

21 March 2023

Fire and Emergency N Z
PO Box 2133
Wellington 6140

Dear Sir/Madam

COUNCIL DECISION ON WHETHER THE BUILDING OR PART IS EARTHQUAKE-PRONE

Site address: 184 Mornington Road Dunedin – Lookout Point Fire Station
Legal description: PT LOT 2 DP 16802

The Council has been provided with a previous assessment for the building at the above address. I am writing to advise you that the Council accepts the previous assessment in accordance with the Earthquake-prone Building methodology (EPB methodology) and has determined the building or part of the building **earthquake-prone** under section 133AB and 133AK of the Building Act 2004. The earthquake rating for this building is 22% of the New Building Standard (NBS) and corresponds to the earthquake rating category 20% to less than 34%.

You are receiving this letter because our records show you are the owner of the above building or part; or you are identified as a relevant interested party, relevant statutory authority, or Heritage New Zealand Pouhere Taonga if the building is a heritage building. Please advise the Council if this is not the case.

Please find enclosed a copy of the Earthquake-Prone Building Notice (EPB notice). It is important that you read the notice to ensure you understand it and seek further advice if required. Please pay particular attention to the date by which you are required to undertake seismic work so that the building or part is no longer earthquake-prone.

The EPB notice must be fixed in a prominent position on or adjacent to the building. For examples of where to display earthquake-prone building notices please review the [guidance on our website](#). Once you have fixed the EPB notice, please send confirmatory photographs showing the EPB notice attached to the building within 20 working days from the date of this letter to earthquakepronebuildings@dcc.govt.nz referencing the site address and legal description stated above. Please include sufficient photos to identify which part of the building the EPB notice has been attached to. If the confirmatory photographs are not received within the 20 working days, an Officer will come and attach the EPB notices (additional fees and charges at the respective hourly rate will apply).

Once fixed, the notice must not be removed or relocated without the Council's approval. If the notice ceases to be attached or becomes illegible, as the owner you are required to notify the Council so a replacement notice can be issued and re-affixed to the building. Failure to do so could lead to a conviction in the case of an individual to a fine not exceeding \$50,000, and in the case of a body corporate to a fine not exceeding \$150,000 under section 133AU(2) or section 133AU(3) of the Building Act 2004.

The EPB notice will need to remain displayed and in place until the Council notifies you that the building or part is no longer earthquake-prone and removes, or authorises the removal of, the EPB notice. To ensure a smooth transition, please advise tenants that a new notice will be affixed to the building.

Exemptions and extensions

You may be eligible for an exemption from remediation or an extension of time to complete seismic work. There are strict requirements for these. Check the Ministry of Business, Innovation and Employment (MBIE) website to see if you are eligible to apply to Council:

<https://www.building.govt.nz/managing-buildings/managing-earthquake-prone-buildings/how-the-system-works/applying-outcome-of-decision/>

Before proceeding with seismic work as required by the notice, you are likely to need a building consent. You may also need a resource consent. A suitably qualified person, such as a chartered structural engineer, may be able to advise you of your options. Information on how to engage an engineer is available on the Engineering New Zealand website: <https://www.ipenz.nz/home/footer-pages/for-the-public/help-with-engineers-or-engineering/how-to-find-an-engineer>

The building (or part) will also be entered into the national register of earthquake-prone buildings: <https://www.building.govt.nz/managing-buildings/managing-earthquake-prone-buildings/epb-register/>

Information about the earthquake-prone status of the building, including this letter, is available on request and will be included in land and project information memoranda (LIMs and PIMs).

A copy of the EPB methodology and other information about earthquake-prone buildings is available on the MBIE website:

<https://www.building.govt.nz/managing-buildings/managing-earthquake-prone-buildings/>

A copy of the fees schedule associated with reviewing and processing this work can be found on the Dunedin City Council website: <https://www.dunedin.govt.nz/services/fees-and-charges/building-services>

If you have any questions or would like to discuss the process moving forward, please contact me.

Yours sincerely



Peter Brookland
Compliance Officer – Earthquake-Prone Buildings
Building Services

EARTHQUAKE-PRONE BUILDING

Notice under section 133AL of the Building Act 2004

EPB32012023

Earthquake Ratings - 20% to less than 34%

This notice is for - The building situated at **184 Mornington Road Dunedin, PT LOT 2 DP 16802.**

The building has been determined by Dunedin City Council as earthquake prone.

The building is not a priority building (as defined in section 133AE of the Building Act 2004).

The owner of the building is required to carry out building work to ensure that the building is no longer earthquake prone (seismic work). The owner is required to complete seismic work by: 21st March 2058.

The owner of the building may apply to Dunedin City Council, under section 133AN of the Building Act 2004, for an exemption from the requirement to carry out seismic work. The building must have certain characteristics to be granted an exemption (see the Building (Specified Systems, Change the Use, and Earthquake-prone Buildings) Regulations 2005).

In the event that Dunedin City Council determines or is satisfied, in accordance with section 133AQ of the Building Act 2004, that the building is not earthquake prone, the owner is not required to complete the seismic work.



Signature:

Position: Compliance Officer - EPB.

On behalf of: Dunedin City Council

Date: 21/03/2023

