



# **Statement of Proposal**

## **Proposed approach to Priority Buildings**

**with regard to identification and remediation  
of earthquake prone buildings**

The purpose of this Statement of Proposal is to;

A Identify any part of a public road, footpath, or other thoroughfare:

- Onto which parts of an unreinforced masonry (URM) building could fall in an earthquake; and
- That has sufficient vehicle or pedestrian traffic to warrant prioritising the identification and remediation of those parts of URM buildings.

B Identify routes of strategic importance, that have at least one building that could impede the route if the building were to collapse in an earthquake.

The outcome of this process of identification is that:

- Any part of an URM building that could fall onto a thoroughfare, identified by Part A of this process during an earthquake will be classified as a priority building under the Building Act 2004.
- Any earthquake prone, or potentially earthquake prone, building on a transport route identified by Part B will be classified a priority building under the Building Act 2004.

Whether a building is a priority building affects:

- The deadline by which the Council must identify whether the building or a part of the building is potentially earthquake prone (see the Building Act, section 133AG). In particular, by 30 June 2022 the Council must apply the earthquake prone building (EPB) methodology under the Building Act to identify buildings or parts of buildings that are potentially earthquake prone. This timeframe is five years shorter than for non-priority buildings.
- The deadline for completing seismic work on the building or a part of the building, if it is subject to an earthquake prone building notice (EPB Notice) (see the Building Act, section 133AM). In particular, the owner of a building or part of a building that is subject to an EPB Notice must complete seismic work on the building or part on or before 12.5 years from the date of the first EPB Notice. This timeframe is 12.5 years shorter than for non-priority buildings.

This Statement of Proposal is set out in two parts. The public is invited to submit on either, or both, of the parts discussed in this Proposal.

**Part One** discusses the proposed approach to the identification of thoroughfares with sufficient traffic to warrant prioritisation of URM buildings (either whole or in part).

**Part Two** discusses the proposed approach to the identification of transport routes of strategic importance (in terms of emergency response).

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/>

Buildings in the Nelson region that currently have EPB Notices (URM and other construction) can be found online at <https://epbr.building.govt.nz/>, by selecting Nelson region and searching. Additional buildings may be identified as earthquake prone in the future.

## **Part One: URM buildings (whole or in part) that could fall on thoroughfares with sufficient vehicular and pedestrian traffic to warrant prioritisation**

The Building Act gives Council the ability, in consultation with its community, to identify thoroughfares, onto which any part of an URM building may fall, which have sufficient vehicle or pedestrian traffic to warrant prioritising (in terms of identification and remediation).

Once thoroughfares have been identified through this process, the Council will be required to identify whether any buildings located on the approved routes are potentially earthquake-prone, determine their earthquake-prone status, and (if they are earthquake-prone) enforce a shorter timeframe for remediation.

The Council has already identified and tracked the remediation of URM buildings since approximately 1985. As a result, the Council has a level of confidence that many of the buildings that have URM components, have already been identified.

There are also URM buildings where failure would not affect public roads, footpaths or other thoroughfares. Examples include URM chimneys that are not adjacent to, or are unlikely to, fall onto a public space. Those buildings are not intended to be addressed as part of this process.

The public is invited to submit on the proposal. You can make a submission online at [nelson.govt.nz](http://nelson.govt.nz) or in writing by using the submission form at the end of this document. Submissions must be received by 4 November 2019.

### **1.1 The Proposal: URM buildings (whole or in part) that could fall on thoroughfares with sufficient vehicular and pedestrian traffic to warrant prioritisation**

The Council is proposing to identify the following as public roads, footpaths and other thoroughfares with sufficient vehicular or pedestrian traffic to warrant prioritisation of nearby URM buildings:

All public roads, footpaths, or other thoroughfares that are inside the area defined by the centrelines of the Nelson Central City ring roads, including publically accessible areas adjacent to buildings at 29 Halifax Street and 133 Collingwood Street. Refer to the map attached to this Proposal;

The Council is proposing this area on the basis of:

- its assessment that the identified area has high pedestrian and vehicular traffic, and is sufficient to warrant prioritising the identification and remediation of URM buildings;
- the distribution and characteristics of URM buildings identified to date; and
- the layout of the buildings and thoroughfares within this area means that parts of any URM buildings could fall onto pedestrians or vehicles in an earthquake

## 1.2 Alternatives considered

In considering its approach, Council also considered the following options.

**a. Inclusion of buildings in the commercial zones of Stoke and Tahunanui.** The Council considered whether to include the suburbs of Stoke and Tahunanui. However as there are no identified URM buildings in these suburban commercial zones, the Council is proposing to not to include them.

**b. Using another criteria to identify public roads, footpaths and other thoroughfares**

Under this option, Council would use a different criteria to identify public roads, footpaths and other thoroughfare's that have sufficient traffic to warrant prioritisation, such as;

- areas defined by Nelson Regional Management Plan zones, such as 'Inner City – Centre' and 'Inner City Fringe' (zone criteria); or
- specific routes or areas based on pedestrian, cyclist and vehicle traffic counts.

Although a zone criteria would potentially capture more URM buildings as priority buildings, the majority are already within the proposed Nelson central city area. Moreover, many of the buildings in the broader area may appear to be URM, but are outside of the scope of this consultation because they are brick veneer supported by concrete, steel or timber structure (i.e. do not gain lateral support from URM). In addition, known URM buildings outside of the Nelson central city area, are either;

- considered to not be on a route with sufficient traffic,
- established as not earthquake prone, or not within the scope of the earthquake prone building provisions of the Act, *or*
- subject to potential failures that do not affect public roads, footpaths or other thoroughfares.

Another alternative could be to use traffic counts to determine the thresholds for 'sufficient vehicle and/or pedestrian traffic'. Although this might appear to be a more rigorous approach, available traffic counts do not discriminate on a route by route or building by building basis and therefore are not considered the best measure in this context.

**c. That Nelson does not have any public roads, footpaths or other thoroughfares that have sufficient vehicle or pedestrian traffic to warrant prioritising the identification of those parts of unreinforced masonry buildings that could fall**

Under this option, it would be considered that there is no reasonable prospect of any thoroughfare in Nelson having sufficient vehicle or pedestrian traffic to warrant prioritisation.

However, Council considers that Nelson central city does have sufficient vehicle and pedestrian traffic in the areas marked on the map attached to this Proposal as anticipated by the Building Act.

In addition, there are, as at 1 July 2019, seven URM earthquake prone buildings with EPB Notices in the proposed area. The Council therefore considers that prioritisation of URM buildings in the Nelson Central City area is warranted.

**d. That all public roads, footpaths, or other thoroughfares in Nelson have sufficient vehicle or pedestrian traffic to warrant prioritising**

Under this option all of Nelson's public roads, footpaths or other thoroughfares would warrant prioritisation.

It does not appear reasonable that all thoroughfares in wider Nelson would have sufficient vehicle or pedestrian traffic to warrant prioritisation.

**Questions**

1. Do you agree with the thoroughfares identified for prioritisation?
2. If not, which thoroughfares do you disagree with and why?
3. Are there any other thoroughfares that meet the criteria but are not listed?

**Part two: Buildings on a transport route of strategic importance**

The Building Act 2004 gives Council the ability, in consultation with its community, to identify for prioritisation buildings that could impede routes of strategic importance in an emergency, if they were to collapse in an earthquake.

This is important as buildings impeding a strategic transport route in an earthquake could inhibit an emergency response to the detriment of the community, such as loss of life, if timely access to emergency care is not possible.

Once any buildings have been identified the Council will be required to determine their earthquake prone status and (if applicable) enforce a shorter timeframe for remediation.

The Council has already identified some buildings that may be or are earthquake prone on some main routes. Buildings that have already been identified as earthquake prone can be viewed on [MBIE's Register of Earthquake Prone Buildings](#).

The public is invited to submit on the proposal. You can make a submission online at [nelson.govt.nz](http://nelson.govt.nz) or in writing by using the submission form at the end of this document. Submissions must be received by 4 November 2019.

**2.1 The Proposal: Identifying transport routes of strategic importance**

The Council is proposing to apply the following criteria to identify transport routes of strategic importance - routes likely to be used by emergency services in:

- transiting from their bases to areas of need in a major emergency, *or*
- transiting to central services such as hospitals, where there are no alternative routes available.

Based on there being a likelihood of use by emergency services in an emergency and the potential for at least one building to impede the route if it collapsed, Council proposes the following routes be prioritised. Refer to the map attached to this Proposal:

- All lanes of streets bounding the Nelson Central City; Rutherford, Halifax, Collingwood Streets and Selwyn Place, but not where these roads extend beyond their common intersections.
- Gloucester Street between Vanguard and St Vincent Streets.
- Halifax Street from Rutherford Street, Haven Road from Halifax Street, Wakefield Quay, Rocks Road, Tahunanui Drive to Annesbrook roundabout.
- Rutherford Street from Halifax Street, Waimea Road to Boundary Road.
- Waimea Road from Whakatu Drive roundabout, Main Road Stoke to Salisbury Road roundabout.

All of the routes proposed coincide with roads identified by the Nelson Tasman Lifelines Group (which includes Tasman District Council, Nelson City Council, NZ Transport Agency and others), except for Gloucester Street, Halifax Street, Collingwood Street and Selwyn Place.

Feedback has already been sought from Nelson Tasman Lifelines Group Police, Fire and Emergency New Zealand, and Nelson Marlborough District Health Board representatives. Gloucester Street has been included with the proposed routes after speaking with local representatives of Fire and Emergency New Zealand.

## 2.2 Identifying buildings that could impede the strategic transport routes

Once the routes are identified, Council will use the EPB Methodology to identify by 30 June 2022, buildings or parts of buildings that are potentially earthquake prone.

## 2.3 Alternatives considered

In considering its approach, Council also considered the following options:

### a. Not prioritising buildings on strategic transport routes:

It is not mandatory for a territorial authority to prioritise identification of buildings on strategic routes in its district. For example all main routes may have alternative routes that could be used by emergency vehicles. However in Nelson, the use of an alternative route may cause undue delay to an emergency response to the detriment of the community, such as loss of life, if timely access to emergency care is not possible. For this reason, this option was not supported.

### b. Including the following transport routes:

- State highway 6 north of Nelson
- Waimea Road from Boundary Road, Whakatu Drive to Salisbury Road roundabout
- Maitai Valley Road east of Nelson to the Maitai Dam

All of these routes are identified by the Nelson Tasman Lifelines Group. However these are proposed not to be prioritised because there are unlikely to be buildings that could impede those routes if they collapsed:

### Questions

4. Do you agree with the routes identified for prioritisation?
5. If not, which routes do you disagree with and why?
6. Are there any other routes that meet the criteria but are not listed?

### Submission

Anyone may make a submission about any aspect of Council's proposal and the other options that have been considered. Council, in making its decision, will take account of all submissions made.

A submission form is included at the end of this document.

All submissions, including the name and contact details of the submitter, will be made available to the public and media on Council's website, unless you specifically request that your contact details be kept private and explain why it is necessary to protect your privacy. Council will not accept any anonymous submissions.

Submissions can be made:

- Online at [nelson.govt.nz](http://nelson.govt.nz)
- By post to Priority Buildings, PO Box 645, Nelson 7010
- By dropping off to Civic House, 110 Trafalgar Street, Nelson

**Submissions must be received no later than 4:00 pm on 4 November 2019.**

Any person who wishes to speak to the Council in support of their submission will be given the opportunity to address the Council at the hearings during February 2020

