Notice in Respect of Earthquake-Prone Building

Sections 124(1)(c), Building Act 2004 EQB0017 EQB0209

The building

Building name	**Civic House – ex Post Office Savings Bank building & Generator Room**		
Street address of building	**108 Trafalgar Street**, Nelson		
Legal description of land where building is located	Lot 3 DP14732	PPR(s)	110024, 119562

To: Nelson City Council, PO Box 645, Nelson 7040

Notice is hereby given that the Nelson City Council, as Territorial Authority and in accordance with the Nelson City Council Earthquake-prone, Dangerous and Insanitary Buildings Policy (2006), is satisfied that this building is earthquake-prone, as defined in section 122 of the Building Act 2004 (see overleaf).

The work is required to be carried out on this building by **8 November 2017** to either:

a. Relocate post disaster functions (Emergency Operations Centre) from this building to establish an importance level of 2 (normal importance, ASNZS1170.2:2002 clause 3.3) for this building; or
b. Strengthen the building to at least 67% New Building Standard (NBS); or
c. Otherwise remove the danger.

A building consent must be obtained prior to strengthening or demolition work being undertaken. The building consent must be obtained and the work **must be completed** by the date specified above. If changing the importance level of the building, then written advice that this has been achieved is required prior to the date specified above.

Please note that failure to comply with this notice is an offence under section 124(3) of the Building Act 2004, and is currently punishable by a fine not exceeding $200,000.

Note: when undertaking the strengthening or demolition work, you must first obtain all necessary consents under the Building Act 2004, Resource management Act 1991 or any other applicable legislative or bylaw requirements in place when the work is undertaken.

Continued over …

In accordance with section 125 of the Building Act 2004, a copy of this notice will also be served on the **occupiers**, those with a registered interest on the title and any authority with an interest in the building.

Owners have 12 months from date of this notice to appeal by applying for a determination from the Department of Building and Housing under section 177(d) of the Building Act 2004.

Signature On behalf of Nelson City Council	Position **Date:** 8 November 2012

Section 122 of the Building Act 2004

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 any other property; or

(ii) damage to any other property.

(2) Subsection (1) does not apply to a building that is used wholly or mainly for residential purposes unless the building—

(a) comprises 2 or more storeys; and

(b) contains 3 or more household units

Nelson City Council Earthquake-prone, Dangerous and insanitary Buildings Policy (2006):

A copy of this policy is available for inspection on the Nelson City Council's website http://www.nelsoncitycouncil.co.nz/earthquake-prone-building-policy/

Earthquake Prone Building Notice Document Scanning Coversheet

Date of request: . . . . . .

Notice Earthquake Prone Building

EQB no.	EQB0017, EQB0209
Building name / Identifying feature	Civic House – ex Post Office Savings Bank & Generator Room
Address (Optional only if supplied)	108 Trafalgar Street, Nelson
Date of notice	8 November 2012

Examples:

- Notice Earthquake Prone Building 0104 - Nelson Harbour Board Building Complex Former Dorman Engineering Workshop - Rogers Street, Port Nelson – 15DEC2009
- Notice Earthquake Prone Building 0067 – Pumpkin Patch - 97 Bridge Street – JUN2011

Metadata

Doc type LEGAL Sub Type ENFORCEMENT Author CHRISW

PPR's 110024, 119562

NCS Ref EQB0017, EQB0209

Security Default Disclosure PUBLIC

Do not scan cover sheet. Tardis ref to bruce.mutton@ncc.govt.nz

Original paper document to be stored with property file or crown box as appropriate.