

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

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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 Council considered the information we have under section 133AK of the Building Act 2004. We issued a notice to the Hutt Valley DHB and copied in Te Whatu Ora on 30 June 2022 advising them that the Council had determined that the Heretaunga Block was earthquake-prone.

Council has stayed in regular contact with Te Whatu Ora to monitor progress and provide guidance through our regulatory processes.

On 30 November 2023 a peer review of the additional engineering advice undertaken by Beca on behalf of Te Whatu Ora has provided additional details on the Heretaunga Block's façade. Hutt City Council has considered this advice and as the building is now rated at more than 33%NBS, the earthquake-prone building notice will be lifted.

Actions	Documentation
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	2011 DSA
HCC letter to DHB identifying Heretaunga Block as potentially earthquake prone and requesting further information.	Correspondence
Follow-up from HCC, as no information received from DHB.	
Correspondence from DHB providing information.	Correspondence
Confirmation from Council that building was considered to be not earthquake prone as per the legislation and MBIE guidance.	Correspondence
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.	2022 DSA
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.	Correspondence
HCC writes to Te Whatu Ora Health NZ advising of earthquake prone notice.	Correspondence
HCC continues to meet regularly with Te Whatu Ora and their engineering advisors regarding the process to uplift the earthquake prone status on the Heretaunga Block at Hutt Hospital.	
30 November 2023-HCC receives revised DSA and associated correspondence from peer reviewers.	Hutt Hospital – Detailed seismic Assessments – Heretaunga Block DSA Heretaunga Panel Review Summary Heretaunga Block Peer Review

<p>11 December 2023-Council engineers provide feedback that they believe that Hutt City Council can, on reasonable grounds accept that the building (Heretaunga Block) is not an earthquake prone building.</p>	<p>Spencer Holms Report HCC – Heretaunga Block</p>
<p>11 December 2023-Council determines that based on the DSA of Aurecon dated 27 November 2023 that the Heretaunga Block is not earthquake prone.</p>	<p>Memorandum on the Heretaunga Block at Hutt Hospital – 11 December 2023</p> <p>Does post 01 July 2017 engineering assessment satisfy EPB Methodology checksheet EQ190004 Heretaunga Block December 2023</p> <p>Checksheet to sign off earthquake prone building issues have been resolved- Heretaunga Block Hutt Hospital Dec 2023</p>

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.