



Existing Buildings – New Zealand

IRCC Workshop - May 2016, Oslo



Existing Building Obligations

Regulation only applicable:

- When building work being undertaken on the building, e.g. alteration, addition or retrofitting
- When existing building is considered dangerous, insanitary or earthquake-prone
- When residential accommodation is being let (rentals)

Otherwise

- No obligation for owners to upgrade

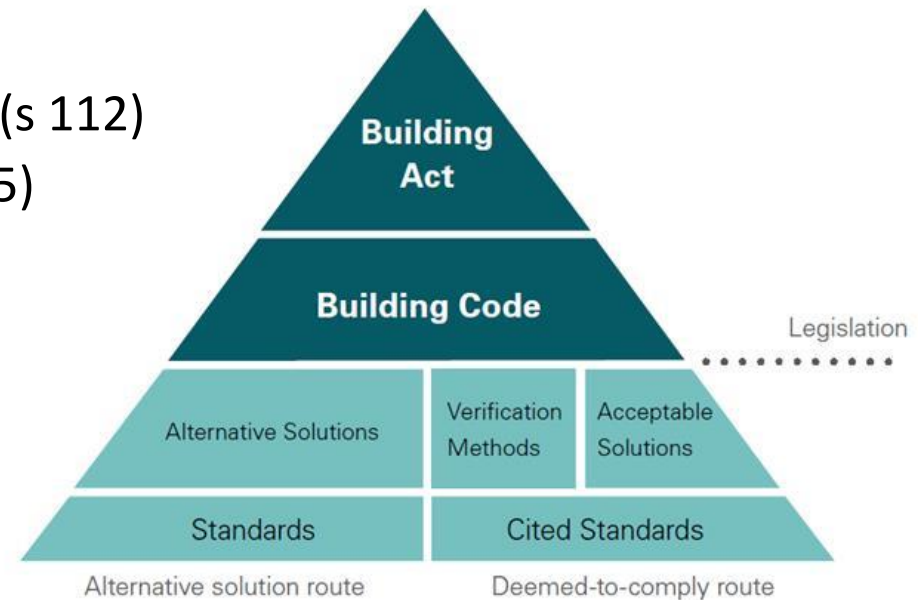
Incentives available





Building Act

- Building Act 2004 regulates building work
- All building work needs to comply with the Building Code (regulation under the Building Act)
- Act addresses:
 - Alterations to existing buildings (s 112)
 - Change of use of buildings (s 115)
 - Subdivisions (s 116)





Building Alterations

- Actual building work being undertaken needs to comply with Code
- Means of escape from fire and disability access provisions need to be upgraded to as near as reasonably practicable (ANARP) to Code requirements, and
- The building needs to comply with other provisions of Code to at least the same extent as before the alterations occurred

Issues

- Defining ANARP. Allows flexibility in decision making but not necessarily always clear the extent of upgrade required
- Earthquake repairs – come under ‘alteration’ provisions. Triggering fire and access upgrade costs.



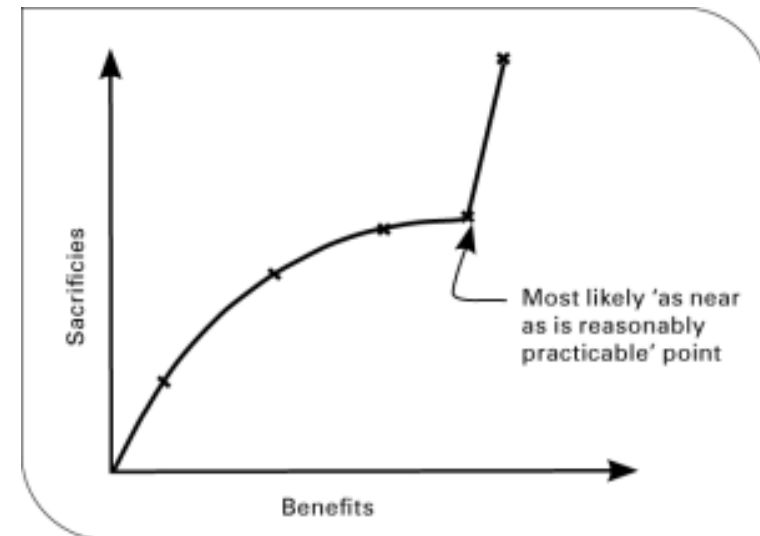
Building Change of Use

- Building use regulations are defined by fire categories
- Changing the use of a building requires means of escape from fire and disability access to be upgraded to as near as reasonably practicable (ANARP) to Code requirements, and
- The building needs to comply with other provisions of Code to at least the same extent as before the change of use occurred
- Where change involves incorporation of 1 or more household units, the whole building needs to be upgraded ANARP to all code provisions (structural, energy, fire, access, building services, etc)



As near as reasonably practical (ANARP)

- Decision on extent of upgrade required made by Council issuing building consent
- ANARP – balance benefits and sacrifices of full compliance. Applicant outlines the case with decision made by Council





Dangerous and Insanitary

Dangerous

- In the ordinary course of events (excluding earthquake) the building is likely to cause injury or death or damage to other property

Insanitary

- Building is offensive or likely to affect health (how constructed or state of disrepair)
- Damp, no drinking water, no sanitary facilities

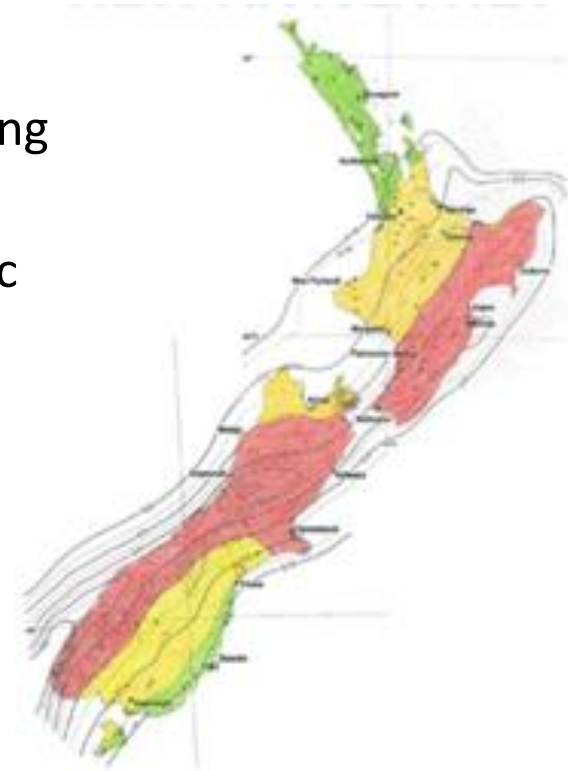
Actually quite a high test

Powers for Councils to barricade, repair or demolish the building



Earthquake-prone buildings (EPBs)

- Legislation currently being amended – national approach rather than local Council policy
- Aims to remove worst performing buildings, balancing costs and risks
- Earthquake-prone if less than 33% of current seismic requirements (New Building Standard)
- Councils identify EPBs within specified timeframe (depending on green, yellow or red hazard area and building priority – 2.5 to 15 years)
- Owners then have specified time to upgrade or demolish (7.5 to 35 years)





Residential Rentals

- Compliance with Residential Tenancy Act
- Certain minimum standards – smoke alarms, insulation, ventilation, overcrowding



Incentives for owners

- Obligations fall on the building owner
- Some incentives available:
 - Limited subsidies for homeowners to upgrade house insulation
 - Some limited subsidies for upgrading seismic performance of heritage buildings



BUILDING PERFORMANCE

