

STRATFORD DISTRICT COUNCIL

SECTION: REGULATORY	
<u>POLICY: DANGEROUS, INSANITARY AND EARTHQUAKE-PRONE BUILDINGS POLICY</u>	
RESPONSIBILITY: Planning & Regulatory Manager	REVIEW DATE: Prior to May 2011
VERSION: 1	APPROVED DATE: April 2006
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1. **INTRODUCTION**

Section 131 of the Building Act 2004 (the Act) requires that the Stratford 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.
- the priorities of 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 Taranaki Civil Defence Emergency Management Group Plan states:

“Although Taranaki is not located in the most seismically active area of New Zealand, earthquakes have occurred several times over the last few decades. Known local fault locations include the Turi, Ararata, Waverley Zone, Oaonui and Inglewood (and Norfolk) faults, with several more located both on and offshore. These faults are the likely source of large shallow earthquakes that originate in the region. However the rate of earthquake activity in Taranaki is relatively low compared to many other parts of the country. The earth movements and ground surface deformation resulting from earthquakes are therefore recognised as a significant hazard to both urban and industrial centres of Taranaki.”

Although Stratford District is not known to contain an active seismic fault line, there is an identified risk of ground movement resulting from fault lines located within 20km of the Stratford urban area. It is also acknowledged that this risk is lessened by the comparatively low rate of seismic activity associated with these faults.

Stratford District does not have any existing buildings over two storeys in height and the maximum occupancy for any building built prior to 1976 (introduction of NZS 4203: NZ Structural Design and Loading Code) does not exceed 400 people. The comparative low level of building size and occupancy also reduce the risk associated with seismic activity in the District.

3.3 Policy Approach

- In regard to dangerous and insanitary buildings, 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 approach is at a minimum level regarding building assessments, due to the low occupancy levels and building types in the District, and a minimal strengthening level due to the low 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 Council that a building may be dangerous or insanitary, Council must first be satisfied that the building is dangerous or insanitary. Any assessment shall be on the basis of:

- 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 the required work or other action required of Council shall be determined by 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 other matters that 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 structural engineer assess the building, and a copy of the report provided 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 required strengthening work shall be determined by 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.
- 5.4 The criteria set out in 5.1 above apply whether or not the building is of potential historic significance, is listed as a Heritage Resource in the Stratford 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 Stratford District Plan.

6. **POLICY REVIEW**

- 6.1 This policy must be reviewed prior to 31 May 2011.