

05 October 2021

Ref: IRC-2346

Dear

RE: Information relating to the Asteron Centre.

Thank you for your email received on 7 September 2021 in respect of the Asteron Centre.

In your email you requested:

- A copy of the latest detailed seismic assessment of the Asteron Centre.
- All correspondence between the City Council and the owner of the Asteron Centre since the DSA was commissioned.
- All correspondence between the City Council and tenants of the Asteron Centre since the DSA was commissioned.

I can advise that the latest Detailed Seismic Assessment is not yet complete and the Council does not hold a copy at present.

Copies of the documentation relating to communications with the owner and Asteron Centre tenants are attached.

Under section 7 (2)(a) of the Local Government Official Information and Meetings Act 1987, some information has been redacted as it relates to personal information about private individuals.

If you disagree with the decision to redact the documents, again, you can apply in writing to the Ombudsman to have the decision investigated and reviewed under section 27 (3) of the Local Government Official Information and Meetings Act 1987.

Should you have any further questions please contact me.

Kind regards,
Ian

Ian Hunter

Senior Advisor | Official Information Team | Wellington City Council

P 04 803 8315 | M 021 227 8315

E ian.hunter@wcc.govt.nz | W Wellington.govt.nz

23 July, 2021

One Featherston Development Ltd
9 Wilkinson Street
Wellington 6011

Dear Sir/Madam

Building is potentially earthquake-prone

Service Request: 441877
Building Address: 55 Featherston Street
Legal Description: SEC 1 SO 35705

You are receiving this letter because our records show that you are an owner of the above building. Please advise the Council if this is not the case.

Why your building has been identified:

This building has been identified as a potentially earthquake-prone building (EPB) because:

- Information has been received which indicates the building may be less than 34%NBS

What you need to do:

You now have until 23/7/2022 to provide to the Council, either:

- An engineering assessment:
This can be a new assessment of the building, or an assessment of the building you've already had carried out. This assessment will confirm the building's new building standard (NBS) rating and must be carried out by a suitably qualified structural engineer. Your engineer will be able to advise you on what the assessment needs to include. This assessment will be used to confirm whether the building is earthquake-prone or not; or
- Evidence of an error:
This evidence must show that the Council has made an error in identifying this building as potentially earthquake-prone; or
- Written confirmation that you do not intend to provide an engineering assessment:
If you advise us that you do not intend to provide an engineering assessment the

Council will proceed as though the building is earthquake-prone. The Council may also choose to obtain an engineering assessment of the building and recover the costs from you.

Notices and timeframes:

If the building is confirmed to be earthquake-prone the Council will then issue an EPB notice. The EPB notice will specify the date by which you must complete seismic work so that the building is no longer earthquake-prone.

As this building has been identified as a priority building, if it is confirmed to be earthquake-prone, the timeframe for carrying out seismic work will be 7.5 years. Priority buildings are certain types of buildings that present a higher risk because of their construction type, use, or location.

Please send your response to buildingresilience@wcc.govt.nz, referencing the service request number and building address stated above.

If you do not provide a response by the due date the Council will proceed as though the building is earthquake-prone. The Council may also choose to obtain an engineering assessment of the building and recover the costs from you.

Please contact me if you have any questions.

Yours sincerely



Ryan Fraser
Technical Advisor, Resilient Buildings

██████████

Ryan.Fraser@wcc.govt.nz

Resources:

Earthquake-prone buildings (EPBs)

Earthquake-prone buildings have a higher chance of causing damage or injury in a moderate earthquake. The Building Act 2004 requires owners of EPBs to carry out seismic work within a specified timeframe. For more information visit: www.wellington.govt.nz/epb-process.

New building standard (NBS)

As a part of the EPB process buildings are given an earthquake rating, commonly referred to as a percentage of the NBS. This figure indicates how a building would perform in a moderate earthquake as compared to a new building that was built on 1 July 2017. For more information visit: www.wellington.govt.nz/epb-process.

Seismic work

EPBs require seismic work to ensure that they are no longer earthquake-prone. This generally involves strengthening or demolition to part or all of the building.

Priority buildings

Priority buildings have a shortened timeframe for completing seismic work. Buildings can be identified as a priority because of their construction type, use, or location. For more information visit: www.wellington.govt.nz/epb-priority-buildings.

Unreinforced masonry (URM)

URM buildings are constructed using, or contain significant elements of, clay brick, concrete block or natural stone units bound together using lime or cement mortar, without any reinforcing elements such as steel reinforcing bars.

Property records

Information about the potentially earthquake-prone status of your building is available on request and will be included in land and project information memoranda (LIMs and PIMs).

From: John Finnegan <John.Finnegan@aurecongroup.com>
Sent: Thursday, 15 July 2021 5:00 pm
To: Ryan Fraser <Ryan.Fraser@wcc.govt.nz>
Cc: Mark Dunajtschik (markpolo@xtra.co.nz) <markpolo@xtra.co.nz>; Grant Corleison <gcorleison@gmail.com>; Maurice Clark (mauricec@mckeeffel.co.nz) <mauricec@mckeeffel.co.nz>; Peter Johnstone <peter.johnstone@nzcel.co.nz>; Mehrdad Seifi <Mehrdad.Seifi@aurecongroup.com>; Geoff Sidwell <Geoff.Sidwell@aurecongroup.com>; Marcus Welby <Marcus.Welby@aurecongroup.com>
Subject: Asteron Centre

Ryan

Thanks for your conversation just now.

As discussed, we have received a DSA which is not quite complete, but has sufficient information for us to understand that specific elements of the building are below 34%NBS (IL2).

We are currently undertaking a refinement process of this assessment which allows us to better understand more detail around the lower ratings and the specific elements. This will inform the proposed seismic strengthening where appropriate. The design for this would proceed through a Building Consent process.

As noted, the primary structure remains at a very high rating. The hollowcore precast flooring was not included in the below 34% rating as it scored above the 34%NBS (IL2). level.

We understand that you will create a Service Request (SR) number for this and the building will be classified as "Potentially Earthquake Prone". You also noted that you will formalise this with a letter to the building owner, and this letter will request the submission of a Detailed Seismic Assessment within 12 months.

Please contact me as required for any further information required. Details as below.

Regards

John Finnegan CPEng CMEngNZ IntPE MStructE
Technical Director, Buildings Structures, Aurecon
T +64 4 4390203 F +64 4 4729922 M +
John.Finnegan@aurecongroup.com
Spark Central, Level 8, 42-52 Willis Street, Wellington New Zealand 6011
PO Box 1591, Wellington 6140
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*Whakahainga whakaaro
Kia maia, kia kaha, mahi tahi*



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From: Ryan Fraser
Sent: Thursday, 15 July 2021 2:14 pm
To: Mike Mendonca <Mike.Mendonca@wcc.govt.nz>
Subject: FW: 55 Featherston Street - DSA

FYI & For OIA

Ryan Fraser

Technical Advisor | Resilient Buildings | Wellington City Council
P 04 806 4759 | M [REDACTED]
E ryan.fraser@wcc.govt.nz | W Wellington.govt.nz |

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Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke

From: Ryan Fraser
Sent: Thursday, 15 July 2021 2:13 pm
To: Mark Dunajtschik <markpolo@xtra.co.nz>
Subject: RE: 55 Featherston Street - DSA

Thanks Mark

Ryan Fraser

Technical Advisor | Resilient Buildings | Wellington City Council
P 04 806 4759 | M [REDACTED]
E ryan.fraser@wcc.govt.nz | W Wellington.govt.nz |

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Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke

From: Mark Dunajtschik <markpolo@xtra.co.nz>
Sent: Thursday, 15 July 2021 2:12 pm
To: Ryan Fraser <Ryan.Fraser@wcc.govt.nz>
Subject: RE: 55 Featherston Street - DSA

Hi Ryan,
John Finigan will make contact with you as he is by far more qualified to answer you.
Mark Dunajtschik

From: Ryan Fraser [<mailto:Ryan.Fraser@wcc.govt.nz>]
Sent: Thursday, July 15, 2021 11:05 AM
To: markpolo@xtra.co.nz
Subject: 55 Featherston Street - DSA

Hi Mark,

I work in the resilient buildings team at Council, who are responsible for the cities earthquake-prone buildings and other seismic related issues around buildings.

We note the recent news coverage regards IRD removing staff from this building.

Would you be willing to share any reports/letters you hold so that Council can gain some insight as to the issues with the building?

Many Thanks,

Ryan Fraser

Technical Advisor | Resilient Buildings | Wellington City Council

P 04 806 4759 | M [REDACTED]

E ryan.fraser@wcc.govt.nz | W Wellington.govt.nz |

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Wellington City Council

Me Heke Ki Pōneke

From: Gay Cavill <Gay.Cavill@ird.govt.nz>
Sent: Thursday, 15 July 2021 11:31 am
To: Ryan Fraser <Ryan.Fraser@wcc.govt.nz>
Cc: Rowan McArthur <Rowan.McArthur@ird.govt.nz>; Andrew Stott <Andrew.Stott@ird.govt.nz>; Juliet Glass <Juliet.Glass@ird.govt.nz>; Simon Rice <Simon.Rice@ird.govt.nz>
Subject: RE: 2 Featherston Street - DSA

[IN CONFIDENCE RELEASE EXTERNAL]

Hello Ryan,

I spoke with your colleague Mike a short time ago about this matter. The report was commissioned by the landlord so you will need to ask him for a copy of the report.

If you need any further information from Inland Revenue on this your contacts here are Simon Rice and Juliet Glass. I have copied them in to this e-mail.

Regards,

Gay.

Gay Cavill | Media Principal | Inland Revenue

T. 04 890 1698 | X. 80698 | M. [REDACTED]

E. gay.cavill@ird.govt.nz

W. <https://media.ird.govt.nz>



From: Ryan Fraser <Ryan.Fraser@wcc.govt.nz>

Sent: Thursday, 15 July 2021 10:07 am

To: Gay Cavill <Gay.Cavill@ird.govt.nz>

Subject: 2 Featherston Street - DSA

Hi Gay,

I work in the resilient buildings team at Council, who are responsible for the cities earthquake-prone buildings and other seismic related issues around buildings.

We note the recent news coverage regards your removing staff from this building.

Would you be willing to share any reports/letters you hold so that Council can gain some insight as to the issues with the building?

Many Thanks,

Ryan Fraser

Technical Advisor | Resilient Buildings | Wellington City Council

P 04 806 4759 | M [REDACTED]

E ryan.fraser@wcc.govt.nz | W Wellington.govt.nz |

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Wellington City Council**

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From: Diane Hilliam <Diane.Hilliam@amplifon.com>
Sent: Friday, 16 July 2021 9:56 am
To: Ryan Fraser <Ryan.Fraser@wcc.govt.nz>
Cc: Hayley Moselen <Hayley.Moselen@wcc.govt.nz>
Subject: RE: Bay Audiology - Asteron Building

Thanks Ryan,

Mark has also forwarded some more summary report information to us since I spoke with you earlier.

Kind regards
Diane

From: Ryan Fraser <Ryan.Fraser@wcc.govt.nz>
Sent: Friday, 16 July 2021 9:48 am
To: Diane Hilliam <Diane.Hilliam@amplifon.com>
Cc: Hayley Moselen <Hayley.Moselen@wcc.govt.nz>
Subject: RE: Bay Audiology - Asteron Building

Hi Diane,

As discussed we recommend you get in touch with the owner and ask to chat with his engineer also if possible as he has the best grasp of the situation.

After we saw the story we asked for a copy of any reports the owner has had completed.

They have advised that their reports are not complete but there is an indication that elements of the building may be less than 34%NBS.

As a result of this we will be issuing a letter to the owner of the building identifying the building as potentially earthquake-prone and requesting that they provide a complete report within a 12 month timeframe.

Legally the building is not 'dangerous' as the issues identified are related to seismic performance – not an issue which presents itself under ordinary loading conditions. As with other buildings that have a seismic risk in the city (such as those that have an earthquake-prone notice) the building can still be legally used and occupied for its current lawful use.

Regards,

Ryan Fraser

Technical Advisor | Resilient Buildings | Wellington City Council

P 04 806 4759 | M [REDACTED]

E ryan.fraser@wcc.govt.nz | W Wellington.govt.nz | [REDACTED]

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Wellington City Council

Me Heke Ki Pōneke

From: Ryan Fraser
Sent: Friday, 23 July 2021 3:25 pm
To: Mark Dunajtschik <markpolo@xtra.co.nz>
Cc: Mike Mendonca <Mike.Mendonca@wcc.govt.nz>; John Finnegan <John.Finnegan@aurecongroup.com>
Subject: RE: Your reply to John and Mark

Hi Mark,

There probably wasn't a written reply regards our process from here, though John included a note in his email to me outlining what I had said.

Our position is as follows:

A report on the building is being carried out but is not yet complete. As part of the assessment process it has been identified that there may be elements that are less than 34%NBS in the building and we have now been advised of this.

Because of this we will identify the building as potentially earthquake-prone. This allows the owner (you) 12 months to provide a completed report which will either confirm or deny that the building is earthquake-prone.

If the building is confirmed as earthquake-prone we will issue a notice that allows 7.5 years to either strengthen or demolish the building, which must be displayed on the building.

The building can still be used and occupied for its current lawful use while the building is potentially earthquake-prone/earthquake-prone within the 7.5 year timeframe.

Coincidentally I issued a letter regards the potentially earthquake-prone status this morning, please find attached.

Regards,

Ryan Fraser

Technical Advisor | Resilient Buildings | Wellington City Council

P 04 806 4759 | M [REDACTED]

E ryan.fraser@wcc.govt.nz | W Wellington.govt.nz |

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Me Heke Ki Pōneke

From: Mark Dunajtschik <markpolo@xtra.co.nz>
Sent: Friday, 23 July 2021 3:02 pm

To: Ryan Fraser <Ryan.Fraser@wcc.govt.nz>

Subject: Your reply to John and Mark

Hi Ryan,

I seem to have lost your reply to me and John about the councils stand on the issue, can you please resend it to me.

Kind regards and Thank you.

Mark Dunajtschik