☐ Yes ☐ No

* Hearings will be held on 24 March 2026. Council will contact you with further details.

Do you agree with our proposal to change the existing 80km/h speed limit on a section of Oparure Road to 50km/h? (from 100m west of Fullerton Road to 600m west of Boddies Road intersections)

☐ Yes, I agree ☐ No, I do not agree ☐ I'm not sure

Other comments:

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Speed Management Review Meeting at the Oparure Marae with Waitomo District Council (WDC)

Minutes of Meeting of the meeting held in the Oparure Marae Thursday, 26 February 2026.

Present from WDC: Eady Manawaiti (Deputy Mayor), Isaiah Wallace (Urban Councillor), Dan Tasker (Urban Councillor), Ben Smit (Chief Executive) and Alex Bell (GM – Strategy and Environment)

The meeting started with a Pōwhiri. The Deputy Mayor responded on behalf of WDC and thanked the Oparure Marae for their welcome and for their hospitality.

Ben (Chief Executive) outlined the history of the speed management review process, and the reasons why we are engaging on it again. He set out the proposition in the consultation document, the process and the timeline. He then welcomed comments and questions from those present.

The points raised are set out in the table below.

Issue	Outcome	Council Actions
Location of the 50 km/h speed limit signs (i.e. where it starts and ends.	Asked those present to show me their preferred location. This location is set out in Appendix 1 below.	Please see amended map showing the requested location in Appendix 1. The original locations are shown in Appendix 2 below.
Do we have traffic count data for Oparure Road. If so, does it have the number of light vehicles, trucks etc and when was it last undertaken.	Confirm with Roading Team if we have traffic count data.	Traffic count data is available for the section of Oparure Road between Fullerton Road and Boddie Road (Carriageway 63). The latest count was undertaken on 14 October 2025, recording an Average Daily Traffic (ADT) of 921 vehicles per day. The vehicle breakdown is: 79% cars, 2% light commercial vehicles (LCV), 8% medium commercial vehicles (MCV), 2% heavy commercial vehicles Class I (HCV I), 9% heavy commercial vehicles Class II (HCV II), and 0% buses. Heavy vehicles represent 19% of total traffic.

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Issue	Outcome	Council Actions
Request for the following signs: - Welcome to Oparure Village signs - Marae - Kura - Kohanga - Bus turning sign at the intersection of Boddie Road and Oparure Road	Requested that WDC install large bilingual welcome signs at either end of the Oparure Village, the marae, Te Wharekura o Maniapoto, Te Kohanga Reo O Oparure and a number of other signs for awareness and traffic warning purposes.	WDC will obtain a cost estimate for these signs and consider how this can be funded either in this financial year or the next financial year.
Request that a footpath through the village be installed	WDC would need to have request through an LTP submission, and that it may not be possible for safety reasons (i.e. conflict between cars and pedestrians and road parcel width) and also due to the cost.	This will need to be a matter considered as part of the Long Term Plan 2027-2037. Suggest that Oparure residents submit on the Long Term Plan requesting this.
Road works in Oparure – are these completed, will any further works be undertaken in regards to the slump, can an uneven surface sign be put up from the Fullerton road end warning that there is an uneven surface.	What is the current status of the works around the slump? Can an uneven sign be erected as you approach it from the Te Kuiti side. There was mention of a slip, that was cleared, but has been left there. Will further work be undertaken on the slip.	Works at Oparure Road RP 14.5 are included in the Resilience Package 25/26. Construction is currently underway (contractor: Nicholls & Uttinge) with a programme completion date of 12 May 2026. The uneven surface warning sign and slip clearance area will be reviewed with the contractor.
Rumble strips on either side of the road through the village.	Requested that rumble strips be placed on either side of the road through the village.	This will need to be a matter to be considered as part of the Long Term Plan 2027-2037. Suggest that Oparure residents submit on the Long Term Plan requesting this.
Boddies Road convex mirror	WDC has requested to install a convex safety mirror on Boddies Road exit to improve visibility.	WDC to consider this request as part of its operational budgets for 2026/2027 year.
Road to Te Kohanga Reo	This is a paper, unformed road and not the responsibility of WDC	No further Council action required.

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Appendix 1

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Appendix 2

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Document No: 960229

Report To: Council

Meeting Date: 14 April 2026

Subject: **Deliberation of Submissions –**
- **Draft Drone Policy**
- **Draft Dangerous, Affected and Insanitary Buildings Policy**

Author(s): Raj Mahadevappa
Policy Advisor

Charmaine Ellery
Manager - Strategy and Policy

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1 Purpose of Report

1.1 The purpose of this business paper is to present to the Council the analysis on submissions received on the Draft Drone Policy 2026 and Draft Dangerous, Affected and Insanitary Buildings Policy 2026 to assist with Council's deliberations.

2 Suggested Resolutions

2.1 The following are suggested resolutions only and do not represent Council policy until such time as they are adopted by formal resolution.

1 The business paper on Deliberation of Submissions on the Draft Drone Policy 2026 and Draft Dangerous, Affected and Insanitary Buildings Policy 2026 be received.

2 The Chief Executive be delegated the authority to ensure that Council directions arising from the consideration of submissions are reflected in the responses schedule and all changes are made to the Final Dangerous, Affected and Insanitary Buildings Policy 2026 prior to adoption at the 28 April 2026 Council meeting.

3 Council approves the redrafting of the Draft Drone Policy 2026 allowing additional time for staff to incorporate the feedback received from the submissions and present for adoption the amended Policy at the Council meeting on 26 May 2026.

4 Elected members and WDC staff would like to thank everyone who engaged in the Consultation and acknowledge the time and effort involved in making submissions.

3 Background

3.1 On 24 February 2026, Council adopted the Statement of Proposals for Consultation which included the Draft Drone Policy 2026 and Draft Dangerous, Affected and Insanitary Buildings Policy 2026.

3.2 The consultation period for both the polices was open from 26 February to 31 March 2026.

3.3 Eight submissions were received for the Draft Drone Policy 2026, and one submission was received for the Draft Dangerous, Affected and Insanitary Buildings Policy 2026. No submitters wished to be heard.

3.4 The draft policies are enclosed as **Attachments 1 and 2**.

4 Commentary

4.1 Draft Drone Policy 2026

4.2 Submissions received reflects differing perspectives between the general public and commercial drone operators. The public emphasise privacy concerns and support our approach, while the commercial operators seek flexibility.

4.3 Drone use is increasing and therefore, so is the risk of a drone related incident occurring. Airport operators need to consider how the risk can be mitigated. Civil Aviation Authority's (CAA) statistics indicate that from 2008 to 2010 there was approximately one report per year notified to the authority. This has grown to approximately 177 occurrences (no minor injuries, serious injuries or fatalities) for the period from 1 January 2024 to 28 February 2026.
Please refer to the link for more information[1] - https://www.aviation.govt.nz/safety/read-reports-and-statistics/occurrence-and-activity-dashboard/dashboard/

4.4 There are many benefits for commercial operators with the use of drone technologies forecast to benefit the economy by $4.6-$7.9 billion over the next 25 years[2]. As drones become more widely used and affordable recreational use of drones is also steadily increasing.

4.5 Submissions received have provided valuable insights that will help us to redraft the Drone Policy to include all the important factors – safety, benefits and privacy and make the policy more user friendly.

4.6 The following themes were identified in the submission responses.

Table 1 : Themes - Draft Drone Policy

Submission Points - Summary	Analysis Summary
Please add a section to the policy outlining where people with drones can fly their drones on Council land. There needs to be a place for rate payers who fly drones to be allowed to do it, without applying to council	Council recognises the importance of availability of a suitable place to fly drones and the privacy concerns of those using public spaces. The proposed policy allows the use of drones over parks or reserves if prior permission is obtained through a simple online form or direct email. This will help manage privacy concerns from the general public. It should be noted that all flights still need to be logged and under CAA rules you must gain permission if within the 4km controlled airspace. Council officers can log flights when processing the permission request.
Permission from Aerodrome operator within 4km controlled airspace: Aerodrome communication challenges Misalignment with CAA rule 101.207 Clarify boundary between CAA and Council regulations.	Policy to be re-drafted to clarify Council's property staff as the Aerodrome Operator (it may be assumed the Aeroclub is the operator) and ensure all contact details are accessible and updated. After hours service provider to be updated of the process for drone flight requests. Redraft of the Policy to provide more clarity of CAA rules and Council's permission process.
Consider implementing a clear exemption or streamlined approval process for qualified commercial drone operators, particularly those working in industries such as real	Council will consider all the feedback received through submissions and redraft the Policy to make it user friendly while ensuring safety and privacy. A register of commercial users can be setup to grant annual permission without limiting genuine need to fly

[1] 'Occurrence' is the umbrella term for accidents, incidents, and immediate hazards to the safety of an aircraft operation. As a rule of thumb, if the occurrence is something that you don't want to happen again, it should be reported.

[2] Drones benefit study, Ministry of Transport - https://www.transport.govt.nz/area-of-interest/technology-and-innovation/drone-benefit-study

Submission Points - Summary	Analysis Summary
estate marketing, tourism promotion, commercial photography and videography, infrastructure documentation.	over Council property; this would reduce the administration for users and WDC staff. It should be noted that all flights still need to be logged. Regular users would be encouraged to use the AirShare Pilot App for logging flights.
Drones are an important part of the future of all of us and it is an equally important thing to have a small height restricted area in or near towns.	Council recognises the importance of availability of a suitable place to fly drones. The aim of the policy is to address privacy concerns and rules for safe flying of drones in general and around our Aerodrome. We would need to abide by the CAA rule of 120m height restriction.
I personally like to use parks for practise, learning and photography.	The proposed policy allows the use of drones over parks or reserves if prior permission is obtained through a simple online form or direct email. This will help manage privacy concerns from the general public. It should be noted that all flights still need to be logged and under CAA rules you must gain permission if within the 4km controlled airspace. Council officers can log fights when processing the request.
I would like drones to be banned from public areas, apart from specific events. Privacy is one people would rather have.	The proposed policy allows the use of drones over parks or reserves if prior permission is obtained through a simple online form or direct email. This will help manage privacy concerns from the general public.
Additional CAA rules, regulation across private and public land.	Including the CAA rules within the Council's policy may cause confusion and become out of date with rule updates. CAA rules if included should be as an appendix to the Policy and updated as needed. Recreational users by and large do not know the CAA rules, providing these with the Policy has merit. To provide more clarity on Council requirements e-draft the Policy to cover rules for Council property only.
Recognition of operators under Part 102, no reference of applying to 102	Include both 101 and 102 in the re-drafted Policy
Definitions reworded from CAA, clarity for roads.	Update of definitions to align to CAA rules would prevent inconsistency and challenges with interpretation
Static map may become outdated.	Map shows 4km zones to provide a guide for readers, some of which may have difficulty with internet access, these are unlikely to change often and is a simple update if required.

4.7 Draft Dangerous, Affected and Insanitary Buildings Policy 2026

4.8 We have received one submission from Health New Zealand. The following themes were identified in the submission response.

Table 2 : Themes – Draft Dangerous, Affected and Insanitary Buildings Policy

Submission Points - Summary	Analysis Summary
The proposed policy includes provisions for scheduled heritage buildings, noting the importance of recognising any special traditional or cultural aspects of the building. There could also be an opportunity to recognise the land and buildings, that are not scheduled but that have important cultural and spiritual significance to Iwi/hapū in Waitomo. Ensuring active involvement of Te Tiriti partners in the implementation of this policy is a way for council to further meet its Te Tiriti obligations, which has the potential to contribute to improved health and wellbeing outcomes for Māori.	The Dangerous, Affected and Insanitary Buildings Policy is prepared under the Building Act 2004 and is intended to describe how Council will exercise its statutory functions under that Act. While Council may work with other agencies and may use other legislation such as the Health Act 1956 where appropriate, this policy is not intended to be a broader public health, housing or social policy document. Many of the recommendations relate to operational practices or wider social and public health matters which fall outside the statutory purpose of a policy prepared under sections 131–132 of the Building Act 2004. Also, Council will consider heritage and cultural values when determining appropriate actions for dangerous or insanitary buildings where those buildings are identified as having heritage or cultural significance.

4.9 A summary of submissions and analysis is presented below as Appendix. Full submissions are also made available **(Attachments 3 and 4)**.

5 Analysis of Options

5.1 The following options are available to the Council with regard to the deliberation of the Draft Drone Policy 2026 and Draft Dangerous, Affected and Insanitary Buildings Policy 2026.

5.2 OPTION 1

5.3 Council considers the submissions, deliberates and addresses the points raised by the submitters.

5.4 OPTION 2

5.5 Council does not receive submissions.

5.6 If Council does not receive and deliberate on the submissions, this poses a risk as there may be a perception that a genuine consultation process is not being followed. Hence Option 2 is not a preferred option.

6 Considerations

6.1 **RISK**

6.2 The Statement of Proposal was prepared as per the requirements of sections 83 and 87 of the Local Government Act 2002 (LGA). A consultation period of one month for public submissions was allowed to meet the legislative requirement. Hence, the level of risk involved is low.

6.3 **CONSISTENCY WITH EXISTING PLANS AND POLICIES**

6.4 There are no inconsistencies with Council's direction, existing plans, and policies.

6.5 **SIGNIFICANCE AND COMMUNITY VIEWS**

6.6 The Council's Significance and Engagement Policy require the Council to assess the degree of significance of proposals and decisions, which informs the appropriate level of engagement.

6.7 The degree of significance was assessed to be of medium significance for the people of the district, which corresponds to the 'consult' level of engagement.

6.8 The public consultation was undertaken in accordance with the requirements of the LGA and its Significance and Engagement Policy.

7 Recommendation

7.1 The business paper on Deliberation of Submissions on the Draft Drone Policy 2026 and Draft Dangerous, Affected and Insanitary Buildings Policy 2026 be received.

7.2 The Chief Executive be delegated the authority to ensure that Council directions arising from the consideration of submissions are reflected in the responses schedule and all changes are made to the Final Dangerous and Insanitary Buildings Policy 2026 prior to adoption at the 28 April 2026 Council meeting.

7.3 Council approves the redrafting of the Draft Drone Policy 2026 allowing additional time for staff to incorporate the feedback received from the submissions and adopt the amended Policy at the Council Meeting on 26 May 2026.

7.4 Elected members and WDC staff would like to thank everyone who engaged in the Consultation and acknowledge the time and effort involved in making submissions.

8 Attachments/Separate Enclosures

Attachments:

1 Draft Drone Policy 2026 (Doc # 960449)
2 Draft Dangerous, Affected and Insanitary Buildings Policy 2026 (Doc # 960450)

Separate Enclosures:

1 Submissions Booklet - Draft Drone Policy 2026
2 Submission - Draft Dangerous, Affected and Insanitary Buildings Policy 2026

Table 3 - Submission Points Analysis - Draft Drone Policy

Sub No.	Name and Organisation	Submission Points (summary)	Analysis
1	Kale Pompey	• Please add a section to the policy outlining where people with Drones can fly their drones on council land. • There needs to be a place for rate payers who fly drones to be allowed to do it, without applying to council. The points outlined as to why parks and recreational places are places where drones cannot fly are rather silly, they are places where noise should be made, perhaps there should just be a weight limit so the safety aspect of the drone falling and hurting someone is minimized.	Council recognises the importance of availability of a suitable place to fly drones. The proposed policy allows the use of drones over a Council road or road reserve or Council properties if prior is permission obtained. Council will consider all the feedback received through submissions and redraft the Policy to make it user friendly while ensuring safety and privacy.
2	Christina Vandy – Marque Brand Studios	• I have concerns that the proposed policy, in its current form, does not align with how the real estate and commercial media industries operate and may unintentionally make it extremely difficult for legitimate and qualified operators to carry out their work within the district. • The proposed policy appears to introduce additional restrictions that could effectively prevent commercial drone use in Te Kūiti, particularly for legitimate business purposes such as real estate marketing. For example: **1. Aerodrome communication challenges** The policy requires operators within 4km of aerodromes or heliports to obtain permission from the aerodrome operator. While this aligns with aviation safety expectations, in practice it is often extremely difficult or near impossible to make contact with the aerodrome operator when operating in the area. Professional operators already take appropriate precautions, including: – Conducting shielded operations where possible – Flying below surrounding structures or trees to remain clear of flight path – Monitoring airspace through aviation tools – Seeking coordination with the rescue helicopter where required – Our drone's have a warning system of other manned & unmanned aircrafts, and will not fly if they are in the area.	Council recognises that drones are increasingly used for recreation, photography, research and commercial purposes. Council will consider all the feedback received through submissions and redraft the Policy to make it user friendly while ensuring safety and privacy.

Sub No.	Name and Organisation	Submission Points (summary)	Analysis
		The policy itself acknowledges that shielded operations are permitted under CAA rules when flying within 100m of a structure and below its height. However, the additional administrative requirements proposed may unintentionally make compliant operation impractical. **2. Impact on the real estate industry** Drone photography is now a standard marketing tool used across New Zealand's real estate industry. Preventing or severely restricting drone use makes it significantly harder to present properties effectively and ultimately impacts the ability to market and sell homes within the district. Real estate marketing plays an important role in promoting towns like Te Kūiti and attracting buyers, investment, and new residents. Drone imagery helps show the town and surrounding landscape at its best. **3. Limited use of council property** In most cases, drone operations for real estate do not involve flying over council property. Occasionally, however, a property may border a park, road reserve, or other council land, and flying briefly across or above these areas is sometimes necessary to obtain the angle required to accurately represent the property being marketed. **4. Need for a commercial exemption or streamlined approval** I strongly encourage the council to consider implementing a clear exemption or streamlined approval process for qualified commercial drone operators, particularly those working in industries such as: real estate marketing, tourism promotion, commercial photography and videography, infrastructure documentation. Operators holding recognised qualifications and operating within CAA Part 101 & Part 102 frameworks should be able to continue working responsibly within the district. This could include options such as: pre-approved commercial operators, annual permits for licensed pilots, streamlined approvals for low-risk shielded	

Sub No.	Name and Organisation	Submission Points (summary)	Analysis
		operations, clearer communication pathways with aerodrome operators I respectfully ask that the council reconsider aspects of the proposed policy and work with industry operators to create a balanced framework that: maintains public safety, aligns with existing CAA aviation rules and allows qualified commercial operators to continue their work. Without these considerations, the policy may unintentionally result in drones being effectively unusable in Te Kūiti, which would negatively impact industries such as real estate marketing and local business promotion.	
3	Denis Moresby	• If Waitomo Council wish to learn about the restrictions used, then talk to Mystery Creek Organisation. • The numbers of drones being sold to farmers at the farm fieldays is rising each year. • I would suggest a few hundred meters of Brook Park be marked out with a limit of 30 meters fight hight. For test fights! Flights at set times 3 times per week only by council permit at a SMALL fee. If this saves the loss of a few hundred thousand dollars of drones happening here &now & illegal use its worth it! • I also suggest the council send a person to this year's Farm Fieldays at Mystery Creek near Hamilton Airport June 2026. Watch drone demo speak to the sellers. • Waitomo is a farming area. Drone spraying of farm weeds is rapidly replacing all other weed spraying. Farmers are now commonly using drones to check stock, fences, water leaks! • In Te kuiti this year I have seen an official looking person in a safety vest recently park & fly a LARGE drone up & down South St seemed to be checking power pole tops. (Instead of someone climbing each one with a ladder, minutes of work instead of a days). • Drones are an important part of the future of all of us & it is an equally important thing to have a small hight restricted area in or near towns. Council controlled, for the many CHILDREN flying drones & Adults TESTING new drone accessories! Just pointing out your drone use in Waitomo is likely UNDER reported growing fast, have given you a "users view" to help council in its forward planning.	Council recognises the importance of availability of a suitable place to fly drones. Council will consider all the feedback received through submissions and redraft the Policy to make it user friendly while ensuring safety and privacy.

Sub No.	Name and Organisation	Submission Points (summary)	Analysis
4	Russell Ryder	• A lot of drones are quite safe if used correctly. A lot of people are sensible with flying them. • The public who are not familiar with drones tend to believe they are being spied on when they see a drone which is not the case for the most part. • There are different drones and some of the bigger ones can be quite intimidating and not so good if something goes wrong. Maybe there could be different rules for different weight classes. Everyone should be following CAA rules anyway which negates a lot of risk. • I personally like to use parks for practise, learning and photography. • I have to train every two months to remain current in my night rating. The red tape that is involved with some regional Parks in Auckland make it too hard to even try. Simply because you may plan in advance and do everything right but on the day the weather might be rubbish meaning you have to schedule a new day and start the process over. Please keep it simple for those that enjoy them for what they are, for those that follow the rules that make up the majority and not for the odd person that ruins it for everyone else.	Council recognises the importance of availability of a suitable place to fly drones. Council will consider all the feedback received through submissions and redraft the Policy to make it user friendly while ensuring safety and privacy.
5	Grace Everett	• Drone is good for certain things, for police search – drugs, lost people, criminals, burn outs etc. Privacy is one people would rather have. • Drones good for police search – drugs, lost people, criminals, burn outs etc	Council will consider all the feedback received through submissions and redraft the Policy to make it user friendly while ensuring safety and privacy.
6	Shirley Howell	• I would like drones to be banned from public areas, apart from specific events.	Council will consider all the feedback received through submissions and redraft the Policy to make it user friendly while ensuring safety and privacy.
7	Jill Ikin	• I would like to see drones banned from parks and public places unless its an organised event.	Council will consider all the feedback received through submissions and redraft the Policy to make it user friendly while ensuring safety and privacy.
8	Gisela Ripoll UAVNZ - The Commercial Drone	Policy – Alignment with Civil Aviation Rules 1. INTRODUCTION – First Paragraph (4 km approval) "Civil Aviation Authority (CAA) Rules require Council approval to be obtained prior to	Thank you for the insights and valuable feedback. Council will consider all the feedback received through submissions and redraft the

Sub No.	Name and Organisation	Submission Points (summary)	Analysis
	Industry Association	operating drones within 4km of Te Kuiti Aerodrome." Issue: • This does not align with Civil Aviation Rules Part 101.207 • Approval is required from the aerodrome operator, rather than Council (We understand that in this situation, Council is the operator, though CAA requires approval from the aerodrome operator) Recommendation: Replace with: Operators must comply with Civil Aviation Rules, including requirements for operations near aerodromes. 2. PURPOSE AND SCOPE – Clause 2 ("additional CAA rules") "Due to the aerodrome and heliport in the District, additional CAA rules for flying in and around Te Kuiti…" Issue: • Civil Aviation Rules are set at a national level and cannot be created or modified by Council • There are no location-specific CAA rules established by Council Recommendation: Delete this sentence and replace with: "Operations near aerodromes and heliports must comply with Civil Aviation Rules and any requirements of the aerodrome operator." 3. PURPOSE AND SCOPE – Same Clause (public and private land "…apply to public and private land." Issue: • Council policy does not extend to regulating private land or airspace Recommendation: Replace with: "This policy applies to drone operations on land and facilities managed or controlled by Waitomo District Council." 4. PURPOSE AND SCOPE – Applicability statement "This Policy applies to all aircraft that are subject to CAA Rule Part 101…" Issue: • Does not recognise operators certified under Part 102 Recommendation:Replace with: "This policy applies to remotely piloted aircraft operating under Civil Aviation Rules Part 101 or Part 102." 5. DEFINITIONS – "Shielded Operation" "A shielded operation is a flight where your aircraft remains within 100 metres…"	Policy to make it user friendly while ensuring safety and privacy.

Sub No.	Name and Organisation	Submission Points (summary)	Analysis
		Issues: • Not fully aligned with AC101-1 • Includes interpretation (e.g. night flying context) • Introduces local interpretation of aviation guidance Recommendation: Replace entire definition with: "Shielded operations are as defined in Civil Aviation Authority Advisory Circular AC101-1." 6. DEFINITIONS – General issue Definitions block overall Issue: • Several aviation terms are redefined within the policy • This creates a risk of inconsistency with established CAA terminology Recommendation: Add an overarching statement: "Aviation-related terms are as defined in Civil Aviation Rules Part 1 and Advisory Circular AC101-1." The definitions section also states: "This Policy does not apply to Unmanned Aircraft, however Unmanned Aircraft are subject to the relevant CAA Rules Part 101. The Policy does not apply to Drones that are land or water based i.e. not aerial." Issues: The current wording appears internally inconsistent. Under Civil Aviation definitions, drones are a subset of unmanned aircraft. As written, the statement may unintentionally contradict the intended scope of the policy. Recommendations: "This policy applies to remotely piloted aircraft systems (RPAS), commonly referred to as drones, as defined under Civil Aviation Rules. This policy does not apply to non-aerial unmanned systems, such as ground-based or waterbased vehicles." 7. POLICY 1.1(a) – Reference to Part 101 only (a) The operator must comply with Part 101 Rule… Issue: • Does not include Part 102 certified operators Recommendation: Replace with: "The operator must comply with Civil Aviation Rules Part 101 or operate under a Part 102 certificate."	

Sub No.	Name and Organisation	Submission Points (summary)	Analysis
		8. POLICY 1.1(c) – Council can stop operations (c) The operator must immediately cease use of the drone if requested by Council employees or contractors. Issue: • May be interpreted as extending into aviation regulatory authority • Would benefit from clarification as a land-use control Recommendation: Refine wording: "Council may require drone operations to cease where they are being conducted on Council controlled land and are causing safety, access, or operational concerns." 9. POLICY 2.1 – Over-specification of rules Full 2.1 list Issue: • Reproduces Civil Aviation Rules within the policy • This may create risk of errors or future misalignment Recommendation: Simplify to: "Operators must comply with Civil Aviation Rules when operating near aerodromes and heliports, including obtaining any required approvals." 10. POLICY 2.2 – Shielded operation explanation "This means that a drone is flown within 100m…" Issue: • Reinterprets AC101-1 guidance • May become outdated over time Recommendation: Replace with: "Shielded operations are permitted in accordance with Civil Aviation Authority rules and guidance." 11. POLICY 3 – Roads (permission requirement) "permission must be sought…" Issue: • This is appropriate as a land-use control • However, the distinction from airspace regulation could be clearer Recommendation: Add clarification:	

Sub No.	Name and Organisation	Submission Points (summary)	Analysis
		"This requirement relates to the use of Council-controlled road corridors and does not replace Civil Aviation Rules." 12. POLICY 4.1(n) – Blanket ban on parks "Parks, playgrounds and recreation areas…" Issue: • This may result in a near-total restriction on recreational drone use • Not aligned with a risk-based approach • May be challenging to enforce consistently Recommendation: Replace with a controlled-use approach: "Drone use in parks and recreational areas may be permitted subject to conditions or approval…" 13. POLICY – Missing Part 102 recognition (global issue) Entire document Issue: • No recognition of certified operators or advanced operational approvals Recommendation: Add clause: "Operators holding a Part 102 certificate may operate in accordance with their approved exposition, subject to any Council land access requirements." 14. Missing Jurisdiction Statement (CRITICAL GAP) Introduction / Scope Issue: • The boundary between CAA authority and Council authority is not clearly stated Recommendation: Add: "This policy does not regulate airspace or aviation safety, which is governed by the Civil Aviation Authority." 15. Maps (Schedule 1) Issue: • Static maps may become outdated • Potential to create reliance on superseded information Recommendation: Replace or supplement with: "Operators should consult Airshare / Flight Advisor and VNC for current airspace	

Sub No.	Name and Organisation	Submission Points (summary)	Analysis
		information." Future-Proofing the Policy (CAA Definitions and Rule Changes) The policy indicates the next review is scheduled for 2029. Given the pace at which the Civil Aviation Authority updates rules, advisory circulars, and guidance material, it is likely that elements of Part 101, Part 102, or AC101-1 may change within this period. The current approach of restating or redefining CAA terminology (for example, "shielded operations") and operational requirements introduces a risk that the policy may become outdated or inconsistent prior to the next review. This may create uncertainty for operators and increase legal and operational risk. Best practice is for local authority policies to reference Civil Aviation Rules and associated guidance rather than restating them. This approach helps to ensure that: • The policy remains aligned with national regulations over time • Updates to CAA rules are automatically reflected • The risk of misinterpretation or inconsistency is reduced Recommendation: Replace duplicated or reworded definitions and rule interpretations with direct references, for example: • "As defined in Civil Aviation Rules and Advisory Circular AC101-1" • "Operators must comply with Civil Aviation Rules Part 101 or Part 102" This approach will support a more robust, clear, and future-resilient policy framework through to the next review cycle.	

Table 4 - Submission Points Analysis – Draft Dangerous, Affected and Insanitary Buildings Policy

Sub No.	Name and Organisation	Submission Points (summary)	Analysis
1	Health New Zealand	To strengthen the policy and promote effective public health outcomes, NPHS suggests that Council consider incorporating the following recommendations into the policy wording: • Include specific reference to relevant sections of the Health Act 1956 relating to Council's role and responsibilities under this Act. • Recognise the challenges of supporting people living in insanitary conditions, including those experiencing homelessness.	Council staff acknowledge the recommendations provided by Health New Zealand. However, the Dangerous, Affected and Insanitary Buildings Policy is required under the Building Act 2004 and is intended to outline how Council will exercise its functions under that Act. The policy is not intended to operate as a broader public health or housing policy. While Council may work

Sub No.	Name and Organisation	Submission Points (summary)	Analysis

		• Consider approaching social housing service agencies if the displacement of residents of a dwelling is likely to occur.
		• Work alongside Iwi/Hapū to recognise and appropriately manage buildings of cultural and spiritual significance, in line with Te Tiriti obligations.
		• Include reference to the complexities when supporting people who may be living in insanitary conditions including details of how Council intends to liaise with agencies
		from a health perspective. A multi-agency response is considered best practice in these circumstances and could include:
		  • Health providers (primary care, health of older people/mental health care providers, Māori health providers)
		  • Fire and Emergency NZ
		  • Community and cultural support organisations
		  • Medical Officer of Health/Heath Protection Officers
		  • Te Tiriti partners
			with other agencies and may use other legislation such as the Health Act 1956 where appropriate, many of the recommendations relate to operational matters or wider social policy considerations that fall outside the statutory purpose and scope of this policy.
			
			Also, Council will consider heritage and cultural values when determining appropriate actions for dangerous or insanitary buildings where those buildings are identified as having heritage or cultural significance.

Draft under review

Waitomo District Council

~~Use of Remotely Piloted Aircraft Systems (~~Drones~~)~~ Policy 2026

Waitomo District Council

First Adopted:	October 2016
Review History:	May 2023 May 2026
Date of Next Review:	~~May 2026~~May 2029
Responsibility:	General Manager – Strategy and Environment
Adopted by:	Council

Contents

INTRODUCTION | KUPU ARATAKI 7

PURPOSE AND SCOPE | TE ARONGA ME TE KORAHI 7

DEFINITIONS | NGĀ WHAKAMĀRAMATANGA 7

POLICY | KAUPAPA HERE 8
1. PERMISSION TO OPERATE A DRONE 8
2. AERODROMES AND HELIPORTS 8
3. ROADS 9
4. PROHIBITED AREAS 9
5. POLICE AND EMERGENCY SITUATIONS 10

SCHEDULE 1 | WAHANGA 1 11

MAP INDICATING 4KM NO-FLY RADIUS AROUND THE TE KUITI AERODROME AND THE TE KŪITI HOSPITAL 11
SUBMISSION FORM 12

Waitomo District Council

INTRODUCTION | KUPU ARATAKI

Civil Aviation Authority (CAA) Rules require Council approval to be obtained prior to operating ~~Remotely Piloted Aircraft Systems (RPAS) or~~ drones ~~over Council land~~within 4km of Te Kuiti Aerodrome.

The ~~Use of Remotely Piloted Aircraft Systems (~~Drones~~)~~ Policy (the Policy) also provides guidance to ~~RPAS users or~~ drone operators outlining when activities are permitted, or not, on land under the control or management of the Waitomo District Council.

The use of drones must comply with the Civil Aviation Rules regulating RPAS.
~~is policy relates to Remotely Piloted Aircraft Systems (RPAS) as defined in Part 101 Rules of the Civil Aviation Authority of New Zealand and which weigh less than 25kg.~~

PURPOSE AND SCOPE | TE ARONGA ME TE KORAHI

1. The purpose of this Policy is to provide guidance on the use of ~~RPAS~~ drones on or over Waitomo District Council (Council) property, facilities, and roads.

~~2.~~ Due to the aerodrome and heliport in the District, additional CAA rules for flying in and around Te Kuiti, these rules are stated in the Policy and apply to public and private land.

~~3.~~2.

This Policy applies to all aircraft that are subject to CAA Rule Part 101, both recreational and commercial operators. RPAS over 25kg have to be certified by the CAA.

DEFINITIONS | NGĀ WHAKAMĀRAMATANGA

Remotely Piloted Aircraft Systems (RPAS)	~~An~~ means an unmanned aircraft that is piloted from a remote station and: (1) includes a radio controlled model aircraft; but, ~~(1)~~(2) ~~but~~ does not include a control line model aircraft or a free flight model aircraft.
Unmanned Aircraft (not a drone)	An aircraft designed to operate with no pilot on board and includes unmanned balloons, kites, control-line model aircraft, free flight model aircraft ~~and remotely piloted aircraft.~~
Drone~~s~~	Also known as Unmanned Aircraft Systems (UAS) or unmanned aerial vehicles (UAVs) and including Remotely Piloted Aircraft Systems (RPAS) — They can be remotely piloted or fly autonomously.
Emergency Situation	An emergency situation is defined as a serious, unexpected, and often dangerous situation requiring immediate action to avoid injury, loss of life or damage to property.
Shielded Operation	A shielded operation is a flight where your aircraft remains within 100 metres of, and below the top of, a natural or man-made object. For example, a building, tower, or trees. When flying as a shielded operation you are allowed to fly at night, or within controlled airspace without Air Traffic Control clearance, as other aircraft are unlikely to be flying so low and close to structures.

This Policy does not apply to Unmanned Aircraft, however Unmanned Aircraft are subject to the relevant CAA Rules Part 101. The Policy does not apply to Drones that are land or water based i.e. not aerial.

POLICY | KAUPAPA HERE

1. Permission to operate a drone

~~Permitted Areas~~

1.1. Council does not allow~~s~~ the use of ~~RPAS~~drones ~~o~~in areas ~~except those~~listed in sections 2, 3 and 4~~on or above Council parks and reserves,~~ ,unless prior permission has been obtained, subject to the following conditions:

(a) The operator must comply with Part 101 Rule or any other relevant CAA rules and regulations which apply to RPAS.

(b) Booked events on Council reserves and property take priority. The permission of the occupier, site manager and/or event organiser will be required.

(c) The operator must immediately cease use of the ~~RPAS~~drone if requested by Council employees or contractors.

(d) The ~~RPAS~~drone operator is responsible for any damage or claims caused by the use of the drone in relation to Council or other property.

(e) The use of a ~~RPAS~~drone for the application of any product or chemical is prohibited, except for approved contractors.

(f) The operator is responsible for ensuring compliance with the Privacy Act 1993 and the Office of the Privacy Commissioner guidance on preserving people's personal privacy.

1.2. Any breach of the above conditions could result in termination of the operator's permission to use public land for the purpose of operating a RPAS and/or a report of any non-compliance with Part 101 Rule to the CAA.

2. Aerodromes and Heliports

~~2.1. Operators of RPAS must not fly them within a four-kilometre radius of an aerodrome boundary (even if that radius includes uncontrolled airspace). See Schedule 1 for map.~~

2.1. **The Waitomo District is home to an aerodrome and heliport, the Te Kūiti Aerodrome and Te Kūiti Hospital helicopter landing pad. Within 4km of all aerodromes and heliports (see Schedule 1 for map), drone operators must:**

a) obtain permission from the aerodrome/heliport operator. If within an area of overlapping aerodromes/heliport, the operator must seek permission from both.

b) possess an appropriate pilot qualification or be under the direct supervision of someone who does.

c) never fly over a runway strip or aircraft maneuvering area.

2.2. The CAA rules allow flying within 4km of aerodromes/heliports if flying as a shielded operation. This means that a drone is flown within 100m of a natural or man-made object (e.g., trees or buildings) and below the top of it, to keep out of any flight paths.

~~1.2.Part 61 Pilot Licences are exempted from this, as are operators who have received a "Wings" badge from MFNZ, or are accompanied by someone who has. Operators under these~~

~~categories still need prior authorisation from the aerodrome operator to fly within the four kilometre zone however they must not fly their model over any active runway strip, or any area where aircraft taxi. Control line aircraft must also remain clear of such areas.~~

3. Roads

3.1. ~~This policy does not apply to Council roads or road reserve.~~ If an operator wants to fly a ~~RPAS~~ drone over a Council road or road reserve, ~~a Corridor Access request (CAR) must be applied for and approved.~~permission must be sought from the Roading Manager via the Drone Flight Form.

4. Prohibited Areas

4.1. Council does not allow the use of RPAS on or above the following Council properties:

a) WDC Queen Street Office
b) Waitomo District Library
c) ~~Te Kuiti i Site Visitor Information~~WDC Customer Service Centre
d) Te K~~u~~ū~~i~~iti Railway Building Complex and Plaza area
e) Waitomo District Water and Wastewater Treatment Plants
f) Waitomo District Landfill and ~~Rural~~ all Transfer Stations
g) Waitomo District Council Cemeteries
h) Les Munro Centre and adjoining Centopath Memorial Garden
i) Piopio Memorial Hall
j) Redwood ~~Park Housing Complex~~Flats Elder Persons Housing
k) Menz Shed, Te Kūiti
~~l) Te Kuiti Campground~~
l) Waitomo District Aquatic Centre
m) Waitomo District Pound
n) Parks, playgrounds and recreation areas owned or administered by Waitomo District Council

4.2. This does not apply to the use of ~~RPAS~~ drone by Council or its ~~staff~~employees, contractors or authorised persons~~ for the purpose of promotional filming and property or emergency management in those areas~~.

~~2. Permitted Areas~~ (*note – has moved to section 1*)

~~2.1. Council allows the use of RPAS on or above parks and reserves, subject to the following conditions:~~

~~(a) The operator must comply with Part 101 Rule or such other CAA rules and regulations which apply to RPAS, in particular the requirement to obtain permission of people before flying the RPA over them.~~

~~(b) Booked events on Council reserves and property take priority. The permission of the occupier, site manager and/or event organizer will be required.~~

~~(c) The operator must immediately cease use of the RPAS if requested by a member of Council staff or its contractor.~~

~~(d) The RPAS operator is responsible for any damage or claims caused by the use of the drone in relation to Council or other property.~~

~~(e) The use of a RPAS for the application of any product or chemical is prohibited.~~

~~(f) The operator is responsible for ensuring compliance with the Office of the Privacy Commissioner guidance on preserving people's personal privacy and the Privacy Act 1993.~~

~~2.2. Any breach of the above conditions could result in termination of the operator's permission to use public land for the purpose of operating a RPAS and/or a report of any non-compliance with Part 101 Rule to the CAA.~~

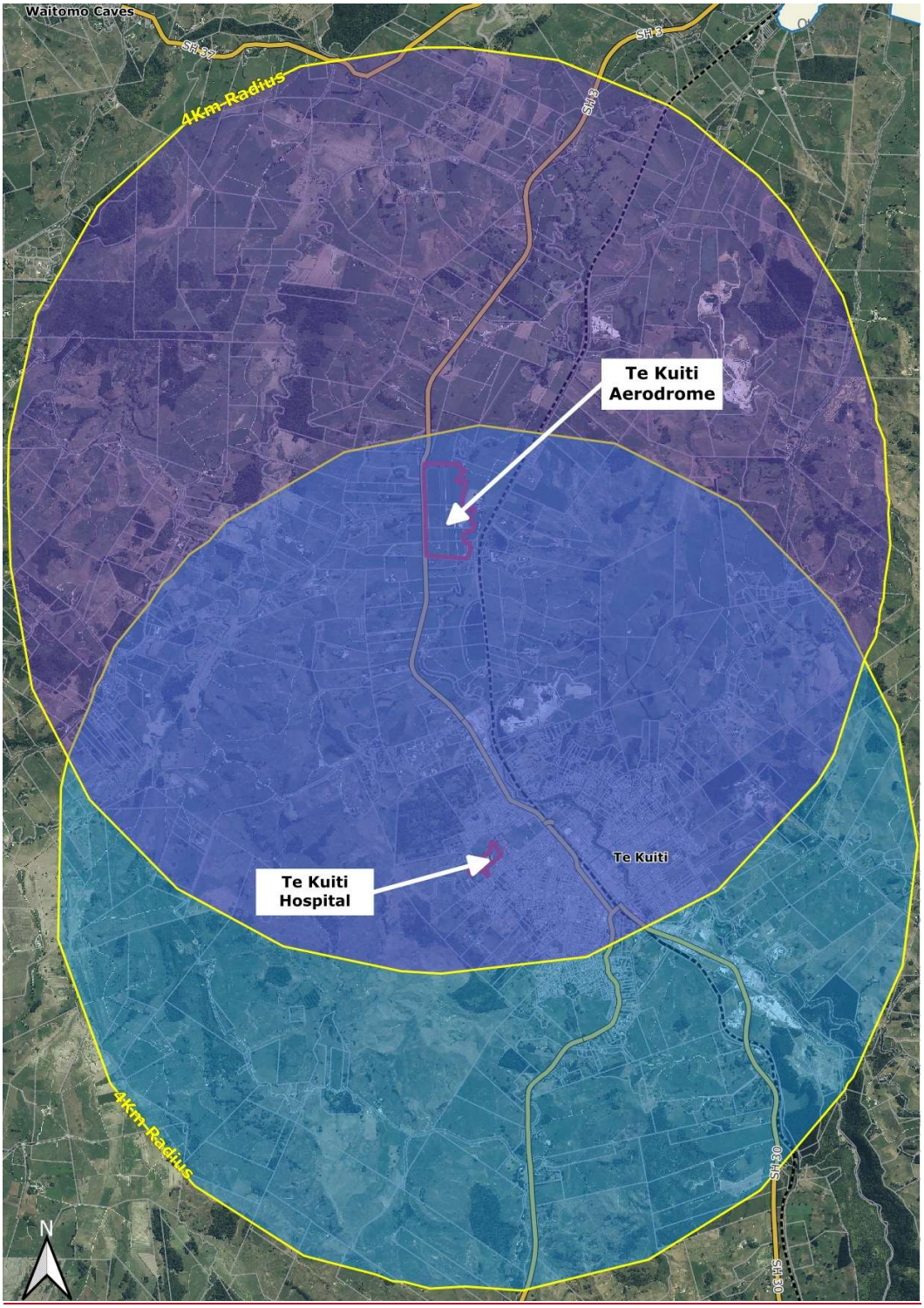
5. Police and Emergency Situations

5.1. There is no requirement for the New Zealand Police, Civil Defence, or Emergency Management officials to apply to the Council for permission to fly above Council property, including roads, during an emergency situation.

5.2. Other than ~~RPAS~~ drones used by the Civil Defence and Emergency Management officials, no approval is given to fly a ~~RPAS~~ drone over any Council property within 1 kilometre of an emergency situation which is being actively attended by emergency officials.

SCHEDULE 1 | WAHANGA 1

Map indicating 4km no-fly radius around the Te Kuiti Aerodrome and the Te Kūiti Hospital



Submission Form

Draft Drone Policy 2026

Submissions close 5pm 31 March 2026

Sub No. ☐

For office use only

You can share your views by:

- Completing this submission form and returning it to us by:
  - Visiting our Customer Service & Visitor Hub on Rora Street, Te Kuiti
  - emailing it to: haveyoursay@waitomo.govt.nz (scan and pdf or take a photo)
  - Posting to: FREEPOST 112498, Waitomo District Council, PO Box 404, Te Kuiti 3941
- Visiting our website: waitomo.govt.nz/consultation and fill an online submission form

Full Name:	
Organisation: *(if responding on behalf of)*	
Phone: (home/mobile)	
Address:	
Postcode:	
Email:	

The Local Government Act 2002 requires submissions to be made available to the public. Your name and/or organisation will be published with your submission and made available in a report to elected members and to the public. Other personal information supplied (such as address / email address) will be removed from the public copy.

I wish to speak to Council about my submission. **Yes** ☐ **No** ☐

(Hearings are scheduled for 14 April 2026. We will contact you to arrange a time.)

YOUR FEEDBACK

Please give us your feedback on the Draft Drone Policy 2026

DRAFT under review

Waitomo District Council

Dangerous, Affected and Insanitary Buildings Policy

First Adopted:	25 July 2006
Review History:	2011, 2016, 2021, July 2026
Date of Next Review:	~~25 July 2026~~July 2031
Responsibility:	GM Strategy and Environment
Adopted by:	Council (26 October 2021)

CONTENTS

INTRODUCTION | KUPU ARATAKI 7

PURPOSE AND SCOPE | TE ARONGA ME TE KORAHI 7

DEFINITIONS | NGĀ WHAKAMĀRAMATANGA 7

POLICY | KAUPAPA HERE 9

1. COUNCIL'S ROLE 9
2. COUNCILS APPROACH TO DANGEROUS, AFFECTED OR INSANITARY BUILDINGS 10
3. HERITAGE BUILDINGS 10
4.ASSESSMENT PROCEDURE 11
5.IMMEDIATE DANGER 12
6.ACTIONS FOR DANGEROUS, AFFECTED OR INSANITARY BUILDINGS 12
8.COUNCIL'S PRIORITIES 14
9.COST TO OWNERS 14
11.REVIEW 15

SUBMISSION FORM 16

Introduction | Kupu Arataki

The Building Act 2004 (the Act) requires councils to adopt a policy that addresses the identification, assessment, and management of any dangerous and insanitary buildings within its District. The policy must also consider buildings that may be affected by a nearby dangerous or insanitary building, as well as detailing how the policy provisions will be applied to historical buildings.

The Dangerous, Affected and Insanitary Buildings Policy (the Policy) is adopted under section 131 of the Act. Sections 121-130 of the Act provide the specific powers and duties of council relating to dangerous, insanitary, and affected buildings.

~~The provisions of the Building Act 2004 (the Act) reflect the governments concern with the safety of the public in buildings and in terms of dangerous and insanitary buildings, the need to reduce the danger to the public posed by such buildings. The Act also requires the Policy to state the Council's policy approach regarding affected buildings, which are buildings adjacent to, adjoining or nearby to a dangerous building or dam.~~

~~The Act leaves it up to each territorial authority to determine the approach to be taken to the management of dangerous and insanitary buildings. The approach can either be active or passive.~~

Purpose and scope | Te aronga me te korahi

1. The purpose of this Ppolicy is to:

   a) Reduce the potential risk posed to residents in the District by dangerous, affected and insanitary buildings; and

   b) Provide a clear framework for how Council will manage dangerous, affected, insanitary and heritage buildings.

2. The Ppolicy sets out:

   a) The approach Waitomo District Council takes in performing its functions under the Building Act 2004;

   b) Waitomo District Council priorities in performing those functions; and

   c) How the Ppolicy applies to dangerous, affected, insanitary and heritage buildings.

3. This Ppolicy applies to all buildings within the Waitomo District Council territorial authority district.

Definitions | Ngā whakamāramatanga

Affected Building	Defined in section 121A of the Act as a building ~~is an affected building for the purpose of this Act if it~~that is adjacent to, adjoining, or nearby: (a) A dangerous building as defined in section 121 of the Act; or (b) A dangerous dam within the meaning of section 153 of the Act.

Authorised officer	has the same meaning as section 222 of the Act~~, as follows:~~and means an officer of a territorial authority to whom either or both of the following applies: (a) he or she is authorised to carry out inspections; or (b) he or she is authorised to enter the land ~~—~~by this Act; or by an order of the District Court made under section 227 of the Act.
~~Building~~ Oowner	~~Defined in section 7 of the Act;~~Owner in relation to any land or buildings on the land, (a) means the person who – (i) is entitled to the rack rent from the land; or (ii) would be so entitled if the land were let to a tenant at a rack rent; and (b) includes – (i) the owner of the fee simple of the land; and (ii) for the purposes of sections 32,44,92, 97 and 176 (c) of the Act any person who has agreed in writing, whether conditionally or unconditionally, to purchase the land or any leasehold estate or interest in the land, or to take a lease of the land, and who is bound by the agreement because the agreement is still in force.
Council	Means the Waitomo District Council
Dangerous Building	Defined in section ~~ection~~ 121 of the Act as ~~A~~a building that is dangerous ~~for the purposes of this Act~~ if; (a) in the ordinary course of events (excluding the occurrence of an earthquake), the building is likely to cause – (i) injury or death (whether by collapse or otherwise) to any persons in it or to persons on other property; or (ii) damage to other property; or (b) in the event of fire, injury or death to any persons in the building or to persons on other property is likely. ~~For the purpose of determining whether a building is dangerous in terms of subsection (1)(b), a territorial authority:~~ ~~2 May seek advice from employees, volunteers, and contractors of Fire and Emergency New Zealand who have been notified to the territorial authority by the board of Fire and Emergency New Zealand as being competent to give advice; and~~ ~~If the advice is sought, must have due regard to the advice~~
Heritage Building	Defined in section ~~ection~~ 7 of the Act and ~~;M~~means a building that is included on:

(a) the New Zealand Heritage List / Rarangi Korero maintained under section 65 of the Heritage New Zealand Pouhere Taonga Act 2014; or
(b) the National Historic Landmarks / Ngaa Manawhenua o Aotearoa me onaa korero Tuturu list maintained under section 81 of the Heritage New Zealand Pouhere Taonga Act 2014.
(c) a place, or part of a place, that is subject to a heritage covenant under section 39 of the Heritage New Zealand Pouhere Taonga Act 2014 and is registered under section 41 of that Act; or
(d) a place, or part of a place, that is subject to a heritage order within the meaning of section 187 of the Resource Management Act 1991; or
(e) a place, or part of a place, that is included in a schedule of a district plan because of its heritage value:
(f) elsewhere in ~~this~~ the Act, a building referred to in paragraph (~~a)(i) or (ii)~~(a) or (b) above.

Immediate danger

Defined in section 129 of the Act:

(1) This section applied if, because of the state of the building;

(a) Immediate danger to the safety of people is likely in terms of section 121 or 123; or

(b) Immediate action is necessary to fix insanitary conditions.

Insanitary Building

Defined in section 123 of the Act:

A building is insanitary for the purposes of the ~~is A~~act if the building:

(a) is offensive or likely to be injurious to health because of how it is situated or constructed; or it is in a state of disrepair; or
(b) has insufficient or defective provisions against moisture penetration so as to cause dampness in the building or in any adjoining building; or
(c) does not have a supply of potable water that is adequate for its intended use; or
(d) does not have sanitary facilities that are adequate for its intended use.

Property file and register

A record of legal information the Council is required to maintain in terms of section 216 of the Act.

Territorial Authority

Within the context of this P~~p~~olicy means Waitomo District Council.

The Act

The Building Act 2004

Policy | Kaupapa here

1. Council's Role

1.1. Buildings may become dangerous or insanitary due to a number of reasons, such as unauthorised alterations being made, from a fire, from a natural disaster, or as a result of its use or neglect by an owner or occupant.

1.2. Council has a statutory responsibility to act promptly to ensure the safety of persons or property when buildings that may be dangerous or insanitary come to the Council's attention. Council is also required to consider whether any other buildings may be affected by a dangerous building and if so, what action, if any, is appropriate.

1.3. If a building is found to be dangerous, affected or insanitary, the Council will work with the building owner(s), and if necessary, use powers it has available, to ensure appropriate action is taken to make the building, its occupants and the public safe.

~~1.1.~~1.4. Where a state of emergency has been declared (or following a state of emergency, when a transition period has been declared) the Council may choose to exercise powers under the Civil Defence Emergency Management Act 2002 instead of or in addition to powers under the Building Act 2004.

2. Councils approach to dangerous, affected or insanitary buildings

2.1. Council will not ~~actively~~ proactively inspect all buildings within the District, but will make it a priority to quickly and efficiently respond to information received regarding potentially dangerous, affected or insanitary buildings.

2.2. ~~-~~To identify whether a building is dangerous, affected or insanitary, Council will use any of the following information:

a) the observations of employees or contractors,

b) information or complaints received from the public or members of professional bodies such as Engineering New Zealand,

c) notification from Ministry of Business, Innovation and Employment (MBIE) or from Fire and Emergency New Zealand (FENZ),

d) An application for a building consent under sections 112 to 116A of the Act.

2.3. Likely sources of information will be building occupants, neighbours, or following an inspection by Council officers, the Police, FENZ, or other agencies authorised to inspect buildings.

3. Heritage Buildings

3.1. This ~~p~~Policy applies to Heritage buildings in the same way it applies to all other buildings.

~~3.1.~~ ~~3.2.~~Where Council receives information regarding buildings which have a heritage classification under Heritage New Zealand Pouhere Taonga, in addition to consulting with affected owners, Council will consider seeking advice from Heritage New Zealand

Pouhere Taonga. Council recognises heritage buildings as important infrastructure that add character and history to the ~~d~~District.

3.2.

~~3.2.~~3.3. A number of heritage buildings are listed with the New Zealand Historic Places Trust and/or are listed in the Heritage section of the District Plan.

When considering heritage buildings under this Policy, consideration will be given to:

a) The importance of recognising any special traditional and cultural aspects of the building and the intended use of a building, and

b) The need to facilitate the preservation of buildings of significant cultural, historical or heritage value.

4. Assessment Procedure

4.1. When Council receives information about a potential ~~information from any person that indicates that a building is potentially~~ dangerous, affected, or insanitary building it will actively undertake an inspection and assessment of the buildings condition in terms of the Act, and will consider the following: ~~I:~~ ~~assess the building in order to determine whether or not it is a dangerous, affected or an insanitary building. This will involve (but not be limited to):~~

a) ~~Checking t~~The details of the property against Council records;

b) Have a~~A~~n authorised officer undertake~~ing~~ a full and extensive inspection of the building in question;

c) Where necessary, seek~~ing~~ advice from the FENZ ~~NZ Fire Service~~or any other professional or organisation deemed appropriate by Council;

~~c)~~d) Prioritise the issue in light of the perceived risks around the building; and

e) Prepare~~ing~~ an inspection record.

4.2. All inspections of potentially dangerous, affected or insanitary buildings will involve assessment of the condition of the building in terms of the definitions in sections 121, 121A and 123 of the Act. Inspection records will be prepared to document any inspection.

4.3. Authorised officers are not required to inform or obtain approval for inspections to determine whether or not a building is dangerous or insanitary, unless the building is a household unit. In these circumstances Council must either obtain consent of the occupier of the household or an order from a District Court, unless a state of emergency applies.

4.4. Council may engage a subject matter expert to assist with determining whether a building is dangerous, affected or insanitary, and/or the course of action to rectify the

issue if it is.

4.5. Criteria for determining priority of issue

4.6. A building is less likely to be classified as dangerous, affected or insanitary if it is unoccupied; however, the risk to the public and other properties must still be considered. Council will carefully consider these issues and determine whether they warrant immediate action to prevent injury or death. Each case will be considered on its own merits.

5. ~~Building Act 2004 Requirements~~Immediate Danger

5.1. Where a building is determined to be ~~a~~ dangerous, affected or ~~an~~ insanitary ~~building~~, Council will work with the building owners to find a mutually acceptable plan of action before exercising its powers under the Act. Council will, however, exercise its statutory powers under section 129 the Act where action is required to avoid immediate danger or fix insanitary conditions or in circumstances where an acceptable solution cannot be negotiated with the building owner.

6. Actions for dangerous, affected or insanitary buildings

6.1. Taking action to resolve any dangerous and/or insanitary building is the responsibility of the building owner(s). However, there may be circumstances that require Council to take action or carry out work (e.g. immediate danger as above). If Council does have to take action or carry out work in accordance with sections 126 or 129 of the Act:

(a) The owner of the building is liable for the costs of the work or action taken; and

(b) Council may recover those costs from the owner; and

(c) ~~(c)~~ The amount recoverable by the Council becomes a charge on the land on which the building is situated, or the work was carried out.

6.2. The priority for action for a dangerous, affected or insanitary building will be decided after the initial assessment of the building.

6.3. Council may do any or all of the following if a building is deemed dangerous, affected or insanitary:

a) Consult with the owners of the relevant building to further determine the circumstances and decide on an appropriate course of action. This may include voluntary rectification by the owner.

b) Except for an affected building, attach a notice to the building (sections 124 & 125 of the Act) requiring the owner to undertake building work to reduce or remove the danger, or prevent the building from remaining insanitary. This may include

demolishing all or part of the building.

c) Put up a hording or fence to prevent people from approaching the building nearer than is safe.

d) Issue a notice (section 124(2)(d) of the Act) restricting entry to the building for particular purposes or restricting entry to particular people or groups of people. The notice may be issued for a maximum of 30 days and only re-issued once for a further period of 30 days (section 125(1A) of the Act). A copy of a notice must be issued to all people listed under section 125(2) of the Act.

e) Take any action that is necessary to remove any immediate danger to the safety of people, or immediate action that is necessary to fix insanitary conditions (sections 129 and 130 of the Act). The owner is liable for the Council's costs in doing so, and the amount recoverable becomes a charge on the land.

6.4. Where a notice requiring building work to be undertaken has been attached to a dangerous or insanitary building, Council:

a) Will contact the owner at the end of the time period set down in the notice to gain access to the building and check whether the notice has been complied with.

b) If the required work has not been carried out in accordance with the notice, may carry out the required work itself following application to the District Court (section 126 of the Act). The owner is liable for the costs, and the amount recoverable becomes a charge on the land.

6.5. May pursue further enforcement action under the Act if the requirements of the notice are not met within a reasonable period of time, or for any other noncompliance matters (e.g. if the danger or insanitary conditions are as a result of unconsented building works).

6.6. May consider any other enforcement options available to it, including the Health Act 1956 and Resource Management Act 1991.

6.7. Working with building owners

6.8. Where there is an agreement between the Council and the building owner to rectify any deficiency, the Council may choose not to issue a formal notice but will retain details of the building in the property file.

6.9. Where an acceptable agreement between the building owner and the Council cannot be obtained or where more urgent action is required, the Council may exercise its powers and issue a notice under section 124 of the Act. The section 124 notice will outline the danger to be removed and a timeframe to achieve the necessary result.

~~**(c) Approach Applied**~~

~~a. In forming its view as to the work or action that is required to be carried out on the building to prevent it from remaining a dangerous, affected or insanitary building, or where Council needs to prioritise work on buildings, the following issues will be taken into account:~~

~~10.1.1 The size of the building;~~

~~10.1.2 The complexity of the building;~~

~~10.1.3 The location of the building in relation to other buildings, public places and natural hazards;~~

~~10.1.4 The life of the building;~~

~~10.1.5 How often people visit the building;~~

~~10.1.6 How many people spend time in the building;~~

~~10.1.7 How many people spend time in the vicinity of the building;~~

~~10.1.8 The current or likely future use of the building;~~

~~10.1.9 The reasonable practicality of any work concerned; and~~

~~10.1.10 Any other matters Council considers may be relevant, taking into account the particular set of circumstances.~~

8. Council's Priorities

8.1. Council will prioritise action based on:

a) Risk to life and public safety – Buildings posing immediate danger to occupants or the public will be addressed urgently.

b) Vulnerability of occupants – Priority will be given to buildings occupied by children, elderly, or other vulnerable groups.

c) Public access and use – Buildings with high public use (e.g. schools, community centres) will be assessed and managed promptly.

d) Heritage considerations – Heritage buildings will be assessed with input from Heritage New Zealand, balancing safety with preservation.

e) Environmental and health impacts – Insanitary buildings that pose health risks or environmental hazards will be addressed swiftly.

f) Resource availability – Council will allocate resources to ensure timely and effective responses, with flexibility to escalate urgent cases.

9. Cost To Owners

9.1. The owner of a building which is determined to be a dangerous, affected or an insanitary building, will bear all costs incurred in meeting the requirements of the Act. These costs include assessment and enforcement costs incurred by Council.

9.2. The Council may issue a notice under section 124(2)(c) of the Act requiring work to be carried out on a dangerous or insanitary building to reduce or remove the danger, or to prevent the building from remaining insanitary. If work required under such a notice issued is not completed or proceeding with reasonable speed, the Council may use its powers under Section 126 of the Act and apply to the District Court to gain authorisation to carry out the building work required in the notice.

9.3. If the Council carries out building work, under section 126 of the Act or under a warrant issued under section 129, it is entitled to recover costs associated with that work from the building owner.

10. Council Records

10.1. ~~Council will retain all information relating to dangerous, affected and insanitary buildings on the relevant property file. This includes a copy of the inspection record and any action taken.~~ Council will keep a record of all dangerous, affected and insanitary buildings noting the status of requirement for improvement or the results of improvements as applicable. All information relating to dangerous, affected or insanitary buildings will be filed on the relevant property file.

10.2. The Local Government Official Information and Meetings Act 1987 (section 44A) requires the Council to include information concerning any consent, certificate, notice, order, or requisition affecting the land or any building on the land previously issued by the territorial authority on the Land Information Memorandum (LIM) for a property.

10.3. In particular, the Council will include information relating to notices that have been issued by Council regarding dangerous and insanitary conditions, or affected building status that are not resolved.

10.4. The Council is required (under section 216 of the Act) to hold a summary of any written complaint concerning alleged breaches of the Act, and the Council's response. This information will be provided upon request, subject to the requirements of section 217 of the Act.

11. Review

11.1. This Policy will be reviewed no less than once every five years. Any amendments will be done in accordance with the special consultative procedure as set out in section 83 of the Local Government Act 2002.

Submission Form

Draft Dangerous, Affected and Insanitary Buildings Policy 2026

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Sub No. ☐

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Organisation: *(if responding on behalf of)*	
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