

# BUILDING PERFORMANCE

## Information sheet: Assessing potentially earthquake-prone buildings

Once a territorial authority (TA, eg a local council) identifies a building or part of a building as potentially earthquake prone, the TA will send a written request asking the owner to provide an engineering assessment of the building or part. The request will include a due date (12 months after the date of the request).

The process looks like this:

What	How	Documents and tools
<b>Owners provide engineering assessments or other information</b>	<p>The owner must, by the due date, either:</p> <ul style="list-style-type: none"> <li>• give their TA an engineering assessment that meets the requirements in the EPB methodology, or</li> <li>• supply evidence to the TA of the factual error in the basis by which the TA has identified the building as potentially earthquake-prone, or</li> <li>• advise the TA that they don't plan to provide an assessment.</li> </ul> <p>Owners can ask their TA for more time.</p>	<p>Building Act – required actions</p> <p>EPB methodology – assessments</p>
<b>TAs actions if a suitable assessment is not received by the due date</b>	<p>If the TA does not accept the engineering assessment (because it doesn't meet the requirements in the EPB methodology) or the owner has advised the TA an engineering assessment will not be provided, the TA must:</p> <ul style="list-style-type: none"> <li>• proceed as if the building or part is determined as earthquake prone, and</li> <li>• issue an EPB notice.</li> </ul>	<p>Building Act</p>

### If you are a TA:

- Consider the information provided by owners of potentially earthquake-prone buildings and any applications by owners for more time to provide an engineering assessment (you can grant one extension of up to 12 months; eg if engineering resources are scarce).
- Explain to the owner in the written request for the engineering assessment that if they advise they won't be providing an assessment, or don't act by the deadline, you must determine their building as earthquake prone by default and issue an EPB notice.
- If you are satisfied that the owner's building has been incorrectly identified as potentially earthquake prone, cancel your request for information or an engineering assessment.

### If you are an owner:

- If your TA has written to say your building is potentially earthquake prone, commission a suitably qualified and experienced engineer (as specified in the EPB methodology) to undertake an engineering assessment and provide this to your TA by the due date on the written request.
- You can also provide information to show the TA has made a factual error in the basis in which it has identified your building; eg if you think it has been incorrectly identified and is not potentially earthquake prone.
- If you don't provide your TA with an engineering assessment that meets the requirements of the EPB methodology by the deadline or say that you don't plan to provide one, the TA must determine that your building is earthquake prone by default and you will be issued with an EPB notice.
- You may be able to use a previous assessment, even if the TA doesn't yet have it on file. It will need to meet the criteria for previous assessments in the EPB methodology, so you may need to commission an engineer to update it to meet the criteria.
- You can ask your TA for more time to provide the engineering assessment; eg if suitable engineering resources are scarce. You must write to your TA within two months of the deadline and they can only grant one extension (of up to 12 months).

### If you are an engineer:

- Owners of potentially earthquake-prone buildings may commission you to carry out an engineering assessment. To do this, you need to be suitably qualified and experienced in accordance with the EPB methodology.
- You need to follow the EPB methodology (which references the Engineering Assessment Guidelines) to determine the appropriate form of assessment and the technical and reporting requirements for this. The assessment will be used by TAs to determine whether or not the building is earthquake prone.
- As parts of buildings can now be determined earthquake prone, you also need to consider these in your assessment: the EPB methodology describes how.

### Find out more:

[www.building.govt.nz](http://www.building.govt.nz) - go to 'Managing earthquake-prone buildings' for an overview of the new system and links to the EPB methodology, EPB register and MBIE guidance.

For full details on roles and obligations in the new system, refer to [www.legislation.govt.nz](http://www.legislation.govt.nz) for the Building Act 2004, the Building (Specified Systems, Change the Use, and Earthquake-prone Buildings) Regulations 2005, and the Building (Infringement Offences, Fees, and Forms) Regulations 2007, as updated by the Building (Earthquake-prone Buildings) Amendment Act 2016 from 1 July 2017.

This information sheet is one of a series:

<b>Identify</b>	TAs identify potentially earthquake-prone buildings
<b>Assess</b>	Owners obtain engineering assessments of these buildings
<b>Decide</b>	TAs determine whether buildings are earthquake prone and assign ratings
<b>Manage</b>	Owners strengthen or demolish buildings within set time frames

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