



WHANGAREI
DISTRICT COUNCIL

Dangerous, Insanitary and Earthquake Prone Buildings Policy

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Introduction

The Building Act 2004(BA 04) requires Territorial Authorities to develop a policy for dangerous, insanitary and earthquake prone buildings.

As part of Whangarei District Council's Building Consent Authority (BCA) Accreditation proposal, the following policy has been prepared.

The policy document incorporates all of the issues related to dangerous, insanitary and earthquake prone buildings, but has been broken into two sections for ease; whilst providing for one document in terms of consultation under the provisions of the Local Government Act 2002 (LGA 02).

Dangerous and Insanitary Buildings Section of the Policy

Introduction and Background

Section 131 of the Building Act 2004 requires councils to adopt a policy on dangerous and insanitary buildings.

The definitions of 'dangerous' and 'insanitary' buildings are set out in Sections 121 and 123 of the Act respectively (refer Appendix). In general terms, dangerous buildings are those which are liable to collapse or to be a fire hazard with the potential to cause loss of life or injury; whereas insanitary buildings have problems with moisture, drinking water or human waste disposal.

This document sets out the policy the Whangarei District Councils, which has been prepared in accordance with the requirements of the Building Act 2004.

The policy is required to state:

- 1 The approach that the Council will take in performing its functions under Act
- 2 Council's priorities in performing those functions
- 3 How the policy will apply to heritage buildings.

In developing and adopting its dangerous and insanitary buildings section of this policy, the district councils will be following the consultative procedure set out in Section 83 of the Local Government Act 2002. Extensive use has been made of the guidance material provided by the Department of Building and Housing in preparing this document/policy.

1 Policy Approach

1.1 Policy Principles

It is noted that provisions of the Building Act in regard to dangerous and insanitary buildings reflect Government's broader concern with the safety of people in buildings. Indeed, the purposes of the new Act as set out in Section.3 include ensuring that:

- a People who use buildings can do so safely and without endangering their health; and
- b Buildings have attributes that contribute to the health, physical independence, and well-being of the people who use them; and
- c People who use a building can escape from the building if it is on fire.

It is also recognised that a balance must be struck between the need to address the risk posed by dangerous and insanitary buildings and other priorities, taking into account the social and economic implications of implementing any policy.

Whilst heritage buildings will be assessed in a manner consistent with assessments for other potentially dangerous or insanitary buildings, special efforts will be made to meet heritage objectives. It is important that in strengthening, upgrading and/or altering such buildings, heritage values and their protection are not lost sight of. Discussions will be held with owners and the New Zealand Historic Places Trust to identify a mutually acceptable way forward:

1.2 Overall Approach

The ultimate objective in implementing this part of the policy is to achieve compliance with the Act with respect to dangerous and insanitary buildings. It is recognised that the Act provides several statutory tools

such as issuing formal notices to carry out remedial work, Council doing the remedial work itself, or ordering demolition; however Council will always in the first instance seek the co-operation of the landowner concerned to achieve compliance, without having to resort to the formal notice provisions of the Act.

A flexible approach must be taken to achieve this overall objective because of the diversity of situations which result in buildings being dangerous or insanitary.

Factors to be taken into account in determining the approach to be taken include:

- a an assessment of the scale and immediacy of risk to the public, and to the occupiers
- b an assessment of the likelihood of harm to adjoining properties, including contamination of water bodies
- c the availability and viability of alternative accommodation options.

Council recognises that it is not well placed to offer alternative accommodation. Council is nevertheless committed to the 'Whole of Government' approach contemplated in the Community Outcomes process and thus will provide for a good working relationship with Housing New Zealand and other social agencies.

1.3 Identifying Dangerous and Insanitary Buildings

This Council does not have the resources to carry out a systematic survey of the standard of buildings across the District, but will rely on the observations of its staff as well as information provided to Council by members of the public, thus remaining proactive without creating substantial additional cost.

1.4 Assessment

In assessing whether or not a building may be dangerous with respect to fire hazard, Council may seek the advice of the New Zealand Fire Service as provided for in Section. 121(2) of the Act.

In assessing whether or not a building may be insanitary with respect to drinking water and waste disposal, Council may seek the advice from all appropriate sources, such as its Environmental Health service providers, or technical building specialists, and refer to appropriate bylaws, etc.

1.5 Interaction between Dangerous and Insanitary Buildings Policy and Related Sections of Building Act 2004

1.5.1 Section 112: Alterations to Existing Building

- a Whenever a building consent application is received for any work on a building which is subject to a notice pursuant to Section 124(1)(c) of the Act, then irrespective of the general priorities set by Council for dealing with dangerous and insanitary buildings, Council will require the owner to include in the application any work necessary to make the building safe and sanitary.
- b Where Council has grounds for believing that a building may be dangerous or insanitary, and a building consent application is received for upgrading or alteration of that building, then Council may require the owner to provide a detailed assessment of the dangerous and insanitary performance of the building in its existing condition prepared by a suitably qualified and experienced person.

Council will not issue a building consent unless it is satisfied that the building is not dangerous or insanitary and that the building work will not detrimentally affect the building's compliance with the Building Code, or impact on other legislation or bylaw requirements.

If the building is shown to be dangerous or insanitary, then Council will require that remedial work be carried out to ensure that it will comply as nearly as is reasonably practicable with the provisions of the Building Code.

1.5.2 Section 115: Change of Use

- a Whenever a building consent application is received for change of use of a building that is subject to a notice pursuant to S124(1)(c) of the Act, Council will require the owner to include in the application any work necessary to make the building safe and sanitary.
- b Where Council has grounds for believing that a building may be dangerous or insanitary and a building consent application is received for change of use of that building then, it may be a requirement of the building consent that the owner provide a detailed assessment of the safety or sanitation of the building in its existing condition, prepared by a suitably qualified and experienced person.

If the building is shown to be dangerous or insanitary then Council will require that remedial work be carried out to ensure that it will comply as nearly as is reasonably practicable with every provision of the Building Code that relates to structural performance as is required by Section 115(b)(i)(A).

1.6 Recording a Building's Dangerous or Insanitary Status

A register will be kept of all dangerous and insanitary buildings for which it has issued a notice pursuant to Section 124(1)(c) of the Act noting the status of requirements for improvement or the results of improvement as applicable.

In addition, the following information will be placed on the relevant property file for each dangerous and insanitary building:

- a A description of the building
- b A statement that the building is on Council's register of dangerous and insanitary buildings
- c The date by which remedial work or demolition is required (*if known*)
- d In the case of Heritage Buildings, Council will ensure that the New Zealand Historic Places Trust is notified on any such building identified as dangerous or insanitary

1.7 Economic Impact of Policy

Council will take into account the cost of effecting remedial work in assessing the various means of reducing the hazard to human life presented by a building which has been identified as dangerous or insanitary. Also the availability of alternatives to continued use and occupation of the building, both in the short and long term. It is considered likely that Housing NZ and other social agencies may become involved in such an assessment.

1.8 Access to Dangerous and Insanitary Building Information

Information concerning the safety and sanitation status of a building will be contained on the relevant Land Information Memorandum (LIM) or Project Information Memorandum (PIM).

In granting access to information concerning dangerous and insanitary buildings, Council will conform to the requirements of the relevant legislation.

2 Priorities

Recognising that a building will only be classified as dangerous if it is likely to cause injury or death and insanitary if it is likely to be injurious to health; Council has prioritised the requirement to repair or demolish buildings as follows, in descending order of priority:

- 1 The building is likely to cause injury or death to the public using a public place or another building.
- 2 The building, being a building to which the public has access, is likely to cause injury or death to people in it.
- 3 The building not being a public building is likely to cause injury or death, or be injurious to the health of its occupants.
- 4 The building is likely to be injurious to the health of the public using adjacent land or waterways.

Having stated a priority list however, it is felt that although a building may fall into a lesser category; each case should be considered on its own merits. It may be possible therefore that a category four building might require an immediate response if the nature of the effect is believed significant enough.

3 Heritage Buildings

3.1 Special Considerations and Constraints

Council believes it is important that its heritage buildings continue to have the opportunity to contribute to the social and cultural fabric of the District. Council does not wish to see the intrinsic heritage values of these buildings unnecessarily affected by structural improvement measures.

Therefore heritage buildings will be assessed in the same way as other dangerous and insanitary buildings and discussion held with owners and the Historic Places Trust to identify a mutually acceptable way forward. Special efforts will be made to meet heritage objectives, without compromising safety or sanitation concerns.

The identification and consultation of matters relating to Heritage Buildings should be carried out in accordance with Pages 16 to 18 of the New Zealand Historic Places Trust's 'Guide to Heritage Provisions: Dangerous, Earthquake-Prone, Insanitary Buildings and Dangerous Dams Policies Building Act 2004 (1st January 2011)' appended to this policy.

3.2 Definition of Heritage Buildings.

For the purposes of this policy the definition of a 'heritage building' is that definition described on pages 8 and 9 of the New Zealand Historic Places Trust's 'Guide to Heritage Provisions: Dangerous, Earthquake Prone, Insanitary Buildings and Dangerous Dams Policies: Building Act 2004 (1st January 2011)' appended to this policy.

4 Other Structures

4.1 Bridges

Council will work with other agencies, such as Transit New Zealand for State Highways, or other internal departments, such as Council's roading division, when considering any bridge that may be considered to be dangerous, to identify a mutually acceptable way forward.

Earthquake Prone Buildings (EPB) Policy Section

Introduction and Background

Section 131 of the Building Act 2004 requires Council's to adopt an earthquake prone buildings policy.

The definition of an earthquake prone building is set out in Section 122 of the Building Act 2004 (*refer appendix*). In general terms however, earthquake prone buildings can be said to be those that due to their construction and the type of ground on which they are founded; would be likely to collapse in a moderate earthquake, causing injury or death or damage to other property,

and the definition of a moderate earthquake is defined in Regulation 7, 2005/32:

'In relation to a building, an earthquake that would generate shaking at the site of the building that is of the same duration as, but that is one-third as strong as, the earthquake shaking (determined by normal measures of acceleration, velocity and displacement) that would be used to design a new building at the site.'

The earthquake prone section of the policy needs to consider whether the community wishes to see buildings strengthened to the greatest extent possible or whether the local circumstances warrant such an approach. Further, once this is established, how proactive should Council be in ensuring action is taken to meet policy/statutory requirements.

Council has used the Department of Building and Housing (DBH) template in the development of this policy

5 Policy Approach

5.1 Policy principles

The same principles apply to this section as per the dangerous and insanitary buildings section of this policy (*see 1.1*). Public safety and the protection of life is paramount.

The policy has been developed via consultation with ratepayers of the district in accordance with Section 83 of the Local Government Act 2002 (LGA 02).

Whilst heritage buildings will be assessed in a manner consistent with assessments for other potentially earthquake-prone buildings, special efforts will be made to meet heritage objectives. It is important that in strengthening, upgrading and/or altering such buildings, heritage values and their protection are not lost sight of. Discussions will be held with owners and the New Zealand Historic Places Trust to identify a mutually acceptable way forward.

5.2 Overall Approach

Councils are required to achieve their statutory obligations under the Building Act with respect to EPB. However, councils will also consider other issues in establishing a policy for EPBs, which includes:

- a The seismicity of the area the council administers.
- b Any other policies it may have established under the previous Building Act 1991, Section 66.
- c The level of strengthening to be established and the time frames in which those levels must be achieved.

Council will also consider whether it wishes to take an active or passive stance in relation to how it addresses its policy regarding EPBs.

An active approach would mean that a programme of an initial evaluation of building stock within the District is carried out and a risk categorisation of those buildings is produced. All the buildings are then put onto an active list which results in Council agreeing a timetable to have the buildings brought up to the appropriate requirements to comply with the legislation.

A passive approach still requires an initial list to be drawn up of the District's building stock, but establishes a triggering system to enact any upgrading work; such as building consent applications or building changes of use; or even potentially no action.

It is believed practical to adopt a combination of both an active and passive approach in the District, with a triggering mechanism via consent applications, changes of use, with each building then being considered on its own merits as to how much should be done to the building and to what level, in order to comply with the code.

It is also considered that a building stock list should incorporate existing seismic building register buildings and any buildings previously identified within that regime that have not reached the 33.33% of NBS required should be placed at the top of the new list and pursued in a more active manner.

Therefore once Council has prepared a seismic building list via the Independent Evaluation Process (IEP), a building owner would be notified that their building has been identified as being earthquake prone and be required to prepare a detailed assessment and submit it to council within 36 months of the new Policy being approved. An application for building consent or change of use will also trigger the requirement for an assessment to be undertaken and the application will only be processed on the basis that a detailed report will be supplied and consent will not be issued without the seismicity of the building being addressed.

The nature of the District does not justify a fully active approach as the seismicity of the area is identified as Low.

5.3 Identifying Earthquake Prone Buildings

An evaluation of building stock within the District will be undertaken by Council staff. The evaluation will be a 'desk top' examination of Council records, to identify potentially at risk buildings with regard to the likelihood of the building being seismically at risk. Once the initial evaluation has taken place it is intended that building owners will be contacted to inform them of the results.

Once an initial evaluation process (IEP) has been carried out, with any buildings identified as potentially being earthquake prone, the building will need to be assessed by the owner using an appropriately qualified Engineer within 36 months of the Policy being approved. And undertake any remedial work within 20 years or at the time of the next Building Consent application

Such an approach will enable owners to discuss their intended plans for the building and whether an acceptable solution can be achieved without evoking Section 124 of the Building Act; for example demolition within a specified time. Should this not be possible, then action under Section 124 of the Building Act 2004 will be pursued as deemed appropriate; this may include erection of hoardings, fencing or warning signs and does not necessarily mean a written notice, although that could also be used to achieve compliance.

When pursuing a detailed assessment, it is intended that the owner carries the assessment out having first agreed with Council staff involved, that the assessment will be acceptable. Where this is agreed, details should be confirmed in writing. Where an owner is unwilling to assist, a detailed assessment will be carried out by Council staff/consultants and costs sought from the owner as required. Entry to undertake the assessment will be obtained under Section 222 of the Building Act 2004.

5.4 Assessment Criteria for Buildings

The council will recommend the NZSEE standard form as the preferred basis for technical and criteria requirements of any assessment. However, the level to which buildings are defined as earthquake prone is one third (or 33 1/3%) as strong as a building of similar type, designed within the requirements of the current building code. Hence if a building were to be strengthened to 34% of the Current standard, it can be considered as outside of the ambit of this policy.

Should an earthquake prone building be upgraded to a level that satisfies the NZSEE requirements, (67% of the current standard) then any change to building codes or standards is unlikely to affect those buildings for a considerable time, and achieving the NZSEE level should have the effect of prolonging the possibility of the need for further upgrading.

It is acknowledged that both the Earthquake Prone and Dangerous/Insanitary Buildings section of this policy are subject to review every five years. Therefore an IEP and building stock review under the policy may be necessary and hence buildings will automatically be reassessed on an ongoing basis.

5.6 Change of use, Extension of life and Subdivision

Change of use, extensions of building life and subdivision, are covered under sections 114 to 116 of the Building Act 2004. Primarily these sections deal with altering a building to provide residential use, from a building that has another use.

Where such a change is proposed then the policy acknowledges that different principles will apply and that the building must be made to comply as nearly as practical as if the building were a new building. Therefore any upgrading work will be considered on the basis of a new building and the minimum criteria to remove the EPB status may not apply.

5.7 Recording of Earthquake Prone Status

As part of the initial 'desk top' evaluation process, Council will produce a list or register of all buildings within its District that have been identified as potentially earthquake prone.

All records for the individual buildings in terms of a register status will be put onto property files and be made available upon request or as part of a LIM or PIM.

In the case of Heritage Buildings, Council will ensure that the New Zealand Historic Places Trust is notified on any such building identified as earthquake prone

5.8 Economic impact of Policy

The primary function of the legislation and this policy is to improve life safety concerns.

The introduction of this policy will create an economic burden on building owners and where an owner does experience significant issues in this regard concessions may be feasible via the provision of additional time and such provisions will be considered on a case by case basis.

5.9 Priorities

With respect to the priorities of other requirements under this policy, the following is proposed:

- 1 IEPs to be carried out on an area basis over 12 months.
 - a CBD and major adjacent areas
 - b Built up suburbs
 - c Completion of district
- 2 Detailed assessments following IEP potential identification of EPB:
 - a Where it is established, the building is likely to be earthquake prone or the information is inconclusive, the owner is to provide to council a seismic report from a suitable qualified Engineer within 36 months of the Policy being approved.
- 3 The buildings identified in these reports as falling below 33,33% of the new building standard be upgraded within 20 years, or at the time of the next building consent whichever comes sooner.

5.10 Heritage buildings

Council acknowledges the importance of heritage buildings, whilst at the same time being aware that building safety is paramount.

Council does not wish to see heritage buildings within the community adversely affected by major structural alterations that not only affect the building appearance, but have the potential to become too costly for owners to achieve acceptable levels of compliance.

To address such issues Council may consider funding to assist in the structural review of the building and also review the time frames in terms of achieving structural performance levels, enabling greater opportunity for owners to raise funds to meet the requirements that will not impact on the appearance.

The identification and consultation of matters relating to Heritage Buildings should be carried out in accordance with Pages 16 to 18 of the New Zealand Historic Places Trust's 'Guide to Heritage Provisions: Dangerous, Earthquake-Prone, Insanitary Buildings and Dangerous Dams Polices: Building Act 2004. (1st January 2011)' appended to this policy.

5.11 Definition of Heritage Buildings

For the purposes of this Policy the definition of a 'heritage building' is that definition described on pages 8 and 9 of the New Zealand Historic Places Trust's 'Guide to Heritage Provisions: Dangerous, Earthquake-Prone, Insanitary Buildings and Dangerous Dams Polices: Building Act 2004 (1st January 2011)' appended to this policy.

6 Other Structures

6.1 Bridges

Council will work with other agencies, such as Transit New Zealand for State Highways, or other internal departments, such as Council's roading division, when considering any bridge that may be considered to be dangerous, to identify a mutually acceptable way forward.

Appendices

Extracts from Building Act 2004

121 Meaning of dangerous building

- 1 A building is dangerous for the purposes of this Act if:
 - a in the ordinary course of events (*excluding the occurrence of an earthquake*), the building is likely to cause
 - i injury or death (*whether by collapse or otherwise*) to any persons in it or to persons on other property; or
 - ii damage to other property; or
 - b in the event of fire, injury or death to any persons in the building or to persons on other property is likely because of fire hazard or the occupancy of the building
- 2 For the purpose of determining whether a building is dangerous in terms of Sub Section (1)(b), a territorial authority-
 - a may seek advice from members of the New Zealand Fire Service who have been notified to the territorial authority by the Fire Service National Commander as being competent to give advice; and
 - b if the advice is sought, must have due regard to the advice.

122 Meaning of earthquake prone building

- 1 A building is earthquake prone for the purposes of this Act if, having regard to its condition and to the ground on which it is built, and because of its construction, the building:
 - a will have its ultimate capacity exceeded in a moderate earthquake (*as defined in the regulations*); and
 - b would be likely to collapse causing:
 - i injury or death to persons in the building or to persons on other property; or
 - ii damage to any other property.
- 2 Sub Section (1) does not apply to a building that is used wholly or mainly for residential purposes unless the building:
 - a comprises 2 or more stories; and
 - b contains 3 or more household units.

123 Meaning of insanitary building

A building is insanitary for the purposes of this Act if the building:

- a is offensive or likely to be injurious to health because:
 - i of how it is situated or constructed; or
 - ii it is in a state of disrepair; or
- b has insufficient or defective provisions against moisture penetration so as to cause dampness in the building or in any adjoining building; or
- c does not have a supply of potable water that is adequate for its intended use; or
- d does not have sanitary facilities that are adequate for its intended use.

Extracts from New Zealand Historic Places Trust 'Guide to Heritage Provisions: Dangerous, Earthquake-Prone, Insanitary Buildings and Dangerous Dams Policies: Building Act 2004 (1st January 2011)' Page 8 and 9 - Definition of Heritage Buildings

4 Heritage Buildings

In the preparation of earthquake-prone, dangerous and insanitary buildings policies, the term 'heritage buildings' is adopted in section 131 of the Building Act. This term is also used in sections 125 with regard to provision for copies of requirement notices to be provided to the NZHPT.

There is an important distinction between earthquake-prone policies and dangerous and insanitary buildings policies under section 131 of the Building Act.

Earthquake-prone buildings can include any buildings with the exception of buildings that are wholly or mainly for residential purposes unless the building comprises 2 or more storeys and contains 3 or more household units.

Earthquake-prone building policies under section 131 of the Building Act does not cover residential heritage buildings unless that residential building: comprises 2 or more storeys and contains 3 or more household units. This provision should be made clear within local authority policies.

Dangerous and insanitary building policies under section 131 apply to all types of buildings as there is no exclusion for residential buildings within the meaning of dangerous and insanitary buildings. Consequently, all types of heritage buildings may be covered by dangerous and insanitary buildings policies.

Within the meaning of building under section 8 and 9 of the Building Act, it is appropriate that a local authority indicates in policies the community's understanding of heritage buildings within its district or region.

To capture the wide-ranging nature of the terms heritage buildings, it is suggested that they may include, but not be limited to:

- Any building within any proposal to register or registered historic place, historic area, wahi tape, or wahi tapu area under the Historic Places Act 1993.
- Any building listed as a historic heritage item in any district or regional plan prepared under the Resource Management Act 1991.
- Any heritage building or Actively Managed Historic Place listed in a Historic Resources Strategy or Conservation Management Strategy and Conservation Management Plan prepared under the Conservation Act 1987.
- Any heritage building listed in a reserve management plan prepared under the Reserves Act 1977.
- Any building established by the Māori Land Court under the Te Turi Whenua Maori Land Act 1993 for historic and cultural purposes.
- Any building of importance to tangata whenua that has been listed in an iwi management plan.
- Any structures or buildings associated with a historic cemetery or memorial.
- Any building managed for heritage purposes by agencies such as NZHPT, Ministry of Culture and Heritage, the Department of Conservation, and local authorities.
- Any building that is subject to a heritage order, heritage covenant or other protective covenant.
- Any other heritage building deemed to have heritage value using best practice criteria and research, including buildings identified within national or district heritage inventories or heritage policy.

It is important to note, that a heritage building that has been constructed before 1900 may also be an archaeological site under the Historic Places Act 1993. Under section 2 of the Historic Places Act 1993, an archaeological site is defined as any place in New Zealand that either - was associated with human activity that occurred before 1900; or is the site of the wreck of any vessel where that wreck occurred before 1900; and - is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand. Under section 9(2) of the Historic Places Act 1993, the NZHPT may declare any post-1900 site to be covered by the archaeological site definition in section 2 by notice in the Gazette.⁸

Section 10 of the Historic Places Act 1993 directs that an authority is required from the New Zealand Historic Places Trust if there is 'reasonable cause' to suspect an archaeological site (*recorded or unrecorded*), may be modified, damaged or destroyed in the course of any activity. An authority is required for such work whether or not the land on which an archaeological site may be present is designated, or a resource or building consent has been granted.

Policies for dangerous buildings should also provide for any building of special traditional or cultural usage and buildings of significant cultural historical, or heritage value in terms of section 4(c) of the Building Act 2004. These buildings may include churches, marae, and papakainga.

- Pages 16 to 18 incl - Identification and consultation of matters relating to Dangerous, Insanitary and Earthquake-prone Buildings and Dams, in relation to Heritage Buildings

5.5 Examples of Model Heritage-Related Policies on Dangerous, Earthquake-Prone and Insanitary Buildings

Below are examples of the types of policies that territorial authorities may include in policy documents relating to dangerous, earthquake prone and insanitary buildings:

General

Council, in the implementation of procedures under the Building Act 2004 with regard to dangerous, earthquake prone, or insanitary buildings, will take into account any special traditional and cultural aspects of the intended use of a building and the need to facilitate the preservation of buildings of significant cultural, historical, or heritage value. This will be achieved by:

- *Recognising the range of heritage buildings that may exist in the district, including the NZHPT Register; listed heritage places, buildings of significance to iwi, and other buildings of significance to the community*
- *Ensuring early identification of heritage buildings at risk*
- *Ensuring early consultation with owners of heritage buildings*
- *Informing and involving relevant statutory organisations, including NZHPT with regard to any heritage buildings identified as at risk*
- *Considering heritage values when managing any building identified as at risk*
- *Considering heritage values when developing upgrading proposals*
- *Providing targeted assistance to the owners of heritage buildings.*

In relation to any detailed assessment of buildings at risk and in relation to any heritage building, the following matters will be considered:

- *The heritage significance, integrity and condition of the historic heritage including any significant components or fabric and features of heritage value.*
- *Any relevant economic matters¹⁹*
- *Any statutory protection, including any listing in the District Plan, reserve management provision, covenant, heritage order or as an archaeological site under the Historic Places Act 1993*
- *Any advice from NZHPT or professional conservation organisation, heritage professional, including Council's own heritage advisers (if relevant)*
- *The principles of the ICOMOS New Zealand Charter²⁰*
- *Any relevant conservation report, conservation plan, condition report, management plan, heritage assessment or other document²¹*

In implementing the provisions of section 124-129 of the Building Act, Council will consider alternative methods to avoid unnecessary demolition of heritage buildings including:

- *Restricting public access and erecting public warning notices (section 124(1)(a)(b))*
- *Consulting owners and NZHPT in relating to any proposed written notice requiring work*
- *Providing extended timeframes for heritage buildings in relating to any written notice requiring work*
- *Ensuring that any written notice requiring work provides options to repair the building as appropriate*

In assessing the upgrading of heritage buildings to meet the Building Act requirements, the local authority will examine alternative levels of compliance with the Building Act and consider the varying effects on the heritage values of the building. in addition, any assessment for the upgrading of heritage buildings will consider the following matters:

- *The principles of the ICOMOS New Zealand Charter.*
- *Ensuring that all new work involves minimal possible intrusion to the site and the heritage fabric of the building*
- *Any advice from NZHPT or professional conservation organisation, heritage professional, including Council's own heritage advisers*