

**GORE DISTRICT COUNCIL
DANGEROUS, INSANITARY AND EARTHQUAKE-PRONE
BUILDING POLICY**

1. INTRODUCTION

Section 131 of the Building Act 2004 (the Act) requires that the Gore District Council must adopt a policy on how it intends to discharge its powers, duties and functions under Sub-part 6 of the Act. The policy must consider:

- The overall approach to be taken in respect of dangerous, insanitary and earthquake-prone buildings; and
- The priorities of the Council in performing its functions concerning such buildings; and
- How it will approach heritage buildings.

2. PURPOSE OF POLICY

The purpose of the policy is to describe the manner in which buildings deemed to be potentially dangerous, insanitary or earthquake-prone will be identified, categorised and what action shall be taken.

3. POLICY PRINCIPLES

3.1 Earthquake Risk

The Southland Civil Defence Emergency Management Group Plan States : while on the basis of history floods appear to be the most significant hazard it is likely earthquakes, particularly an earthquake on the Alpine Fault present the most risk. There is a fifty percent chance of a magnitude 8 plus fault occurring on the Alpine Fault in the next fifty years (source – Professor Richard Norris, University of Otago in “Stirred and Shaken”, Otago Daily Times).

This will be a significant South Island wide event that will be particularly noticeable in Fiordland and Northern Southland. It is not unrealistic to expect that it will occur in the lifetime of at least 50% of the Southland population. Not surprisingly the tectonics and climate that have shaped Fiordland, the Southland Plains and the surrounding hills and ranges also represent significant hazards to the regions population and infrastructure.

3.2 Policy Approach

In regard to dangerous and insanitary buildings, the Council will respond to complaints and determine the appropriate course of action based on the circumstances of each individual case.

In regard to earthquake-prone buildings the policy is at a minimum level regarding building assessments, due to the low occupancy levels and building types in the District and minimal strengthening level due to the lower level of seismic activity and types of buildings in the District.

4. DANGEROUS AND INSANITARY BUILDINGS POLICY STATEMENT

4.1 On receipt of a complaint or as a result of other information being made available to the Council that a building may be dangerous or insanitary, the Council must first be satisfied that the building is dangerous or insanitary. Any assessment shall be on the basis:

- Building and site inspection by the Building Control Officer.
- If required by the Building Control Officer, the advice of the NZ Fire Service, registered engineer, Environmental Health Officer or Health Protection Officer.

4.2 A notice pursuant to Section 124(1)(c) of the Act shall be issued in respect of any building deemed to be either dangerous or insanitary.

4.3 The time for a building consent to be applied for and the extent of required work or other action required of the Council shall be determined by the Council taking the following matters into consideration:

- Potential risk to human life.
- The location of the building in relation to other buildings and public places.
- The level of use of the building and its immediate environs.
- The size of the building.
- The complexity of the building.
- The current or likely future use of the building, including any specific cultural or traditional or historic values.

- The reasonable practicality of any work.
- Any matters that the Council considers to be relevant, taking into account the specific circumstances of the case.

5. EARTHQUAKE-PRONE BUILDINGS POLICY STATEMENT

5.1 Assessments of buildings may be required for buildings which:

- Are not excluded by Section 122(2) of the Act; and
- Were built prior to 1976; and
- Have not had a building consent issued under the Building Act 1991 for a structural alteration.

5.2 The owner(s) of any building included in 5.1 above will be required to have an appropriately qualified engineer assess the building, and provide a copy of the report to the Council, when either a change of use notification or a building consent application for any alteration that affects the structure of the building is submitted to the Council.

5.3 The time for a building consent to be applied for in respect of any strengthening work shall be determined by the Council taking the matters listed in 4.3 above into consideration.

5.4 The minimum level to which strengthening work must be carried out under 5.3 above is the trigger level set by regulation under the Building Act 2004.

5.5 The criteria set out in 5.1 above applies whether or not the building is of potential historic significance, is listed as a Heritage Resource in the Gore District Plan or is registered with the NZ Historic Places Trust. Any work carried out on such a building must, however, comply with the rules, standards, conditions and terms of the Gore District Plan.

6. POLICY REVIEW

6.1 This policy must be reviewed by May 2011.