

Dunedin Dangerous, Insanitary and Earthquake Prone Buildings Policy FAQ

1. Does the Earthquake-Prone Buildings Policy apply to my residential home?

No. Most residential buildings are excluded from the policy, unless the building is two or more storeys and contains three or more units (e.g. apartments, flats etc). However, the Dangerous and Insanitary components of the policy apply to all buildings, including residential buildings.

2. What if I want to earthquake strengthen my residential dwelling?

Although there is no policy requiring strengthening of most residence, the DCC encourages home owners and landlords to improve the safety of their buildings. Maintaining, removing or strengthening old chimneys (particularly if they are an architectural feature) can improve the safety of residential buildings. Remember to check policies on altering heritage buildings with the DCC before you start this work.

3. Does the policy only apply to old buildings?

No. Any building built before the introduction of modern building codes in 2004 has the potential to be earthquake-prone. In the interests of public safety, the DCC recommends all building owners seek professional advice on the seismic performance of their buildings.

4. How do I know if my building is earthquake-prone?

From January 2012, the DCC will begin notifying building owners that their building may be earthquake-prone. Building owners will need to have a structural engineer inspect their building in accordance with the Initial Evaluation Procedure (IEP) and report to DCC on its status. Building owners will have two years to provide this initial evaluation. Alternatively, building owners may choose to commission a full assessment.

5. How will the DCC determine the status of the building?

The DCC will check its records for information about a building's likely performance in an earthquake. If it has no specific information on file, it will write to owners requesting that they provide this information.

6. How much will the inspections cost?

The costs vary, depending on the size and type of the building and the engineers involved. For an average building, most initial evaluations typically cost between \$500 and \$1500. For most building owners, only initial evaluations will be required in the first two-year period.

Detailed inspections can cost much more, often running into thousands of dollars, depending on the size and complexity of the building.

7. What are the different statuses?

The DCC will use the following categories for recording the status of buildings, depending on the step in the process the building is at and the information it has about the building:

Not earthquake-prone:

Either: The DCC's review of its files has indicated that the building is not classified as earthquake-prone under this policy (no further information required);

Or: The DCC's review has indicated that more information is required, and the building owner has submitted satisfactory evidence, using the NZSEE's Initial Evaluation Procedure or an equivalent method, to show that the building is not classified as earthquake-prone under this policy.

Awaiting confirmation of status:

The DCC's review of its files has indicated that, based on the age, condition, location and/or use of the building, more information is required to determine whether the building is earthquake-prone.

Potentially earthquake-prone:

Two years have elapsed since the DCC notified the building owner that more information was required, and no satisfactory evidence has been provided to show that the building is not earthquake-prone.

The building owner has not complied with the requirement to lodge an assessment by 1 July 2014.

Likely to be earthquake-prone:

The DCC has received an initial assessment of the building, undertaken using the NZSEE's Initial Evaluation Procedure or an equivalent method, which shows that the building is earthquake-prone.

Earthquake-prone: The DCC has received a detailed assessment of the building, undertaken using the NZSEE's Detailed Assessment Procedure or an equivalent method, which shows that the building is earthquake-prone.

8. Where will the DCC record the status of my building?

These categories will be recorded on the building's Land Information Memorandum (LIM) and Project Information Memorandum (PIM).

9. What do the percentages refer to?

New buildings must be built to 100% of New Building Standard (NBS). Other buildings will need to be upgraded to meet levels of NBS specified in the policy.

10. What level will I need to strengthen my building to?

The DCC recommends owners strengthen to 67% NBS or higher. Although the current legal minimum may be as low as 34% NBS, it is likely the Government will increase this in the near future. Changes of use (see below) also require a minimum of 67% NBS, so strengthening to higher levels affords both greater safety and a measure of proofing against future changes to the law.

11. How long will I have to strengthen my building?

Timeframes depend on the current potential performance in an earthquake as assessed in the IEP or full assessment. The lower this assessed performance, the shorter the timeframe to upgrade the building. Timeframes range between 15 and 30 years. These timeframes will commence from 1 July 2012. The date strengthening work is required by is recorded as the 'work completion date' in your LIM.

12. What factors could change these timeframes?

If the use of the building changes (as defined by the Building Act) then earthquake strengthening will be required immediately as part of the building work. Buildings undergoing a change of use are required by the Building Act to be strengthened to 67% NBS or higher.

When a building consent application for a significant alteration to an earthquake-prone or potentially earthquake-prone building is received (but where there is no change of use of the building) the DCC will require the owner to provide an engineering assessment to prove the building meets 34% of NBS. If it does not, it may be required to be strengthened as part of the current building work. In the event of an earthquake, buildings will need to be strengthened, as part of their repair work, to at least 34% NBS.

Again, in both of these cases, this minimum is likely to change, and the DCC recommends that building owners achieve 67% NBS or higher.

13. How much will it cost to strengthen my building?

The real cost of any required work cannot be known until a detailed assessment of a building is carried out by a structural engineer and quotes have been obtained to do the work. This could be a significant sum in some cases, but for many buildings relatively cost effective work may bring buildings to the required standard. The proposed changes take this into account by providing time for these costs to be programmed and spread over time.

14. What will happen if I don't do the work required to strengthen my building?

If you do not complete the work in the allocated time, the DCC has a range of options, including issuing notices requiring work to be completed within a set period, requiring the installation of hoardings, and applying to the District Court for the DCC to carry out the work to remove the earthquake-prone state and recover the costs from the owner.

15. Can I still buy or sell a building that has been assessed as earthquake-prone?

Yes. The status will be recorded on the LIM. Strengthening will still need to be completed in the time period set for the building – strengthening timeframes do not shift with a change of ownership.

16. What if I just want to demolish my building?

Demolition is one option for removing the earthquake-prone status of a building. However, the DCC does not encourage demolition of historic or heritage buildings and this is reflected in the timeframes owners have to complete this work. It is also important to check other restrictions on demolition – building consent and/or resource consent may be required before you can demolish.

17. What is the difference between an earthquake-prone building and a dangerous building?

An earthquake-prone building is not necessarily a 'dangerous building' in terms of the Building Act (2004). Owners of earthquake-prone buildings have set timeframes to strengthen their buildings and remove the risk. Dangerous buildings provide a risk to the public irrespective of whether an earthquake occurs, and the danger to the public must be remedied or mitigated immediately.

An earthquake-prone building may become a dangerous building if it is not strengthened in the allocated timeframe or if the building conditions change (for example, if there was an earthquake or other event that caused significant damage to the building).

18. Can I get an extension of time to complete strengthening?

The DCC has tried to set timeframes that give people sufficient time to complete the work. However, in the event that timeframes cannot be met, there is a set process to apply to the DCC for an extension. Decisions on extensions will be made by the Council's Planning and Environment committee and will take into account factors such as public risk and the amount of work a building owner has already completed.

19. How can the DCC help?

The DCC is investigating incentives to help building owners with earthquake strengthening. The Dunedin Heritage Fund is available to help heritage building owners with incentive funding for works on heritage buildings, including earthquake strengthening. Building consent fees have been reduced for earthquake strengthening work. Teams of Building Control and City Planning staff are available to assist heritage building owners through the process of planning and consenting work. A targeted rate for earthquake strengthening of heritage buildings and rates relief may also be available.

DCC staff cannot give specific advice about earthquake engineering matters, but can help people to understand the process, requirements and options available.

For more information please contact the Dunedin City Council, phone 477 4000, email earthquakepronebuildings@dcc.govt.nz