



## Sustainable Management of Historic Heritage Guidance Series

# Earthquake-prone heritage buildings – Information for building owners

### What are earthquake-prone heritage buildings?

Earthquake-prone buildings are determined by territorial authorities under the Building Act 2004. A building may be considered earthquake-prone if it is assessed to be less than one-third of the current new standard (NBS) for new buildings. This provision relates to all types of buildings with the exception of residential unless the residential building comprises 2 or more storeys and contains 3 or more household units.

Heritage buildings can be identified as earthquake-prone as for any other type of building. The majority of earthquake-prone buildings, however, are not heritage buildings. They may be just 'old' or do not meet the current new building standard due to their design or structure.

### What is the process for identifying earthquake-prone heritage buildings?

Earthquake-prone heritage buildings are identified in the same manner as any other type of building. The process is provided for in the Building Act 2004 and outlined in the territorial authority's earthquake-prone policy. This process involves initial evaluation procedures (IEP), detailed assessments and the issuing of section 124 earthquake-prone notices. The NZHPT receives copies section 124 notices if the building is a heritage building. Guidance about this process is available from the Department of Building and Housing website: <http://www.dbh.govt.nz/bomd-earthquake-prone-buildings>

### If my heritage building is earthquake-prone, what can I do?

The first step is to discuss your building with the territorial authority and the NZHPT and to develop a pathway that may achieve ensure public safety, building resilience and retention of heritage values. Short term actions to ensure public safety may include:

- Informing tenants and users of the building of the earthquake risk.
- Informing the public using signs warning of the earthquake-risk.
- Erecting fences to close the property to the public.

Prior to carrying out these actions, owners will need to discuss the options with your territorial authority.

### I want to strengthen or possibly demolish my earthquake-prone heritage building, how can I do this?

The Resource Management Act 1991 (RMA) regulates all work involving listed heritage buildings. While, generally the rules of the plan vary between districts, nearly all plans regulate activities such as alterations and demolition. Earthquake strengthening is often treated as an alteration. As a consequence earthquake strengthening or demolition will likely to require resource consent from the territorial authority. These consents are additional to any requirements of the Building Act 2004. So, in the first instance, contact your territorial authority.

The NZHPT advocates for minimal consent hurdles for earthquake strengthening. It should be treated as a controlled activity by the district plan and consent costs should be waivered.

If your heritage building is also registered under the Historic Places Act 1993, territorial authorities normally require consent applicants to consult with the NZHPT as an affected party.

### But doesn't the NZHPT regulate heritage places?

The short answer is no! Unless the place is an archaeological site as defined by the Historic Places Act 1993 or subject to a heritage covenant/NZHPT heritage order, territorial authorities regulate registered places by listing in a heritage schedule of a plan under the RMA.

### But why is archaeology relevant to earthquake-prone building?

Archaeological sites are not just pa sites and middens. Archaeological sites may also include buildings. This 'branch' of archaeology is called 'historic archaeology'. The modification, damage or destruction of pre-1900 archaeological sites requires an archaeological authority from the NZHPT under the Historic Places Act 1993.

The NZHPT does not normally require an archaeological authority for earthquake strengthening of pre-1900 buildings unless the work involves sub-floor excavations. Demolition of pre-1900 is likely to require an archaeological authority. For further information, see the NZHPT's website:

<http://www.historic.org.nz/en/ProtectingOurHeritage/Archaeology.aspx>

**Is there funding available to strengthen heritage buildings?**

All funding options should be explored by building owners. Possible sources may be NZ Lotteries Board, local authorities, community trusts and the NZHPT. Guidance is available from the Cultural Funding Guide: <http://www.mch.govt.nz/funding-guide/search?fcat=Heritage> And the Funding Information Service: <http://www.fis.org.nz/>

**I thought the laws were changing following the Canterbury earthquakes?**

The Canterbury Earthquakes Royal Commission is investigating the loss of both human life and buildings. The Royal Commission will be issuing its final report to the Government in November 2012. Meanwhile, the Department of Building and Housing is also conducting a review of earthquake-prone buildings policy under the Building Act 2004: <http://www.dbh.govt.nz/epb-policy-review> The NZHPT expects there will be changes to New Zealand's building laws and policies following the report of the Royal Commission and the legislative review.

Visit the NZHPT's website for further information or to contact the NZHPT:

<http://www.historic.org.nz/en/ContactUs.aspx>