

## Hutt City Council’s role in determining the earthquake-prone status of the Heretaunga Block at Hutt Hospital: further information

19 May 2022

Updated 5 July 2022 with resulting actions following receipt of final DSA by HCC

Hutt City Council, as a regulator through our building control function, identified the Heretaunga Block at Hutt Hospital as a potentially earthquake-prone building in December 2019 as required under section 133AG(4)(c) of the Building Act 2004.

Following receipt of information from the Hutt Valley DHB supporting the detailed seismic assessment from 2011 provided to the Council as regulator, the Council determined that the Heretaunga Block was not earthquake-prone in May 2021 based on the information provided to it and in accordance with the earthquake-prone building methodology.

We received a new draft detailed seismic assessment from the Hutt Valley DHB on 17 May 2022 and HCC is currently reviewing this information. We are in the process of considering the information we have under section 133AK of the Building Act 2004.

The HVDHB advises it will provide further information on the peer-reviewed DSA the week of 23 May.

<b>Actions</b>	<b>Documentation</b>
Received 2011 DSA from DHB for several of their buildings, including Heretaunga Block. It noted that while the level of the level of the building strength is relatively low, it is not considered to be earthquake-prone as defined by the NZ Building Code	<a href="#">2011 DSA</a>
HCC letter to DHB identifying Heretaunga Block as potentially earthquake prone and requesting further information	<a href="#">Correspondence</a>
Follow-up from HCC, as no information received from DHB	
Correspondence from DHB providing information	<a href="#">Correspondence</a>
Confirmation from Council that building was considered to be not earthquake prone as per the legislation and MBIE guidance,	<a href="#">Correspondence</a>
DHB notifies that a recent draft DSA assesses Heretaunga Block at 15%NBS	
HCC receives draft DSA from DHB, which is subject to peer review	
HCC receives final DSA from DHB, with no changes from final draft	<a href="#">2022 DSA</a>
Council engineers provide feedback that they believe evidence shows Heretaunga Block to be earthquake-prone, as defined by Building Act 2004	
Earthquake prone notice issued under s133AK of Building Act 2004	<a href="#">Correspondence</a>
HCC writes to Te Whatu Ora Health NZ advising of earthquake prone notice	<a href="#">Correspondence</a>

### Background Note

Towards the end of 2019 HCC wrote to all building owners of potentially earthquake-prone buildings (EQP) who met the priority criteria (as per the legislation). This included the HVDHB. The letter asked for further information. The HVDHB had until the end of 2020 to reply or to seek an

extension. No request for an extension was made. Had an extension request been made and been granted, this could have given the HVDHB up until December 2021 to respond.

At the time the Covid pandemic was impacting all aspects of work and life with the country entering a two-month lockdown in March to May 2020. In recognition of this HCC allowed for more flexibility with timeframes for a number of our regulatory functions including EQP buildings.

In March 2021 HCC followed up with the HVDHB.

The HVDHB sought to rely on the 9 December 2011 Detailed Seismic Assessment (DSA).

The DSA, undertaken by Aurecon, which reported on the interior and exterior of the Heretaunga Block had already been received by Council and there was clarification sought about the appropriateness of the Importance Level.

The DSA found that the governing rating of the Heretaunga Block at Importance Level 3 (IL3) was assessed by Aurecon as being 43%NBS (longitudinal direction) and 48%NBS (transverse direction). As the building was above 34%NBS it was not classified as “Earthquake Prone” as per the legislation applying at the time, but it was in the Earthquake Risk category.

The DSA noted that the building had “healthcare facilities with capacities of 50 or more patients but not having surgery or emergency treatment facilities”. And “buildings of this importance level are not required for special post disaster function following a major event”. This is important, as the role of the building influences the IL rating. In contrast, the Emergency Department at Hutt Hospital is an IL4 building as it is required for post-disaster functionality.

In the conclusion of the DSA it was noted that “the strength of the building is significantly less than the requirements of the current code. “While the level of the building strength is relatively low, it is not considered to be “earthquake prone” as defined by the New Zealand Building Code.”

### **Why did HCC accept the 2011 DSA from HVDHB?**

MBIE sets out advice for territorial authorities making decisions about earthquake-prone buildings. As part of this advice, there is MBIE [guidance](#) on recognising a previous assessment, including a set of criteria. These criteria include:

- the assessment was undertaken by a suitably qualified engineer with relevant skills
- both an internal and external inspection were carried out as part of the assessment
- the assessment references the relevant standard or guidelines for acceptable engineering methods in effect at the time
- the assessment clearly states the outcome, reported as a %NBS

There are other circumstances in which a territorial authority may also accept a previous assessment.

In this case, the 2011 DSA met the MBIE criteria above. It was carried out by the engineering firm (Aurecon) and signed off by one of their senior engineers.

On 7 May 2021 the HVDHB wrote to HCC confirming the Heretaunga Block is a hospital building with no specific post-disaster function, and confirming the building was IL3.

On 13 May 2021 HCC wrote to HVDHB responding to the above point and confirmed that the building was not earthquake prone as per the Building Act 2004.

### **What did HCC do with the 2022 DSA?**

Since receiving the draft Detailed Seismic Assessment (DSA) in May 2022 on the Heretaunga Block at Hutt Hospital, Hutt City Council worked with the engineering team at the HVDHB on the information required to be included in the final DSA.

The DHB kept us up to date on the safety measures put up in the meantime around the building, including fencing to protect the public. This was in response to the risks raised in the report on the precast concrete façade panels on the exterior of the building that resulted in the rating of 15%NBS(IL3).

In mid-June we were sent the final draft DSA, and we reviewed this assessment as a matter of priority. The final draft DSA showed the overall NBS rating of the building had not changed, but the primary structural elements are now rated 34%NBS or above.

On 30 June 2022 we notified HVDHB that we determined the Heretaunga Block at Hutt Hospital is earthquake prone under section 133AK of the Building Act 2004. We are working with the hospital to ensure notices are on all entrances to the building, so that people using the building are aware of its status. We have also begun the process of updating the MBIE register of earthquake prone buildings.

Heretaunga Block is a priority building under the legislation, which means the DHB (and from 1 July 2022 Te Whatu Ora Health NZ) will have 7.5 years (until 30 December 2029) to carry out building work to ensure that the building is no longer earthquake prone or to demolish the building.

We will be staying in regular contact with Te Whatu Ora Health NZ to monitor progress on this.