

18 January 2023

Jori Whitfield-Topp  
Solicitor, Franks Ogilvie

s7(2)(a)

Tēnā koe Jori

### **Request for Information pursuant to the Local Government Official Information and Meetings Act 1987 (LGOIMA)**

Thank you for your correspondence of 29 November 2022, in which you have requested the following official information:

- a) *Everything held by the Council (including communications and materials, both internal and external) relating to 1037 High Street Avalon 5011, Lot 1 DP 44190 and its designation as a potentially earthquake-prone building under the EPB Methodology.*
- b) *Without restriction of the above, we would like to know how the property first came to the attention of the Hutt City Council for the purposes of the EPB Methodology (e.g. material from a third party).*

*Where communications have been requested that request includes but is not limited to documents, emails, recordings, faxes, memos, minutes, meeting notes, reports, correspondence, agendas, policy documents, external adviser, researcher and other contractor communication and invoices, including all those in electronic form.*

On 1 December 2022 you clarified that your request applied to the date range of 1 December 2019 and 1 December 2022.

We have attached documentation that falls within the scope of your LGOIMA request. There is no correspondence within scope of your LGOIMA request other than the letter of 30 August 2022, to DDM Properties Limited, which you already hold a copy of. Additional information relating to 1037 High Street is available on the Council's website at the following link: [Property and Building Details | Hutt City Council](#).

For context, under section 133AG of the Building (Earthquake-prone Buildings) Amendment Act 2016 ([www.legislation.govt.nz/act/public/2016/0022/latest/DLM5616102.html](http://www.legislation.govt.nz/act/public/2016/0022/latest/DLM5616102.html)), councils were required to identify potentially earthquake-prone buildings in their districts by application of the Earthquake-prone Building Methodology (EPB Methodology) to buildings. The identification of buildings in Lower Hutt was undertaken by reviewing information that the Hutt City Council holds on file about each building.

The building at 1037 High Street was one of the buildings identified as a priority building under the legislative criteria, because our records show it (or part of it) is made of unreinforced masonry. As advised in our letter of 30 August 2022, the building owner of 1037 High Street, DDM Properties Limited, has until 30 August 2023 to provide Hutt City Council with one of the following:

- An engineering assessment of the building (or a previous assessment) undertaken by a suitably qualified structural engineer that complies with the requirements of the EPB Methodology. This will be used to determine if the building is earthquake prone or not.
- Evidence of a factual error in the basis on which Hutt City Council has identified this building as potentially earthquake-prone.
- Notification that you do not intend on providing an engineering assessment of the building.

This information should be forwarded to [earthquake.enquiries@huttcity.govt.nz](mailto:earthquake.enquiries@huttcity.govt.nz). An extension can be applied for by writing to Hutt City Council no later than 30 June 2023.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Please note that this letter may be published on the Council's website.

Nāku noa, nā



Susan Sales

**Senior Advisor, Official Information and Privacy**

P629200 1037 High Street AVALON

I889

Street: 1037 High D.P. 44190 Lot: 1

BUILDING PERMIT RECORD

Owner: D.D.M. Properties Ltd.  
 Address of Job: 1037 High Street  
 Builder: F.C. Pickering  
 Nature of Work: Block of 4 Shops  
 Value: \$19,450 Date of Permit: 4/6/1970

(See reverse of card for fees paid)

Permit Nos. 29296  
 File No.: 30967  
 Sign 43235  
 NO 1037 B  
 All Shop 54302  
 SIGN 15-10-91  
 DAIRY DAIRY 57277

Sewer connection \$5-00  
 Stormwater connection 5-00  
 Water connection 3-00

Works Order 11907 Stormwater dep. \$100 4/6/1970  
 Works Order 11908 Water deposit, \$108 4/6/1970

16mm film —

16mm FILM 67-29

IMAGED  
15 JAN 2010

5/10/09

QB

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Street No.	Street Name	Suburb	URM Y/N	Materials Where Known	Comments	Concrete frame with URM infill	Storeys above GL	2nd Review	124 (2) Notice	Street included in MBIE List	TRIM files checked by:	Plans to be reviewed	Reviewed	Request Archives	Archive requested?	On EQP Register?	Heritage	URM Façade	URM Parapet	Balcony/V erandah	Decorative	Design Date if Known	Check with DK
1037 - 1039	High St	Taita	N	Concrete parapet	BP29296-9 - Shows concrete parapet					Y	CH					N	?					04/06/1970 - Date on original plans	

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Profile Category A - Unreinforced Masonry Buildings																				
Street no.	Street	Suburb	No. storeys above Ground	Year	Property no.	Confirmation date that owner received PEB letter	Progress towards resolving PEB letter	Owners name	Owners contact phone number	Owners e-mail	NBS% rating if known	Source of NBS% (BC no. or TRIM document no. of assessment)	Has EQP final decision checklist been completed? (Y/N)	Does exclusion apply?	Does it fit a priority building definition? (133AE)	PEB letter sent? (Date)	Ci Reference	Is there only one building on site? (Y/N)	Already has existing PEB letter? (Expiry date)	Comments
UR	High St	Taita	1	Building application for block of 3 shops dated 26/2/1957. 04/06/1970 - Date on original plans for block of 4 shops.	629200								N/A		No	2/09/2022	EQ220080	No		Insufficient information about 3 original shops at Northern end of site constructed circa 1957. BP29296-8 - Plans for 4 shops on South end of site not URM constructed 1970.

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Current or expired EPB notice? (Expiry date)	Reference to information proving it is not URM	Original struct. DWGs	Building Name	URM folder number	On priority route listed street?
					No

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