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On behalf of an organisation	Inner City Wellington
Yes, we want to speak to all Councillors at an oral hearing; morning is preferred	

Inner City Wellington (ICW) submission on Priority Building Consultation

Key points:

- ICW does not agree that all the streets included are high traffic routes.
- The approach to the identification of high traffic routes is too broad (eg, includes short 'no exit' streets to Lambton Quay) and there is insufficient evidence to justify the inclusion of many streets.
- An independent review should be undertaken of the approach to identifying URM buildings that are not currently earthquake-prone, and the determination of high traffic routes, to provide assurance that the buildings and streets fit the criteria: *thoroughfares meeting the criteria must also have a URM building located on them **whereby there is the potential for a URM part to fall onto the identified thoroughfare.***
- ICW agrees with the emergency transport routes for Te Aro and Wellington Central.
- WCC must provide directly, and lobby Government for, financial and programme support mechanisms given the public benefits being obtained from earlier strengthening for public safety and emergency response access.
- More clarity is required on how buildings on emergency transport routes are identified as priority buildings and what evidence WCC must provide of the risk of the identified buildings collapsing onto the emergency routes.
- Reducing the timeframe by up to 7.5 years will have huge financial implications for owners in a time of capacity constraints and rising prices. All priority buildings have to present a **real risk** to public safety and emergency response access.
- The priority building provisions were implemented after the majority of owners in affected buildings bought their properties. And the majority of owners of earthquake-prone buildings, who ICW engages with, bought prior to the Building Act 2004. Some have outlined the due diligence they undertook, including talking with WCC about any future issues, and only found out when the 'potentially earthquake prone letter' arrived. In short, they did not buy knowing this was coming.

ICW has used the MBIE Register of Earthquake Prone buildings (as at 23 October 2018) to assess the inclusion of the high traffic routes and identification of URM buildings.

Q1. Do you agree with the proposed high traffic routes?

No – not all of the routes should be classified as high traffic routes. WCC has used 1,000 car or pedestrian movements as the threshold, but it does not have data on all streets (according to Mike Mendonca at the 30 Oct meeting) and where there is no data, the street is included under the precautionary principle without any assessment of the risk.

- MBIE guidance¹ (p18) says that *'thoroughfares meeting the criteria must also have a URM building located on them whereby there is the potential for a URM part to fall onto the identified thoroughfare'*. WCC must have identified at least one part of a URM building that is likely to fall; just having a URM building on the route is not sufficient.
- The description of use of high pedestrian areas and high traffic routes in the Guidance does not justify identifying Barker St and Fifehire Ave (both dead end streets) as high traffic routes. There are no concentrations of people in those streets, they are not transport hubs or areas of shops, cafes, restaurants, bars, theatres and malls. It seems no other assessment has been undertaken of the type of buildings in the street and the traffic that is generated by normal use.
- Streets have been included that have *no earthquake-prone* URM buildings as officers say these CBD streets have URM buildings on them with status of potentially earthquake-prone, yet to be assessed and not earthquake-prone. These streets include: Arthur St, Ballance St, Buckle St, Claytons Ave, Garrett St, Feltex Lane, Leeds St, Lukes Lane.
- The earthquake-prone building on each of Bute St and Garrett St has a construction type of 'Other'; the buildings on Allen St, Boulcott St and Garrett St have construction type of 'Pre 1976, ≥ 3 storeys or ≥ 12m (other than URM)'. Why have these streets been included?
- ICW questions how WCC is still identifying URM buildings in the CBD that have not been assessed previously, when WCC started the process in 2006.
- ICW would like independent assurance that:
 - buildings that have been previously assessed and deemed not earthquake prone are not being included again without further information being held by WCC
 - buildings (that are not earthquake-prone) and used to include streets as high traffic routes are URM.

Q2. Do you agree with the proposed emergency transport routes?

Yes – response is just for CBD routes

Q3. Do you think we have been over-inclusive in some areas, or left out areas which should be included?

Yes – ICW considers WCC has been over-inclusive for the reasons outlined in the response to Q1. There has to be clear rationale for identifying streets as high traffic routes and this is not the case.

- We understand the public safety issue on high traffic routes such as the Golden Mile, Cuba St, Taranaki St and Tory St with URM buildings on them that may have a 'part' that could fall down; this being the only criteria for identification of a URM building as a priority building.

¹ <https://www.building.govt.nz/assets/Uploads/building-code-compliance/b-stability/b1-structure/epb-priority-buildings.pdf>

- We question how there can be multiple URM buildings still being identified as potentially earthquake-prone 12 years after WCC started the process.
- On Egmont St, the two buildings in the EQPB Register have already been part of the URM facades and masonry process. How can there be more parts on those two buildings that present a risk?
- We have not looked at the suburban streets in detail, but note that Evans Bay Parade, which is a high vehicle traffic route, does not have any earthquake-prone buildings of any type. We think all streets that are included as high traffic routes, but do not have identified earthquake-prone buildings, need to be reviewed by an independent person to confirm the URM buildings that have triggered the inclusion of these streets meet the criteria as set out in the MBIE Guidance on p18, and the pedestrian and vehicle traffic justify it being a high traffic route.

Q4. How can Council best support building owners meet requirements for remediating their buildings?

- Reducing the timeframe by up to 7.5 years will have huge financial implications for owners in a time of capacity constraints and rising prices. All priority buildings have to present a *real* risk to public safety and emergency response access. This is particularly an issue for priority buildings on the emergency transport route as the whole building has to be strengthened within the 7.5 years.
- WCC should be helping owners progress the full seismic strengthening project wherever possible to avoid:
 - rework of the strengthening work for the ‘URM part’ in question that has shortened the timeframe
 - loss of knowledge (with consequential additional costs) from changes of construction and Body Corporate personnel due to a delay between the ‘part’ strengthening and the full seismic project while the new personnel gather knowledge on the building
 - additional financial burden due to the delays imposed by having to strengthen a ‘part’ because the full seismic strengthening work has not been fully scoped or able to be funded
- Provide transparent information to owners on how WCC has identified a building on an emergency route as a priority building. Is WCC going to identify all earthquake-prone buildings on these routes as priority buildings until owners provide evidence to the contrary? What evidence will WCC provide to justify the identification as a priority building?
- For other buildings, WCC must apply the profile categories and where it uses the ‘additional information’ to identify other buildings or previously assessed buildings, it must provide the information that has informed its decision.
- Lobby the Government and Coalition partners to establish Lender of Last Resort mechanisms, tax relief, programme advisory support to enable all mandatory seismic strengthening projects to be progressed and completed.
- Provide WCC targeted financial assistance mechanisms and programme support to help owners undertake the complete project wherever possible in the absence of a Government scheme or to complement a Government scheme.
- Progress the Strategic Housing Investment Programme outlined in the Long Term Plan 2018-2028 to provide an option for owners of earthquake prone buildings (where the costs are

unaffordable and uneconomic for owner-occupiers) to negotiate an arrangement and provide WCC a means to increase housing supply in Wellington on an inner city site.

- Lobby the Government for flexibility on timeframes when capacity constraints and resulting rising costs place further unreasonable financial burdens on owners.

Q5. Is there anything else we need to take into account in setting these routes?

- WCC should be using a risk-based assessment to identify high traffic routes using the number of URM buildings on a street, the use of the building and the volume of traffic. The Guidance (p16) says '*public consultation enables communities to decide the appropriate level of risk to accept as a community, **informed by their knowledge of the local economy, portfolio of buildings and their uses***'. This information was not available for the consultation process.
- Reducing the timeframes for owners places them under further financial stress. The majority of owners (especially apartment owners) ICW engages with bought their units or apartments:
 - prior to the Building Act 2004, which led to WCC beginning the assessment process
 - prior to the legislation changes in 2016, which introduced 'priority buildings' provisions
 - have no reasonable choices about this burden.
- The lack of robust approach to the identification of high traffic routes and lack of information on how priority buildings on emergency transport routes will be identified increases the stress.

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