
Agenda for a hearing by the Policy & Regulatory Committee (to hear and consider submissions and make recommendations on the proposed High Pedestrian Traffic Areas) to be held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY, 30 MAY 2022** commencing at **11.30am**.

1. APOLOGIES AND LEAVE OF ABSENCE

2. CONFIRMATION OF STATUS OF AGENDA

3. DISCLOSURES OF INTEREST

4. REPORTS

- | | | |
|-----|--|----|
| 4.1 | Hearings Report on Proposed High Pedestrian Traffic Areas | 5 |
| 4.2 | Deliberations Report for Earthquake Prone Buildings and Proposed High Pedestrian Traffic Areas | 17 |

GJ Ion
CHIEF EXECUTIVE

POLICY & REGULATORY COMMITTEE

Reports to:	Council
Chairperson:	Cr Jan Sedgwick
Deputy Chairperson:	Cr Noel Smith
Membership:	The Mayor, all Councillors and Mrs Maxine Moana-Tuwahangai (Maangai Maaori)
Meeting frequency:	Six-weekly
Quorum:	Majority of the members (including vacancies)

Purpose

The Policy & Regulatory Committee is responsible for the Council's governance policies and bylaws, reviewing the District Plan and overseeing civil defence and emergency management issues.

In addition to the common delegations on page 10, the Policy & Regulatory Committee is delegated the following Terms of Reference and powers:

Terms of Reference:

1. To establish, implement and review the governance policy framework that will assist in achieving the Council's strategic priorities and outcomes.
2. To develop, review and approve the consultation process for Council bylaws.
3. To consider and determine changes to the schedules and parking restrictions in the Public Places Bylaw 2016, including hearing any submissions relating to those proposed changes.
4. To hear and determine matters arising under current bylaws, including applications for dispensation from compliance with the requirements of bylaws, unless such matters are otherwise delegated by Council.
5. To administer the Council's District Plan in accordance with the Resource Management Act 1991.
6. To monitor the performance of regulatory decision-making by the District Licensing Committee¹, Regulatory Subcommittee and officers under their respective delegations.
7. To monitor the Council's Civil Defence and Emergency Management framework.

¹ For clarity, the District Licensing Committee is a committee of Council under the Sale and Supply of Alcohol Act 2012.

The Committee is delegated the following powers to act:

Governance Policies

- Develop and agree governance policies for the purpose of consultation/engagement.
- Recommend to Council policy for adoption, amendment or revocation.
- Monitor and review policy, including recommending amendments to any policy as and when required.

Bylaws

- Develop and approve the statement of proposal for new or amended bylaws for consultation.
- Recommend to Council new or amended bylaws for adoption.

District Plan

- Review and approve for notification a proposed district plan, a proposed change to the District Plan, or a variation to a proposed plan or proposed plan change (excluding any plan change notified under clause 25(2)(a), Schedule 1 of the Resource Management Act 1991)
- Withdraw a proposed plan or plan change under clause 8D, Schedule 1 of the Resource Management Act 1991.
- Make the following decisions to facilitate the administration of plan changes, variations, designation and heritage order processes:
 - a. To decide whether a decision of a Requiring Authority or Heritage Protection Authority will be appealed to the Environment Court by the Council and authorise the resolution of any such appeal, provided such decisions are consistent with professional advice.
 - b. To consider and approve Council submissions on a proposed plan, plan changes, and variations.
 - c. To monitor the private plan change process.
 - d. To accept, adopt or reject private plan change applications under clause 25, Schedule 1, Resource Management Act 1991.

Other Resource Management Issues

- Pursuant to Section 34(1) of the Resource Management Act 1991, to exercise all of the Council's functions, powers and duties under that Act, except the functions, powers and duties:
 - a. that cannot be delegated or that are otherwise retained by the Council under its terms of reference; or
 - b. expressly delegated to other Council committees or decision-making bodies, or officers.

- Monitor and approve submissions in relation to National Policy Statements.

Civil Defence and Emergency Management

- Monitor the performance of Waikato District's civil defence and emergency management response against Council's requirements under the Civil Defence and Emergency Management Act including:
 - a. implementation of Government requirements; and
 - b. co-ordinating with, and receiving reports from, the Waikato Region Civil Defence and Emergency Management Group Joint Committee.

Other Delegations

- Exercise all of the Council's functions, powers and duties under the Building Act 2004, the Health Act 1956, and the Food Act 2014, and the respective regulations made under these Acts, except the functions, powers and duties:
 - a. that cannot be delegated or that are otherwise retained by the Council under its terms of reference; or
 - b. expressly delegated to other Council committees or decision-making bodies, or officers.
- Approval of attendance of elected members at conferences, seminars, training or events, in accordance with Council policy.

To	Waikato District Council
Report title	Hearings Report on Proposed High Pedestrian Traffic Areas

1. Purpose of the report

Te Take moo te puurongo

The purpose of this report is to hear and receive submissions to the proposed High Pedestrian Traffic Areas.

2. Executive summary

Whakaraapopotanga matua

On 11 April 2022, Council adopted the Statement of Proposal and approved the public consultation of the proposed High Pedestrian Traffic Areas for Ngaruawahia, Huntly and Te Kauwhata.

The public consultation period on the proposed areas was open from 13 April to 13 May 2022. The statement of proposal, a copy of the proposed areas and submission forms were made available at Council offices, libraries and on the Council website. An online submission tool was also made available for those wanting to provide feedback online. Key identified stakeholders, including owners of earthquake prone buildings located within the proposed areas, were also notified of the proposal.

In total, 18 submissions were received (see attachment 3 for full list of all submissions). Out of these submissions, 1 has indicated they wanted to speak in support of their submission at the hearing (see Attachment 2).

3. Staff recommendations

Tuutohu-aa-kaimahi

THAT pursuant to section 83 of the Local Government Act 2002, the Policy and Regulatory Committee consider all submissions and, where requested, hear submissions on the Proposed High Pedestrian Traffic Areas in Ngaruawahia, Huntly and Te Kauwhata.

4. Background

Koorero whaimaarama

A new national system for managing earthquake-prone buildings was introduced following the 2011 Christchurch earthquake. This was facilitated and legislated by the Building (Earthquake-prone Buildings) Amendment Act 2016.

Key changes set out in the Act are summarised as follows:

- Territorial authorities must identify potential earthquake prone buildings (EPB)
- Owners of identified buildings must obtain engineering assessments of the building (or part) within 12 months, and these are to be carried out by suitably qualified structural engineers
- Territorial authorities must then determine whether buildings are earthquake prone or not, and if so, must assign ratings, issue notices, and publish information about the buildings in a public register held by MBIE
- Owners must display the notice on their building and undertake remedial work to their building within set timeframes.

For the purposes of the above, New Zealand has been divided into three seismic risk areas - high, medium, and low, and there are set timeframes to identify, assess and remediate EPBs based on these seismic risk areas. The Waikato District is identified as being in both the low and medium areas of risk.

Additionally, there is also a category of 'priority buildings' in high and medium seismic risk areas only. These are buildings that are considered higher risk because of their construction, type, use or location e.g. Hospital, School or unreinforced masonry (URM) in high occupied areas. They must be identified, assessed, and remediated in half the time allowed for other buildings in the area.

A key factor to confirming priority buildings requires councils to identify thoroughfares with sufficient pedestrian traffic or vehicular traffic (streets and footpaths), and strategic transportation routes (those routes used by emergency services). These routes must contain buildings with URM having the potential to fall in an occupied area during an earthquake.

MBIE guidance requires that community input is important to decide on the thoroughfares and routes to be prioritised due to the variation in local circumstances between territorial authorities. Undertaking public consultation enables communities to decide the appropriate level of risk to accept as a community, informed by their knowledge of the local economy, portfolio of buildings and their uses.

To do this, Council was required to undertake a special consultative procedure (SCP) under section 83 of the LGA outlining the identification of roads, footpaths or other thoroughfare in medium risk areas, that are located near buildings containing URM, and with sufficient vehicle or pedestrian traffic to warrant prioritisation.

Scope of works

The Waikato district is located in both medium and low risk areas. High pedestrian areas that are also in the medium risk zone in the Waikato district include the main urban centres of Huntly, Ngaruawahia, and Te Kauwhata.

What this means

If a potential EPB is confirmed as earthquake prone by way of a structural engineering assessment, there are timeframes for the remedial works to be completed as follows:

- Medium- 12 years and 6 months for a priority building and 25 years for any other building
- Low- 35 years for any building

5. Discussion and analysis

Taataritanga me ngaa tohutohu

The public consultation period was open from 13 April to 13 May 2022.

The consultation was advertised on Council's Facebook page and a media release and public notice was issued. Owners of buildings located within the proposed areas were also advised.

In total, Council received 18 submissions on the proposed areas. 1 submitter requested to be heard (see attachment 2).

Shape Waikato is Council's main platform for engagement with the community. The 'Earthquake Prone Buildings and High Pedestrian Areas' Shape Waikato page received in total 347 views and 147 individual visitors.

5.1 Options

Ngaa koowhiringa

No options are available for Council to consider because the purpose is to receive the report, enable hearings and hear submissions. Council deliberations are scheduled to proceed immediately following the hearing.

5.2 Financial considerations

Whaiwhakaaro puutea

Whilst there are no financial impacts for Council as a result of the recommendations of this report, it is noted that there will be significant remediation costs for owners of earthquake prone buildings in the district.

5.3 Legal considerations

Whaiwhakaaro-aa-ture

Consultation has been undertaken in accordance with Section 83 of the Local Government Act 2002. Council is required to provide a reasonable opportunity to people interested to present their views and speak to their submissions.

To meet the requirements of the Building (Earthquake-Prone) Amendments Act 2016, Council must make a decision on high pedestrian area before 1 July 2023.

5.4 Strategy and policy considerations **Whaiwhakaaro whakamaaherehere kaupapa here**

The report and recommendations are consistent with the Council's policies, plans and prior decisions.

5.5 Maaori and cultural considerations **Whaiwhakaaro Maaori me oona tikanga**

No Maaori or cultural impacts are identified

5.6 Climate response and resilience considerations **Whaiwhakaaro-aa-taiao**

The matters in this report have no known impact on climate change or resilience for the Council.

5.7 Risks **Tuuraru**

No risks are identified for this report.

6. Significance and engagement assessment **Aromatawai paahekoheko**

6.1 Significance **Te Hiranga**

The decisions and matters of this specific report are assessed as of low significance in accordance with the Council's [Significance and Engagement Policy](#). However, this report is part of a broader project or process that is, or may be in future, assessed as of moderate significance.

The following criteria are particularly relevant in determining the level of significance for this matter:

There is a legal requirement to engage with the community.

6.2 Engagement Te Whakatuutakitaki

Highest level of engagement	Inform	Consult	Involve	Collaborate	Empower
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Tick the appropriate box/boxes and specify what it involves by providing a brief explanation of the tools which will be used to engage (refer to the project engagement plan if applicable).</i>	The community and stakeholders were consulted in accordance with section 83 of the Local Government Act 2002.				

State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Internal
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Community Boards/Community Committees
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Waikato-Tainui/Local iwi and hapuu
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Affected Communities
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Affected Businesses
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other (Please Specify)

7. Next steps Ahu whakamua

This report enables Council to hear submissions on the proposed High Pedestrian Traffic Areas in relation to Earthquake Prone Buildings. Deliberations on the proposed areas is scheduled to commence immediately following the hearing of submitters.

8. Confirmation of statutory compliance Te Whakatuuturutanga aa-ture

As required by the Local Government Act 2002, staff confirm the following:

The report fits with Council's role and Committee's Terms of Reference and Delegations. Confirmed

The report contains sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages (*Section 5.1*). Confirmed

Staff assessment of the level of significance of the issues in the report after consideration of the Council's Significance and Engagement Policy (*Section 6.1*). Low

The report contains adequate consideration of the views and preferences of affected and interested persons taking account of any proposed or previous community engagement and assessed level of significance (*Section 6.2*). Confirmed

The report considers impact on Maaori (*Section 5.5*) Confirmed

The report and recommendations are consistent with Council's plans and policies (*Section 5.4*). Confirmed

The report and recommendations comply with Council's legal duties and responsibilities (*Section 5.3*). Confirmed

9. Attachments Ngaa taapirihanga

Attachment 1 – Hearings Schedule

Attachment 2 – Submissions on the proposed high pedestrian traffic areas from submitters wishing to be heard

Attachment 3 – All submissions received

Date:	30 May 2022
Report Author:	Bessie Clarke, Corporate Planner
Authorised by:	Sue O’Gorman, General Manager Customer Support

Attachment 1: Proposed High Pedestrian Traffic Areas **Hearings Schedule**

(Includes morning / afternoon tea breaks, lunch, dinner)

Please note this schedule is subject to change

TIME	SUBMISSION ID	NAME
09:40 – 09:50	4019	Matawhaanui
END OF DAY		

Attachment 2- Submissions on the proposed high pedestrian traffic areas from submitters wishing to be heard

Submission ID	Submitter	Do you support the areas we have proposed to be high pedestrian traffic areas?	Comment
4019	Matawhaanui	No	Bridge Street

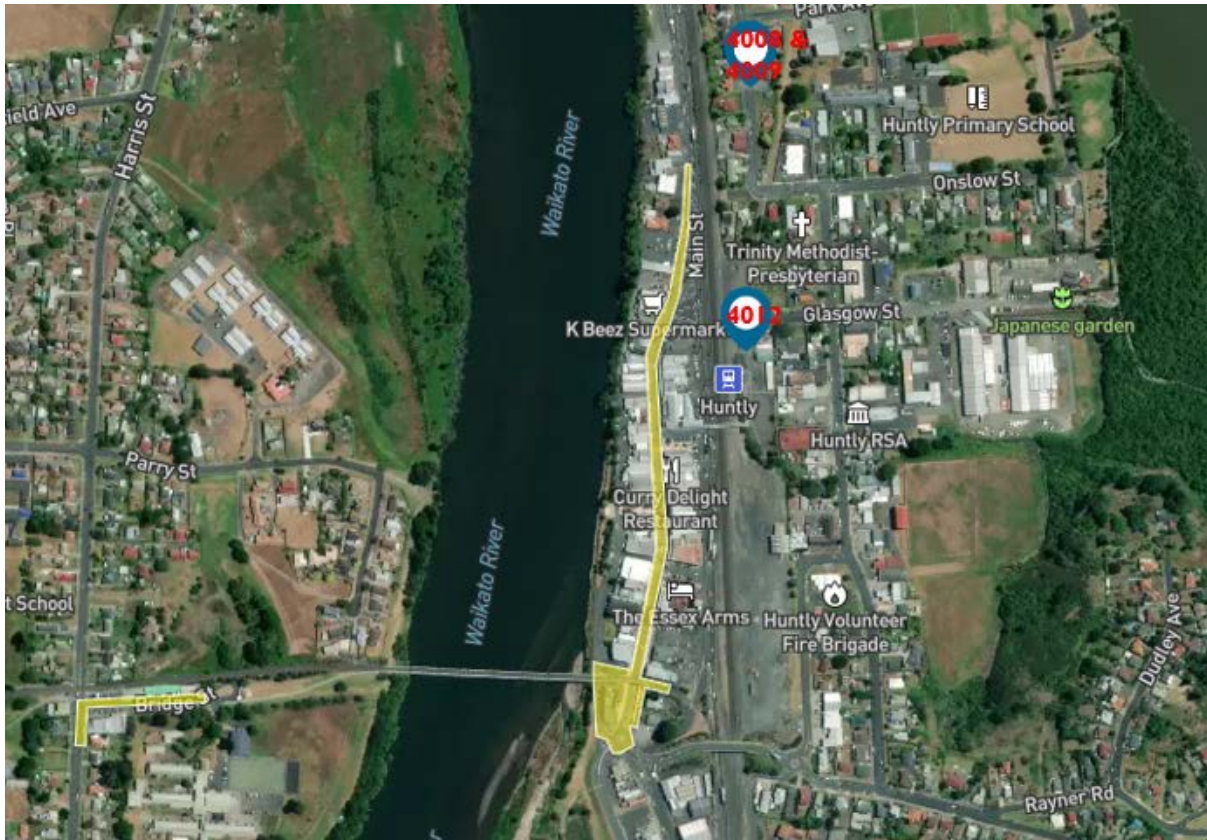
Attachment 3- All submissions received

Generic Submissions

Submission ID	Submitter	Do you support the areas we have proposed to be high pedestrian traffic areas?	Comment
4020	Donald Sam	Yes	Our buildings in Huntly are quite old and we can not afford to upgrade them. They are single storey and will not be as much risk to the public as multi storey buildings. I think single storey buildings should have a different designation than that of a more dangerous multi store building.
4011	Brett Flowerday	No	Using Lake Waikare as a reference point on the map supplied by the council and also on the government building website, Te Kauwhata is north of the 0.15 Z line so is located in the low risk zone.
4010	Taamia	Yes	
4007	Oki	Yes	
4006	Shayne Ohagan	No	I would like further clarity on the definition of un-reinforced masonry construction. A determination of what counts as high pedestrian traffic is required as a quantum, rather than which area is higher than another area.
4002	Moeta Hughes	No	Could you put a pedestrian crossing at the top of the road for aparangi residents to cross over opposite the church or garage
4001	Alan and Brownyn Kosoof	No	The high pedestrian boundary should stop at the bottle-o, just before the public carpark. There are no buildings close to the pedestrian way from there on your proposed plan. Please also note that the pedestrian traffic is extremely light. All persons using the carpark head south, they don't come north and there are no buildings near the footpath anyway. We see no risk to any persons walking beyond the bottle-o liquor store. We would like to hear from council as to why the map has come this far north and why it feels the buildings are high risk to pedestrians. We are owners of 40 Main Street Huntly
3999	Tony Perkins	No	Your map of the Medium risk areas is not consistent with the Government information.

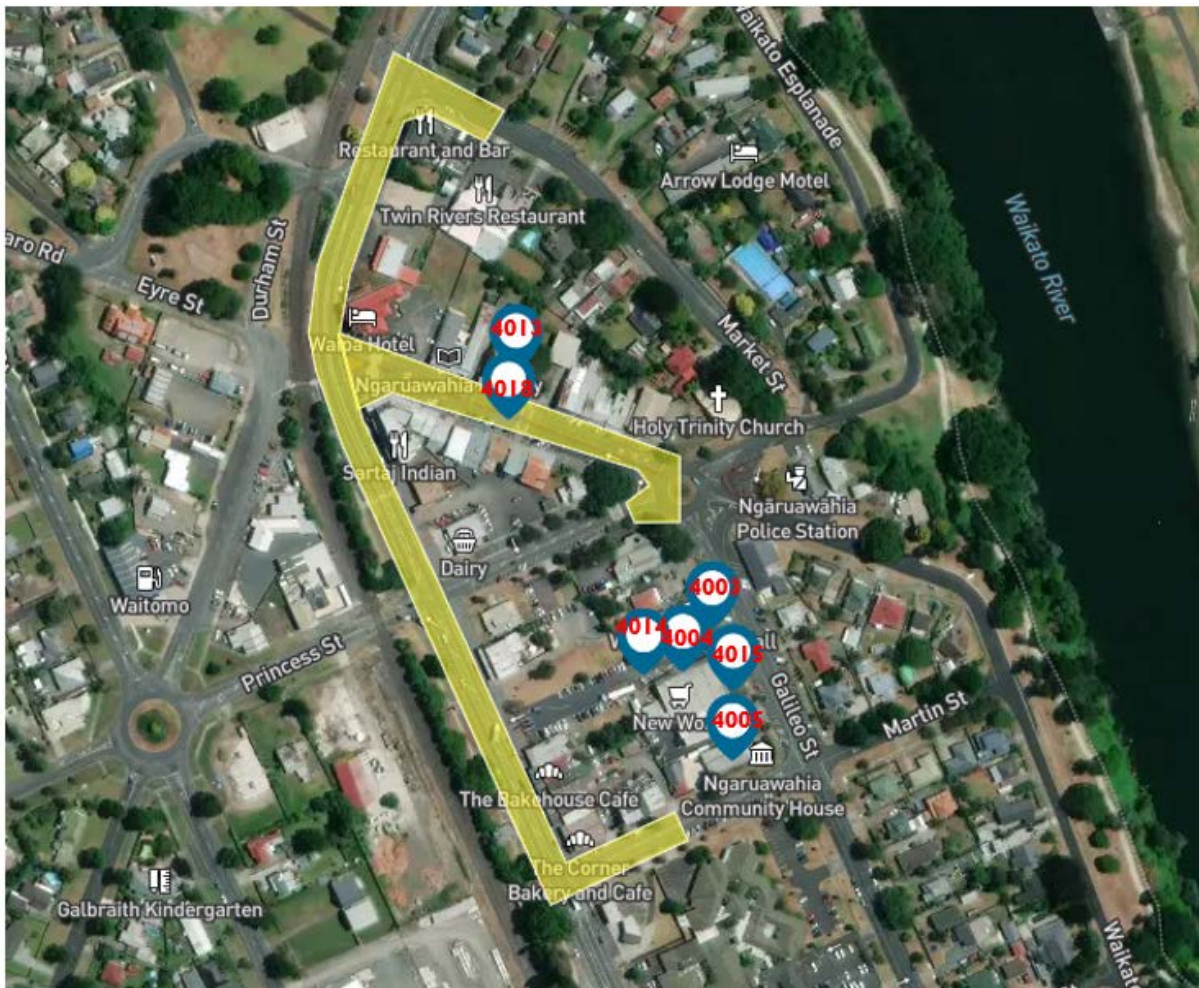
			Ref: http://www.seismicresilience.org.nz/topics/seismic-science-and-site-influences/faults/earthquake-risk-zones/ All three towns are not medium risk
--	--	--	--

Submissions received for Huntly



Submission ID	Submission
4012	The end of glasgow st and the footpath to onslow st as this is the main path to the east side
4009	Onslow street is a high traffic and foot area due too most people in the community using it too go too work or school or appointments or access too the main highway
4008	Hakanoa street is a high traffic and foot area due too most people in the community using it too go too work or school or appointments or access too the main highway

Submissions received for Ngaruawahia



Submission ID	Submission
4018	There is another area which I can't select on the map. From the corner of Havelock Road when we are crossing to get to Centennial Park is heavily used due soccer trainings and weekend games. Also, afterschool the kids are crossing coming from Waipa School to go home. We need to make that crossing a little more safe.
4015	Galileo street from Martin Street extremely busy due to Community House, Medical Centre, Supermarket
4014	High traffic through town
4013	High traffic and lots of shops
4005	High traffic
4004	High traffic area
4003	Galileo Street from Newcastle Street to Community House and back to the link on Martin Street should be added. These areas have just as high traffic with the Community House, Doctors, pharmacy and New World Supermarket situated in this area.

To	Policy and Regulatory Committee
Report title	Deliberations Report for Earthquake Prone Buildings and Proposed High Pedestrian Traffic Areas

1. Purpose of the report

Te Take moo te puurongo

To assist the Policy and Regulatory Committee (Committee) with their deliberations on the proposed High Pedestrian Traffic Areas in relation to Earthquake Prone Buildings.

2. Executive summary

Whakaraapopotanga matua

The proposed High Pedestrian Traffic areas was approved for consultation by Council on 11 April 2022.

Public consultation was undertaken from 13 April to 13 May 2022. 18 submissions were received, and 1 submitter requested to speak at the hearing.

Several suggestions from the community were received during the consultation regarding where they thought the high pedestrian areas were for Ngaruawahia, Huntly and Te Kauwhata. The suggested amendments to the proposed areas were generally minor. These are included in the report and Attachment 1 for the Committee's deliberations and direction.

Two submissions received (4002 & 4018) were unrelated to the consultation and are therefore out of scope for the Committee's deliberations.

Staff propose that, subject to amendments directed by the Committee, the identified areas be presented to Council for adoption on 30 June 2022.

The decisions and matters of this report are assessed as of low significance, in accordance with Council's [Significance and Engagement Policy](#).

3. Staff recommendations Tuutohu-aa-kaimahi

That the Policy and Regulatory Committee:

- a. provides direction to staff on changes required for the proposed High Pedestrian Traffic Areas; and
- b. notes that subject to amendments directed by the Committee, the proposed High Pedestrian Traffic Areas will be presented to Council on 30 June 2022 for adoption.

4. Background Koorero whaimaarama

Earthquake Prone Buildings and High Pedestrian Traffic Areas

The proposed high pedestrian traffic areas were approved by Council on 11 April 2022. Public consultation was undertaken from 13 April 2022 to 13 May 2022.

The identification of high pedestrian traffic areas is part of the broader national system set up for managing earthquake-prone buildings following the 2011 Christchurch earthquake. New Zealand has been divided into three seismic risk zones- high, medium, and low- and each have set timeframes for identifying, assessing, and remediating earthquake-prone buildings based on these. The Waikato district has towns located in both the medium and low seismic risk areas.

A key factor in confirming priority buildings is requiring Council to identify thoroughfares in the medium seismic risk zone which have sufficient pedestrian traffic or vehicular traffic (streets and footpaths). These routes contain buildings with unreinforced masonry (URM) which has the potential to fall in an occupied area during an earthquake.

Huntly, Ngaruawahia and Te Kauwhata are located in the medium seismic risk zone, therefore high pedestrian areas for each of these towns have been identified.

5. Discussion and analysis Taataritanga me ngaa tohutohu

Submission summary

18 submissions were received on the proposed high pedestrian traffic areas, and 1 submitter requested to speak at the hearing. For all submissions, refer to the Hearings Report on Earthquake Prone Buildings and High Pedestrian Traffic Areas.

Two submissions received (4002 & 4018) were unrelated to this consultation and are therefore out of scope for the Committee's deliberations. The concerns raised in the submission have been noted and directed to the relevant staff.

The response to the key submission questions asked in the generic online submission form is as follows:

1. Do you support the areas we have proposed to be high pedestrian traffic areas?

a. Yes- 3

b. No – 6

2. An online mapping tool was also used allowing submitters to drop a pin on areas that they thought should be included or excluded.

In total, seven were received for Ngaruawahia, three for Huntly and none for Te Kauwhata.

Matters raised in submissions

Majority of the submissions supported the proposed areas. The following matters are noted for Council deliberations:

1. Extending the high pedestrian area in Ngaruawahia to include the portion of Galileo Street starting at Newcastle Street to Community House on the corner and link back to the remainder of Martin Street

Feedback

Several submissions recommended the inclusion of Galileo Street starting at Newcastle Street to the Community House on the corner and linking back to the cover the remainder of Martin Street (refer to route highlighted in green below). The submissions noted it as a high traffic area and key businesses are located on this route.



Staff comment

The Act requires Council to identify thoroughfares in the medium seismic risk zone which have sufficient pedestrian traffic or vehicular traffic (streets and footpaths) which contain buildings with unreinforced masonry (URM) that have the potential to fall in an occupied area during an earthquake.

Whilst there is sufficient pedestrian and vehicular traffic along this route, there are no buildings containing URM located along this route and buildings are sufficiently set back from footpaths that the threat to public safety is minimal.

Staff propose no changes to include this area as it does not meet the criteria for classification of a High Pedestrian Traffic area.

2. Inclusion of Onslow Street in Huntly's High Pedestrian Traffic areas

Feedback

Submitters 4009 and 4012 both recommended the inclusion of Onslow Street, Huntly (refer to route highlighted in green below) noting that it experiences high foot and vehicular traffic and it is a route commonly used by the community.



Staff comment

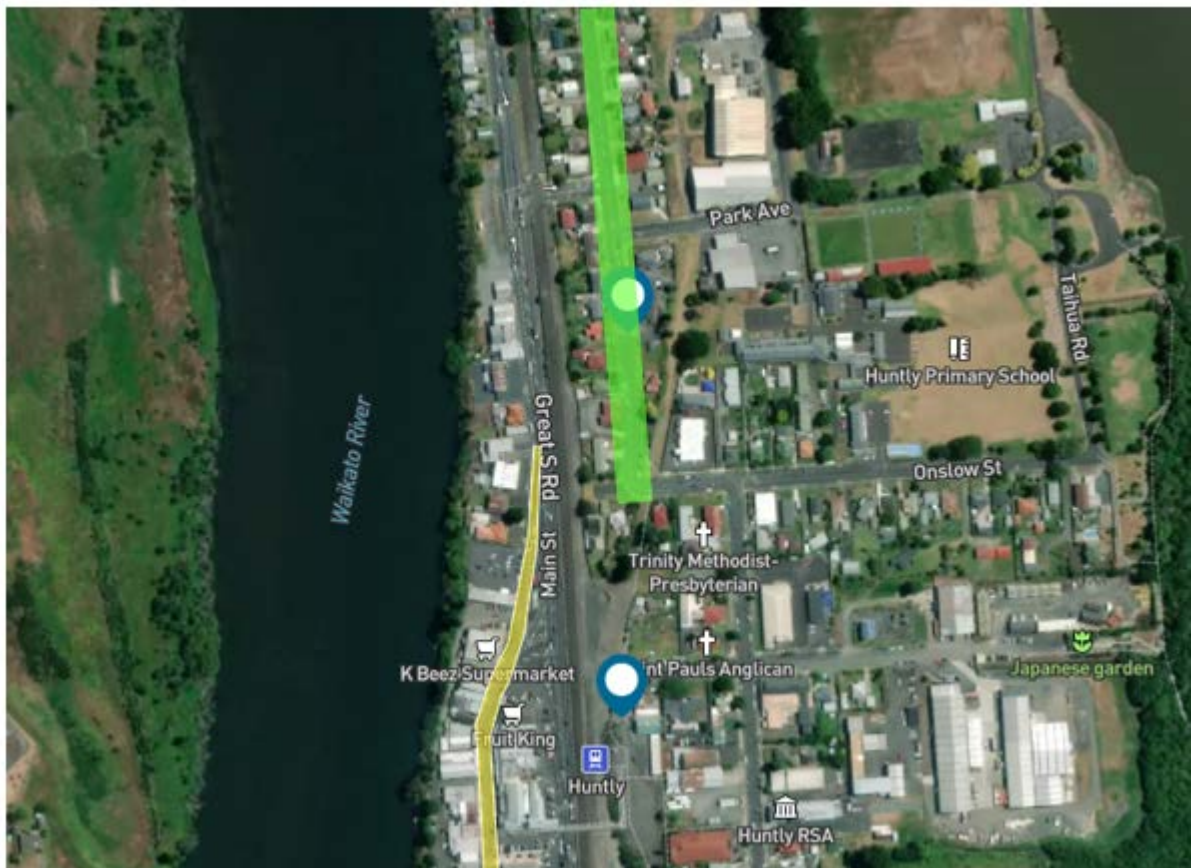
There are no buildings containing URM located on this thoroughfare, and therefore does not meet the criteria as per the MBIE guidance for Priority Buildings.

Staff propose no changes to include this area as it does not contain any URM and therefore does not meet the criteria for classification of a High Pedestrian Traffic area.

3. Inclusion of Hakanoa Street in Huntly's High Pedestrian Traffic areas

Feedback

Submitter 4008 noted that Hakanoa Street, Huntly (refer to route highlighted in green below) is a high traffic area as it used by the community for various reasons.

*Staff comment*

Old Huntly Fire Station, located at 7 Hakanoa St, has been identified as the only URM building located on this thoroughfare. An engineering assessment has been requested.

Staff propose amending the area in Huntly to include 75m on either side of the property in either direction, noting it is a URM building.

4. Stopping the boundary of the High Pedestrian Area on Main Street, Huntly at the Bottle-O

Feedback

Alan & Bronwyn Kosoof (4001) requested that the proposed area stop at the Bottle-O just before the public carpark (refer to map below), noting there are no buildings located closely to the pedestrian routes and that traffic is very light.



Boundary where submitter requests proposed area to end

Staff comment

There are no URM buildings between the Bottle-O and the northern end of the public car park. However, two buildings located slightly north of the carpark have been identified as URM buildings on this thoroughfare.

Pedestrian traffic on this thoroughfare is considered a key walking route as per the MBIE guidance.

Staff propose retaining the proposed area as notified due to the identification of URM buildings located on a route identified as a key walking route.

5. Seismic Risk Zone for the Waikato District

Feedback

Submitters 3999 and 4011 both contest the identification of the Waikato District in the medium risk zone and therefore the identification of high pedestrian areas is unnecessary. Submitter 3999 opposes the identification of all three towns in the medium seismic risk zone, noting that the map is not consistent with the map provided on <http://www.seismicresilience.org.nz/topics/seismic-science-and-site-influences/faults/earthquake-risk-zones/>. Submitter 4011 opposes identification of Te Kauwhata in the medium seismic risk zone, noting that, using Lake Waikare

as a reference point on the map provided, Te Kauwhata is north of the 0.15 Z line and is therefore located in the low seismic risk zone.

Staff comment

New Zealand has been divided into three seismic risk zones- high, medium, and low and each have set timeframes for identifying, assessing, and remediating earthquake-prone buildings based on these.

The Waikato district has towns located in both the medium and low seismic risk areas. Ngaruawahia, Huntly and Te Kauwhata are all located in the medium seismic risk zone.

In relation to submitter 3999, the map provided by the submitter relates to construction standards for new buildings rather than current earthquake prone buildings. The map used by Council during the consultation are the seismic risk zones as defined in the Building Act 2004. Therefore, the map displayed on the Council's Shape Waikato page for this consultation is the map Council was required to use for this consultation.

Staff propose that the high pedestrian traffic areas remain to be based on the seismic risk zones as defined in the Building Act 2004.

In relation to submitter 4011, staff consulted with the Ministry of Business, Innovation and Employment (MBIE) on this issue and were advised that it was a difficult call to make as Te Kauwhata is effectively on the line, and the relevant engineering standard NZS1170 does not provide a clear decision.

GIS was used to see if it was possible to establish the line more clearly however it was not clear enough. Staff reviewed a recent building consent to determine the Z factor used by a suitably qualified and practising engineer and 0.15 was applied to the building. On this basis the Z factor 0.15 was adopted.

5.1 Options

Ngaa koowhiringa

Staff have assessed that there are two reasonable and viable options for the Committee to consider. This assessment reflects the level of significance (refer to paragraph 6.1) and Council's legislative requirements. These options are as follows:

1. Provide direction staff on the required changes to the proposed areas
2. Further consultation and review of the proposed identified areas

Option 2 is not recommended as Council would not meet the legislative deadline for adoption.

Staff recommend Option 1, subject to Council amendments.

5.2 Financial considerations

Whaiwhakaaro puutea

Whilst there are no financial impacts for Council as a result of the recommendations of this report, it is noted that there will be significant remediation costs for owners of earthquake prone buildings in the District.

5.3 Legal considerations

Whaiwhakaaro-aa-ture

High pedestrian traffic areas are legally required to be identified and adopted by 1 July 2022.

Under Section 133AF of the Building (Earthquake-prone Buildings) Amendment Act 2016, Council is required to undertake a special consultative procedure (SCP) under section 83 of the LGA 2002 outlining the identified roads, footpaths, or other thoroughfares in medium seismic risk areas, that are located near buildings containing URM, and with sufficient vehicle or pedestrian traffic to warrant prioritisation.

Staff confirm that Option 1 complies with Council's legal and policy requirements.

5.4 Strategy and policy considerations

Whaiwhakaaro whakamaaherehere kaupapa here

The report and recommendations are consistent with the Council's policies, plans and prior decisions.

5.5 Maaori and cultural considerations

Whaiwhakaaro Maaori me oona tikanga

No significant impact on Maaori or material cultural issues have been identified.

5.6 Climate response and resilience considerations

Whaiwhakaaro-aa-taiao

The matters in this report have no known impact on climate change or resilience for the Council.

5.7 Risks

Tuuraru

There is a future risk to the CBDs of Huntly, Ngaruawahia and Te Kauwhata in 12.5 years' time associated with the decisions in this report. This is due to the high remediation costs for building owners of earthquake prone buildings. These costs add significant economic pressures to businesses and could prevent some from being able to remain open or act as a deterrent to new businesses.

6. Significance and engagement assessment Aromatawai paahekoheko

6.1 Significance Te Hiranga

The decisions and matters of this report are assessed as of low significance, in accordance with the Council's [Significance and Engagement Policy](#).

The following criteria are particularly relevant in determining the level of significance for this matter:

- There is a legal requirement to engage with the community.

6.2 Engagement Te Whakatuutakitaki

Highest level of engagement	Inform <input type="checkbox"/>	Consult <input checked="" type="checkbox"/>	Involve <input type="checkbox"/>	Collaborate <input type="checkbox"/>	Empower <input type="checkbox"/>
<i>Tick the appropriate box/boxes and specify what it involves by providing a brief explanation of the tools which will be used to engage (refer to the project engagement plan if applicable).</i>	<p>Consultation on the proposed High Pedestrian Traffic Areas was undertaken from 13 April to 13 May.</p> <p>Council contacted building owners located within the identified areas to advise them of the opportunity to provide feedback on the proposed areas.</p> <p>To ensure there was general public awareness of the proposal, a public notice was published in local newspapers. Two posts were published on Council's Facebook page. A media release was also sent out.</p>				

State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Internal
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Community Boards/Community Committees
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Waikato-Tainui/Local iwi and hapuu

Planned	In Progress	Complete	
<input type="checkbox"/>	<input type="checkbox"/>	✓	Affected Communities
<input type="checkbox"/>	<input type="checkbox"/>	✓	Affected Businesses
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other (Please Specify)

7. Next steps Ahu whakamua

The identified High Pedestrian Traffic Areas will be brought to Council recommending adoption. This will include further changes incorporated by the Committee.

Following adoption, all submitters will be contacted by email to advise on Council's decision on the identified areas. To ensure the general public are informed, a public notice will be placed in local newspapers, information will be published on Council's website, a Facebook post will be published on Council's Facebook page and information will be included in Council's e-newsletter. A media release will also be issued.

Contact will be made with owners of buildings containing URM located within high pedestrian areas to inform them of their obligations.

8. Confirmation of statutory compliance Te Whakatuuturutanga aa-ture

As required by the Local Government Act 2002, staff confirm the following:

The report fits with Council's role and Committee's Terms of Reference and Delegations. Confirmed

The report contains sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages (*Section 5.1*). Confirmed

Staff assessment of the level of significance of the issues in the report after consideration of the Council's Significance and Engagement Policy (*Section 6.1*). Low

The report contains adequate consideration of the views and preferences of affected and interested persons taking account of any proposed or previous community engagement and assessed level of significance (*Section 6.2*). Confirmed

The report considers impact on Maaori (*Section 5.5*) Confirmed

The report and recommendations are consistent with Council's plans and policies (*Section 5.4*). Confirmed

The report and recommendations comply with Council's legal duties and responsibilities (*Section 5.3*). Confirmed

9. Attachments

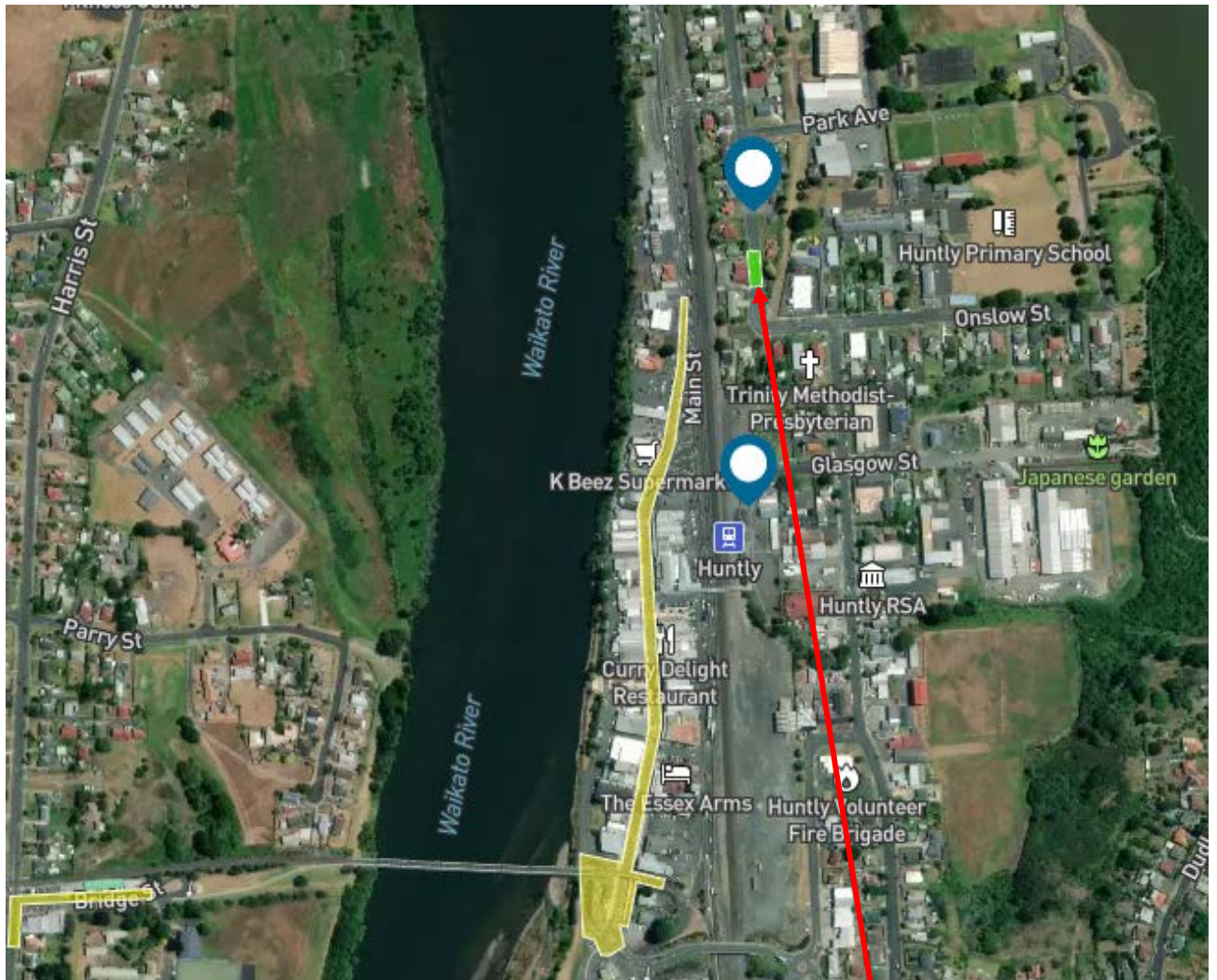
Ngaa taapirihanga

Attachment 1 – Proposed High Pedestrian Areas (with changes)

Attachment 2 – Submissions and staff comments on proposed High Pedestrian Traffic areas

Date:	30 May 2022
Report Author:	Bessie Clarke, Corporate Planner Luke Hampton, Director Waikato Building Compliance
Authorised by:	Sue O’Gorman, General Manager Customer Support

Attachment I: Proposed changes to High Pedestrian Traffic Areas- Huntly



Old Huntly Fire Station, located at 7 Hakanoa St, has been identified as the only URM building located on this thoroughfare.

Staff propose amending the area in Huntly to include 75m on either side of the property on Hakanoa Street in either direction.

Attachment 2: Submissions and staff comments on proposed High Pedestrian Areas

Submission ID	Topic	Proposal	Suggested Changes	Staff comment
4003, 4004, 4005, 4014, 4015	Ngaruawahia- High Pedestrian Areas		High Traffic area. Galileo Street from Newcastle Street to Community House and back to the link on Martin Street should be added. These areas have just as high traffic with the Community House, Doctors, pharmacy and New World Supermarket situated in this area.	Whilst there is sufficient pedestrian and vehicular traffic along this route, there are no buildings containing URM located along this route and buildings are sufficiently set back from footpaths that the threat to public safety is minimal. Staff propose no changes to this area as it does not meet the criteria for classification of a High Pedestrian Traffic area.
4008	Huntly- High Pedestrian Areas		Hakanoa street is a high traffic and foot area due too most people in the community using it too go too work or school or appointments or access too the main highway	The Old Huntly Fire Station has been identified as the only URM building located on this thoroughfare. Staff propose including this portion of Hakanoa Street and amending the area in to include 75m on either side of the property in either direction.
4012, 4009	Huntly- High Pedestrian Areas		Inclusion of Onslow Street as it has high foot and vehicular traffic, and it is a route commonly used by the community.	There are no buildings containing URM located on this thoroughfare, and therefore does not meet the criteria as per the MBIE guidance for Priority Buildings. Staff recommend not including this area in Huntly's high pedestrian areas.

4011 (Brett Flowerday)	Seismic Risk Zone- Te Kauwhata	Te Kauwhata is identified as being in the medium seismic risk zone	Using Lake Waikare as a reference point on the map supplied by the council and also on the government building website, Te Kauwhata is north of the 0.15 Z line so is located in the low risk zone.	<p>Staff consulted with MBIE on this issue and were advised that it was a difficult call to make as Te Kauwhata is effectively on the line, and the relevant engineering standard NZS1170 does not provide a clear decision.</p> <p>GIS was note able to clearly establish a clear line. A recent building consent was reviewed to determine the Z factor used by a suitably qualified and practising engineer and 0.15 was applied to the building. On this basis the Z factor 0.15 was adopted.</p> <p>Staff propose no change to the Te Kauwhata's seismic risk zone.</p>
4006 (Shayne Ohagan)	Definition of Unreinforced Masonry (URM)	Identification of high pedestrian traffic areas is partly based on whether any URM buildings are located on the thoroughfare.	I would like further clarity on the definition of unreinforced masonry construction. A determination of what counts as high pedestrian traffic is required as a quantum, rather than which area is higher than another area.	<p>URM buildings are defined on the www.building.govt.nz website as:</p> <ul style="list-style-type: none"> • A URM building has masonry walls that do not contain steel, timber or fibre reinforcement. URM buildings are older buildings that often have parapets, as well as verandas, balconies and decorative ornaments attached to their facades (front walls that face onto a street or open space).
4001 (Alan and	Proposed High	Proposed to include all of	The high pedestrian boundary should stop at	There are no URM buildings between the

Brownyn Kosoof)	Pedestrian Area- Huntly	Main Street, Huntly	the bottle-o, just before the public carpark. There are no buildings close to the pedestrian way from there on your proposed plan. Please also note that the pedestrian traffic is extremely light. All persons using the carpark head south, they don't come north and there are no buildings near the footpath anyway. We see no risk to any persons walking beyond the bottle-o liquor store.	Bottle-o and the northern end of the public car park. However, there are URM two buildings located slightly north of the carpark. Pedestrian traffic on this thoroughfare is considered a key walking route as per the MBIE guidance. Staff recommend retaining the proposed area.
3999 (Tony Perkins	Seismic Risk Zone for the Ngaruawahia, Huntly and Te Kauwhata	All three towns are identified in the medium seismic risk zone	Your map of the e medium risk areas is not consistent with the government information. *See link below All three towns are not medium risk.	

*<http://www.seismicresilience.org.nz/topics/seismic-science-and-site-influences/faults/earthquake-risk-zones/>