

SOUTH WAIRARAPA DISTRICT COUNCIL

9 AUGUST 2017

AGENDA ITEM C1

THE BUILDING (EARTHQUAKE-PRONE BUILDINGS) AMENDMENT ACT 2016

Purpose of Report

To enable Council to fulfil its legal requirements to consult on vehicular and pedestrian thoroughfares with sufficient traffic to warrant prioritisation under the Amendment Act.

Recommendations

Officers recommend that the Council:

1. *Receive The Building (Earthquake-Prone Buildings) Amendment Act 2016.*
2. *Determine that there are no thoroughfares which require prioritisation at this time.*
3. *Adopt the proposed attached documents for the purposes of undertaking consultation pursuant to Section 83 of the Local Government Act 2002.*

1. Executive Summary

The Building (Earthquake Prone Buildings) Amendment Act took full force on 1 July 2017. This act requires Council to determine whether there are any priority thoroughfares in the district.

The effect of declaring a route as a priority thoroughfare is to accelerate (x2) the rate at which any identified earthquake prone building must be brought into compliance.

Council is required to consult with its community on this matter, it first having identified whether such routes might exist. The underlying purpose of the act seems to be to provide property owners along a declared priority route to "have their say" on such a classification.

In Council's case we must in the inverse consult on the fact we are not intending to declare any priority thoroughfares, that is, if Council accepts the officer's recommendation. This was not really the "intent" of the legislation, however Council has no option.

2. Background

The Christchurch and Kaikoura earthquakes have led to a significant re-evaluation of the way NZ was approaching the remediation of at risk or "earthquake prone" buildings.

In essence the slow progress towards NZ having uniform earthquake resistant structures was found to be seriously wanting. It was realised that this failure was putting not only the structures at risk of failure, but more importantly the people who use those structures on a daily basis, along with any person in proximity to them.

This has led to a revised system for managing the risk posed by earthquake prone structures as is embodied in the Building (Earthquake-prone Buildings) Amendment Act 2016.

3. Discussion

3.1 Statement of Proposal

The attached statement of proposal sets out the details/reasons in clauses 1 through 3 for this change. Clause 4 sets out the purpose of consultation.

Section 6 shows the assessment matrix that has been applied by officers. This is a simple and straightforward system which was recommended by the Ministry of Business, Innovation and Employment (MBIE).

4. Conclusion

Staff have not been able to identify any thoroughfares with unreinforced masonry buildings which should be prioritised. As such consultation is proposed to focus on whether the community agrees with that assessment, and if not which routes are considered a risk and why.

5. Appendices

Appendix 1 – Statement of Proposal: Earthquake Prone Buildings - consultation on vehicular and pedestrian thoroughfares with sufficient traffic to warrant prioritisation

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Appendix 1

Statement of Proposal: Earthquake Prone Buildings

**Consultation on vehicular and pedestrian
thoroughfares with sufficient traffic to
warrant prioritisation**



Statement of Proposal

Earthquake Prone Buildings

- consultation on vehicular and pedestrian thoroughfares with sufficient traffic to warrant prioritisation

1. Introduction

The system for identifying and managing earthquake-prone buildings changed on 1 July 2017. The Building (Earthquake-prone Buildings) Amendment Act 2016 came into force. The new system introduces a nationally consistent method to manage buildings for future earthquakes. It also provides more information for people using buildings.

The new system prioritises identification and remediation of earthquake-prone buildings that either pose a high risk to life safety, or are critical to recovery in an emergency. Certain hospital emergency, and education buildings that are earthquake prone will be 'priority buildings'.

Other earthquake-prone buildings may be priority buildings due to their location, and the potential impact of their failure in an earthquake on people. These buildings must be identified with community input. Priority buildings must be identified and remediated in half the usual time, to reduce the risks to life safety more promptly.

Council seeks your feedback on roads, footpaths and other thoroughfares which should be included.

This consultation is being undertaken in accordance with section 133AF(2)(a) of the Building Act 2004, which requires the use of the special consultative procedure in section 83 of the Local Government Act 2002.

2. New system for managing earthquake-prone buildings

The Building (earthquake-prone buildings) Amendment Act 2016 changes the current system for identifying and remediating earthquake-prone buildings.

The new system ensures the way our buildings are managed for future earthquakes is consistent across the country, and provides more information for people using buildings, such as notices on earthquake-prone buildings and a public register.

Owners of earthquake-prone buildings will be required to take action within certain time frames depending on the seismic risk area their building is located in. Affected owners will be contacted by Council.

Our district has been categorised as a high seismic risk area. This means that Council must identify potentially earthquake-prone buildings within 5 years from 1 July 2017. At the same time building owners must strengthen or demolish earthquake-prone buildings within 15 years.

3. Priority buildings pose a high risk to life safety, or are critical to recovery in an emergency.

The new system prioritises identification and remediation of earthquake-prone buildings that either pose a high risk to life safety, or are critical to recovery in an emergency. These buildings are called 'priority buildings'.

Priority buildings must be identified and remediated in half the time allowed for other earthquake-prone buildings, to reduce the risks to life safety more promptly.

Council must identify potentially earthquake-prone priority buildings in this district within 2.5 years. Building owners must strengthen or demolish earthquake-prone priority buildings within 7.5 years.

Certain hospital, emergency, and education buildings that are earthquake-prone are likely to be priority buildings due to their location, and the potential impact of their failure in an earthquake on people.

4. Why we're consulting

To determine whether buildings may be priority buildings, Council must identify thoroughfares that have sufficient vehicular or pedestrian traffic to warrant prioritisation. The risk to be assessed is whether parts of buildings will fall onto them in an earthquake.

The communities' views on the acceptable level of risk, buildings, and their uses will help inform Council's decision on whether to prioritise any routes within the district.

5. Have your say

Feedback on Council's proposal is invited until **4pm on 22 September 2017**. You can respond by post to:

Earthquake-prone buildings submission, South Wairarapa District Council, PO Box 6, Martinborough 5714

Or email to: murray.buchanan@swdc.govt.nz

If you make a written submission, you have the option to speak at a hearing. Please let us know in your submission if you would like to speak to your submission in person.

Things to note

- Submissions will not be returned.
- Under the Privacy Act 1993, submissions are available for viewing by the public and media if requested. Please notify the Council if for any reason you do not want your contact details to be made publicly available.
- The hearing of these submissions will be open to the public.

6. Proposal

6.1 Assessment of vehicular and pedestrian thoroughfares with sufficient traffic to warrant prioritisation

Council has applied the following criteria to roads, footpaths or other thoroughfares to be considered for prioritising:

a. High pedestrian areas (people not in vehicles)

Description of use	Description of area	Applied to	Assessment
Area relating to social or utility activities	Areas where shops, or other services are located	The main street shopping areas of Featherston, Greytown and Martinborough	The number of people assembled in the commercial areas is modest even at the busiest times, when compared to larger centres. This does suggest that a low risk exists under this criteria.
Areas relating to work	Areas with concentration of people	As above	As above
Areas relating to transport	Areas where concentrations of people access transport	Railway stations	The number of people present at railway stations is low over a normal day (even accepting that more people are present at peak times). However when a greater number of people are present, the stay tends to be of short duration. In addition there are no real structural hazards evident at stations in relation to waiting passengers.

Key walking routes	Key walking routes that link areas where people are concentrated	Walking routes from Station in Featherston.	Walking routes are open with no risk from structures along them.

b. Areas with high vehicular traffic (people in motor vehicles/on bikes)

Description of use	Description of area	Applied to	
Key traffic routes	Key traffic routes regularly used by vehicles including public transport	The main street shopping areas of Featherston, Greytown and Martinborough fronting State Highways and local arterial and collector roads	While all 3 centres have a state highway route passing through the centre of them, these carry modest levels of traffic, of any type. Alternative routes are readily accessible in the event of an earthquake.
Areas with concentrations of vehicles	Areas where high concentrations of vehicles build up	Main intersections.	Low vehicles numbers mean little congestion so concentrations are low.

c. Potential for part of an unreinforced masonry building to fall onto the identified thoroughfare

Description - presence of unreinforced masonry buildings
There are no unreinforced masonry buildings along any potential thoroughfares.

6.2 Conclusion

At this time Council proposes no thoroughfares be prioritised.

Council seeks your views on whether you consider any roads, footpaths and other thoroughfares have sufficient traffic and risk to warrant prioritisation.

6.3 Questions to consider

1. Do you agree that there should be no thoroughfares identified for prioritisation?
2. If not, which thoroughfares do you disagree with and why?

7. What happens next?

Once any feedback on priority thoroughfares from the community have been finalised, Council will look at buildings on any subsequently prioritised thoroughfares to determine whether they are potentially earthquake prone in accordance with the EPB methodology.

Affected building owners will be notified. Owners of potentially earthquake-prone buildings, whether a priority building or not, have 12 months to provide an engineering assessment. Council will then determine whether the building is earthquake prone, and notify the building owner of remediation requirements.

8. Further information

Further information on the new system for managing earthquake-prone buildings can be found at

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