

Deliberation on the Earthquake Prone Building proposal for 400-770 Pollen Street, Thames

TO Thames-Coromandel District Council
FROM Ashleigh Howard – Policy Planner
DATE 20 November 2018
SUBJECT **Deliberation on the Earthquake Prone Building proposal for 400-770 Pollen Street, Thames**

1 Purpose of report

The purpose of this report is to provide analysis of the submissions received on the proposal to designate 400 – 770 Pollen Street as a priority thoroughfare under the s133 of the Building Act 2004. This is a thoroughfare which contains sufficient pedestrian and vehicular traffic on to which unreinforced masonry buildings could fall in an earthquake.

2 Background

A new system for managing earthquake-prone buildings came into force on 1 July 2017, under the Building (Earthquake-prone Buildings) Amendment Act 2016. The Amendment Act makes systematic changes to the way earthquake-prone buildings are identified and managed. Many of the changes are to establish a consistent approach across the country.

Part of the Thames-Coromandel district covering Thames and Whangamata is identified as being located within a ‘medium seismic risk’ area. The legislation requires that Council identify potentially earthquake-prone buildings within ten years, and building owners must strengthen or demolish earthquake-prone buildings within 25 years.

Council is now required to identify *public roads, footpaths, and other thoroughfares* (roads) with sufficient traffic to warrant prioritisation because of the risk of part of an unreinforced masonry (URM) building falling in an earthquake. Identification of these thoroughfares must be completed with community input using the special consultative procedure in Section 83 of the Local Government Act 2002.

The identification of thoroughfares is the first step to classify which URM buildings will also be categorised as *priority buildings*. As such, the proposal only impacts on URM buildings located on identified roads. Owners of *priority buildings* in medium seismic areas must strengthen or demolish these within 12.5 years instead of the standard 25 years.

Council consulted on a proposal to identify 400-770 Pollen Street as a priority thoroughfare based on the profile of buildings on that section of Pollen Street as well as the constant volume of pedestrian and vehicular traffic. Consultation took place in August and September 2018, with a hearing held on 11 December 2018.

3 Issue

Council must deliberate on submissions received on its proposal to designate 400-770 Pollen Street as a priority thoroughfare which contains sufficient pedestrian and vehicular traffic on to which unreinforced masonry buildings could fall in an earthquake. Under s133AF of the Building Act 2004, the Council must then determine whether to proceed with designating 400-770 Pollen Street as a priority pedestrian and vehicular thoroughfare containing priority buildings.

4 Discussion

The proposed priority thoroughfare between 400-770 Pollen Street contains approximately 50 unreinforced masonry buildings which are potentially earthquake-prone. These have been identified using the earthquake-prone buildings methodology, set by the Ministry of Business, Innovation and Employment (MBIE). These buildings are likely to contain potentially earthquake-prone components, which require engineering assessments for mode of failure. Mode of failure refers to the specific way(s) in which a building may present a risk to public safety in the event of an earthquake.

Through the process of identification, our building staff have estimated that 20-30% of these buildings will be 'false positives'. These false positives are buildings identified as a 'potentially earthquake prone' building on initial assessment, but likely to need no strengthening after a more thorough engineering assessment. The remaining buildings would need minor to moderate strengthening of specific components that present a high risk to public safety.

Analysis of Submissions

A meeting on the proposal was held on 4 September 2018 in Thames, with all property owners between 400 – 770 Pollen Street invited. Approximately 20 people attended this meeting.

The Council received five submissions on the proposal. Two of these submissions do not address the proposal and are out of scope.

The three remaining submissions consider the economic and safety implications of the policy, with one supporting and two opposing. The submission supporting the proposed prioritisation, stated the thoroughfare in question experiences 'considerably more' pedestrian and traffic activity than elsewhere in Thames, therefore warrants the prioritisation.

One submission opposing the proposed prioritisation believed the risk was not high enough. The second submission opposing this proposition also did not see the risk as high enough to warrant this change. The submitter further expressed that this proposal would not be economically viable for community building owners to take on, resulting in the cost being passed on to tenants.

Building staff have identified 400-770 Pollen Street as containing unreinforced masonry buildings, or parts of buildings which could fall in an earthquake on to a thoroughfare with high pedestrian and vehicular traffic.

The designation of this portion of the street as a priority thoroughfare is supported by building staff as it allows for the formal identification and remediation of earthquake-prone buildings that present a high risk to public safety to progress, and allows Council and building owners to take relevant steps in preparation for an earthquake.

Option One – Status Quo

That Council choose to continue with the status quo, and decline the proposal to designate priority buildings on 400-770 Pollen Street, making it a priority pedestrian vehicular thoroughfare.

Option Two – Staff Recommendation

That Council proceed with its proposal to designate 400-770 Pollen Street as containing priority buildings due to the potential of unreinforced masonry falling in the event of an earthquake. Therefore designating this priority vehicular and pedestrian thoroughfare. This

will allow staff to move forward in the process of formally identifying which buildings require earthquake strengthening.

Next Steps

If it is determined by Council that 400-770 Pollen Street warrants prioritisation due to the risk of any part of an unreinforced masonry building that could fall in the event of an earthquake (such as a parapet, external wall, or a veranda) into a prioritised thoroughfare, staff will proceed with these steps:

- Write to all property owners between 400-770 Pollen Street advising of the decision;
- Complete initial assessment of buildings under MBIE's Earthquake-prone buildings methodology;
- Write to potentially earthquake-prone building owners advising we require them to have an engineering assessment undertaken, or to provide an updated version of the previous engineering assessment undertaken under the previous earthquake-prone buildings legislation;
- Advise affected building owners of reduced timeframes for completing building strengthening and reinforcing following consideration of engineering assessments.
- Maintain a register of earthquake-prone buildings, their due date for strengthening and reinforcing and whether works have been completed or not.

5 Suggested resolution(s)

That the Thames-Coromandel District Council:

1. Receives the report 'Deliberation on the Earthquake Prone Building proposal on 400-770 Pollen Street, Thames', dated 20 November 2018.
2. Determines that it has followed the required special consultative procedure as set out in the Local Government Act 2002.
3. Receives the submissions made on the proposal to designate Pollen Street as a priority thoroughfare under the Building Act 2004
4. Determines that 400-770 Pollen Street be identified as a priority pedestrian and vehicular thoroughfare under section 133AF of The Building Act 2004.

References-Tabled/Agenda Attachments

Attachment A Statement of proposal

Attachment B Earthquake prone buildings – hearing pack

[Attachment A - Statement of Proposal - Priority vehicular and pedestri...](#)

[Attachment B - Earthquake Prone Buildings - Hearing Pack - 18 Oct 2018](#)