

Exemption from requirement to carry out seismic work application form

Refer to Section 133AN, Building Act 2004

Notes for the applicant

Use this form to apply for an exemption from the requirement to carry out seismic work on your building. If the application is successful your building will still be an earthquake-prone building notice, however you will not have to carry out building work to improve its seismic performance.

If you have any questions, visit wellington.govt.nz/earthquake-prone-buildings, email buildingresilience@wcc.govt.nz, or phone us on **04 499 4444**.

Email the completed application to buildingresilience@wcc.govt.nz. Alternatively, you can:

Post the completed application to us at:

**Resilient Buildings Team
Wellington City Council
PO Box 2199, Wellington**

Or hand it to us at a Council Service Desk at:

**Te Awe Library, 29 Brandon St – 8am-5pm Mon-Fri
Johnsonville Library, 34 Moorefield Rd – 10am-5pm Mon-Fri**

Building

EPB investigation service request number

Building address

aka Address

Building name/letter

Applicant details

Full name

Postal address
(if different from building address)

Phone

Mobile

Email

Signature

Signed

Date

Please refer to the next page for information on documentation that must be provided alongside this application form.

Information which must be submitted with this application

Section 10 of the Building (Specified Systems, Change the Use, and Earthquake-prone Buildings) Regulations 2005 outlines six criteria that a building must meet to be eligible for an exemption. You **must provide** the following information in order to confirm that your building meets all of the following criteria:

(a) Intensity of occupation and passage: nil to low or low to moderate (current)

To meet this criterion the current intensity of occupation and passage for the building needs to be 'nil to low' or 'low to moderate.' This means that the number of persons in or near the earthquake-prone building or part, the number and frequency of visits to the building, and the length of those visits needs to be on the lower end of what would be expected for most buildings. For further guidance on this criteria refer to MBIE's guidance at bit.ly/epbexemptionuseguidance. Information to support this could be:

Documentation outlining the building's current use, for example tenancy or lease agreements, meeting minutes, maintenance schedules, and/or a description and count of nearby pedestrian and vehicular traffic. This should include specifics around occupancy numbers, duration, and frequency. Consider both those who occupy the building on a regular basis, and those who may occupy or be near it on a more infrequency basis, for example groundskeepers.

(b) Intensity of occupation and passage: nil to low or low to moderate (expected)

To meet this criterion the expected intensity of occupation and passage for the building needs to be 'nil to low' or 'low to moderate.' As with criterion (a), this means that the number of persons in or near the earthquake-prone building or part, the number and frequency of visits to the building, and the length of those visits needs to be on the lower end of what would be expected for most buildings. For further guidance on this criteria refer to MBIE's guidance at bit.ly/epbexemptionuseguidance. Information to support this could be:

Documentation outlining future plans for how the building is to be used, for example a statement outlining whether there are development plans for the buildings. This should factor in expected uses such as an annual event held at the building once a year.

(c) Collapse of building or part unlikely to have certain impacts: impacts on persons

To meet this criterion, because of the way the building or part is expected to collapse in a moderate earthquake, it must be unlikely to result in the death of, or injury to, more than a low number of persons in or near the building or on any other property. Alternatively, to meet this criterion, the current and expected intensity of occupation and passage for both the building, and any nearby buildings or properties must be 'nil to low'.

Documentation from a chartered professional engineer outlining how the building is expected to collapse in a moderate earthquake. This should include comment on how this may impact people in or nearby the building; **OR**

Documentation as outlined above under criteria (a) and (b) confirming that the current and expected intensity of occupation and passage for the building will be 'nil to low;' **AND**

Documentation relating to any nearby buildings or properties outlining how they are used and any future plans for how they are to be used, for example tenancy or lease agreements, meeting minutes, maintenance schedules, and/or a description and count of nearby pedestrian and vehicular traffic.

(d) Collapse of building or part unlikely to have certain impacts: impacts on other buildings or property

To meet this criterion, because of the way the building or part is expected to collapse in a moderate earthquake, it must be unlikely to result in more than minor damage to any other building or property. Alternatively, to meet this criterion, the building or part is not, and is not likely in the foreseeable future to be, adjacent to, adjoining, or nearby any other building or property (excluding land).

Documentation from a chartered professional engineer outlining how the building is expected to collapse in a moderate earthquake. This should include comment on how this may impact other buildings or property; **OR**

Documentation showing the layout of the site, and the building's location in relation to any other buildings or property, for example a site plan. This should also include comment on any planned future development for the site involving other buildings or property.

(e) Collapse of building or part unlikely to have certain impacts: impacts on emergency transport routes

To meet this criterion, because of the way the building or part is expected to collapse in a moderate earthquake, it must not be able to impede an emergency transport route.

If the building is nearby an emergency transport route, documentation from a chartered professional engineer outlining how the building is expected to collapse in a moderate earthquake. This should include comment on how this may impact the emergency transport route.

(f) Not needed for use in an emergency

To meet this criterion the building must not be needed for use in an emergency. This information should already be outlined in the documentation provided to support criterion (a).

Documentation outlining the building's current use as outlined under criterion (a).