



Policy on

Earthquake Prone

Buildings

(Reviewed 2011)

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1.0 Policy Summary

- 1.1 This policy sets out Waitomo District Council's (WDC) response to the policy requirements in terms of the Building Act 2004 in relation to earthquake prone buildings.
- 1.2 In particular the policy states:
- The approach WDC takes in performing its functions under the Building Act 2004.
 - WDC priorities in performing those functions.
 - How the policy applies to heritage buildings.
- 1.3 In developing and adopting this policy Council has used the special consultative procedure set out in Section 83 of the Local Government Act 2002.

2.0 Policy Background

- 2.1 The provisions of the Building Act 2004 (the Act) in regard to earthquake prone buildings reflect the government's concern with the safety of the public in buildings and more particularly the need to address safety in the event of an earthquake.
- 2.2 The Act required every territorial authority to adopt a policy for the management of earthquake prone buildings by 31 May 2006. WDC adopted its policy on 25 July 2006. The Act requires that the policy be reviewed at least every five years,
- 2.3 The Act leaves it up to each territorial authority to determine the approach to be taken to the management of earthquake prone buildings (EPB's). The approach can either be active or passive.
- 2.4 Historically WDC had taken a passive approach to the management of EPBs, and this approach was continued in the 2006 policy.
- 2.5 WDC has identified potential EPB's but further investigation of those buildings has been at the discretion of the owners or has been required when a building consent was applied for.
- 2.6 WDC believes that it is important that the District's heritage buildings have a good chance of surviving a major earthquake.
- 2.7 WDC does not wish to see the intrinsic value of heritage buildings adversely affected by structural improvement measures.

3.0 Policy Statements

- 3.1 WDC will identify (as far as practicable) and publicly list buildings which are suspected of being earthquake prone. Where necessary the building will also be visually inspected.
- 3.2 Where a building is suspected of being an EPB, WDC will encourage the building's owner to engage a suitably qualified structural engineer to undertake, at the owner's cost, an assessment of the building's structural integrity.
- 3.3 If a building consent is applied for in respect of any building which is suspected of being an EPB, either prior to the application being received or as a result of WDC investigation and assessment of the application, WDC will require a detailed structural assessment to be undertaken, at the owner's cost, by a suitably qualified structural engineer.
- 3.4 If a building is conclusively confirmed by a structural engineer's assessment as being an EPB, WDC will require the building to be strengthened at the owner's cost to 33% of the seismic loading standard NZS 1170.5:2004 or its replacement.
- 3.5 Application of Policy to Heritage Buildings (as defined in the Historic Places Act 1993)**
- 3.6 This policy applies to the assessment of heritage buildings as EPBs in the same way as it applies to all other buildings.
- 3.7 In recognition of the special status of heritage buildings, WDC will co-operate with owners of heritage buildings and the Historic Places Trust to identify mutually acceptable outcomes where possible.
- 3.8 WDC will use its best endeavours to minimise adverse effects of required structural improvements on the intrinsic value of heritage buildings.

4.0 Procedures

- 4.1 Assessment of potentially EPB's must be undertaken by an appropriately qualified professional and use the New Zealand Society of Earthquake Engineers documents "Recommendations for the Assessment and Improvement of the Structural Performance of Buildings in Earthquakes".
- 4.2 Once a building is confirmed as being earthquake prone WDC will:
- Liaise and work with the owners of the building.
 - Update Council's register to confirm that the building is earthquake prone and identify the building's status on its property file.
 - Identify the building as being earthquake prone on any Land Information Memorandum prepared for that property.
 - Invoke its powers in accordance with Section 124 and or 126 of the Act where appropriate.
- 4.3 WDC acknowledges that implementation of this policy will require ongoing communications with owners of potentially EPB's. This includes:
- Actively engaging in consultation with owners.
 - Informing those owners of this policy; its interpretation and implications.
 - Working with owners whose buildings are confirmed as being EQP to achieve mutually acceptable outcomes where possible.

- 4.4 When a building consent application is received to alter a building that WDC believes to be potentially earthquake prone, WDC will not grant the application unless it is satisfied that the building is not earthquake prone and that the building work will not adversely affect the building's compliance with the Building Code.

Where the assessment confirms that the building is earthquake prone, WDC will invoke its powers under Section 124 of the Act as appropriate.

- 4.5 When an application is received for a building consent to change the use of a building that is identified as being potentially earthquake prone it will be a requirement that the owner obtained an assessment of the earthquake performance of the building to determine whether or not it is an EPB in its existing condition.
- 4.6 If the building is shown to be an EQP, WDC will invoke its powers under Section 124 of the Act as appropriate.