

3 March 2006

**Re: Draft Policy for Earthquake Prone Buildings**

This submission is from the Wellington Architectural Centre, a group which represents both professional and non-professionals interested in architecture and design, and in the promotion of good design in Wellington.

**1) Opposition for the Proposal**

The draft appears to be largely an administrative fulfilment of the council's legal obligations of the Building Act 2004. As such it operates at a very minimal level with respect to earthquake safety. The Architectural Centre opposes the draft and make the following comments.

**2) Earthquake Risk**

As the draft policy notes: "Wellington City is located in one of the most seismically active parts of New Zealand." Given this, the Architectural Centre believes that setting the level of compliance for earthquake risk at 33% of the current code requirements is too low. We note that the Department of Building and Housing (DBH)/Te Tari Kaupapa Whare's report "Earthquake-Prone Building Provisions of the Building Act 2004: Policy Guidance for Territorial Authorities" reports that the New Zealand Society for Earthquake Engineering "considers 67 percent of the new building Standard is an appropriate level for the requirement to reduce of remove the danger" ("Earthquake-Prone Building Provisions" p. 16, §1.5.2).

The council's current approach to deem only those buildings at 33% of the current code means that only high-risk buildings will be strengthened and only to the level of a moderate-risk building, a term adopted to described "a group [of buildings] ... that meet the requirements of the Act but cannot be regarded as Low-Risk" ("Earthquake-Prone Building Provisions" Table 1, p. 22). We urge the council to achieve a low-risk building category for all of Wellington's inner city buildings (i.e. above 67% of current code compliance). At 33% compliance, the buildings will have a risk at least ten times greater than those buildings which meet the requirements of the current code. ("Earthquake-Prone Building Provisions" Table 1, p. 22)

**3) Fire Risk**

In an earthquake, by far a greater number of deaths and damage to buildings is caused by fire in the aftermath of an earthquake, than from the initial quake. Because of this the Centre believes that it is important for the council to also consider the likelihood of conflagration in addition to earthquake strengthening, in its evaluation of individual buildings.

**4) Heritage Buildings**

a) Definition of a Heritage building

We consider that the definition of a heritage building as "all buildings listed as a heritage building in the Wellington City District Plan and/or those registered by the New Zealand Historic Places Trust," (3.6 Heritage Buildings) is too narrow, because the inadequate



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resources given to fund registrations and heritage listings mean that many buildings which merit recognition of their heritage value are not yet listed or registered.

We agree that all buildings with heritage listing and NZHPT registrations should be considered as historic buildings. We also consider that buildings which are not listed or registered, but for which documentation and expert advice validating an historic listing or registering is able to be made available, should be considered in the category of historic building. Likewise, buildings which have been identified as worthy of evaluation for District Plan heritage listing, or for NZHPT registration, should be given a category of interim heritage building, and considered as historic buildings until a full evaluation is carried out.

**b) Research into appropriate ways to strengthen Historic Buildings**

We strongly suggest that the council, in conjunction with other New Zealand councils and the New Zealand Historic Places Trust, commission research into appropriate ways to strengthen and protect historic buildings from earthquake damage. Particular guidance will be needed to advise owners of historic buildings who find themselves needing to strengthen their building because of this policy. It may be appropriate for the Ministry for Culture and Heritage to also be involved in such research at a national level.

**c) Heritage Fund**

We consider that the reference to the new heritage incentive fund is misleading. The paucity of the amount (\$350,000 – less than many Wellington residential properties), and the fact that there is no requirement for any of the fund to contribute to earthquake strengthening, make reference to this appear as a poor indication of the council's commitment to heritage buildings. We suggest that all reference to this fund is removed (unless the amount is increased and an explicit percentage of the fund is allocated for earthquake strengthening), and we sincerely hope that the figure of \$350,000 indicated is a typing error.

**d) Building Consent Fee waiver for Heritage Buildings**

As discussed below we encourage the council to waive building consent fees for applications made to strengthen historic buildings in response to this policy.

**5) Building Consents**

We suggest, to support building owners who find themselves in possession of an earthquake prone building, that the council reduce the fee for building consents for application to strengthen buildings in response to this policy. We also encourage the council to adopt expedient processing mechanisms for building consent applications to strengthen buildings in response to this policy. In addition, we encourage the council to waive its building consent fee for applications to strengthen historic buildings, to recognise the community value of historic buildings.

**6) Rates relief**

In addition to any relief provided by reducing fees for building consents, the Architectural Centre would also encourage the council to take up the suggestion made by the DBH to provide rates relief for the affected building owners in recognition that the cost for providing additional strengthening work may be high, and that by strengthening their buildings the owners are positively contributing to the city's ability to successfully manage the impact of an earthquake.

**7) Building prioritisation, Timeframes for strengthening work, and disputes re: classifications of earthquake prone buildings.**

We agree with the council's building prioritisation and categorisation. We also agree with the councils' suggested timeframe for strengthening buildings, but consider that the time frame might be extended in cases where a building will be unoccupied. The Centre also endorses the use of the Department of Building and Housing determinations to resolve

situations where building owners do not agree with a council classification of their building as earthquake prone.

**8) Conclusion**

The draft raises a number of issues as outlined above, and because of these the Architectural Centre cannot support the proposal in its current form.

Yours sincerely

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