

Submission to Building (Earthquake-prone Buildings) Amendment Bill

Attention: Local Government and Environment Committee

Thank you for the opportunity to provide further comment towards the specific issues as raised by MBIE to the Select Committee about their recommendations for the proposed changes to the Building (Earthquake-prone Buildings) Amendment Bill.

Key Issue: Commencement

Recommendations 1.1 and 1.2

Ashburton District Council supports the recommendations that there be no change to the commencement provision and that the Bill be amended to provide that the methodology for the identification of earthquake-prone buildings must be made no later than one month after the Act comes into force.

Key Issue: The definition of earthquake-prone building

Recommendations 2.1 – 2.6

Ashburton District Council supports the recommendations to improve clarity around the term ultimate capacity in regulations, the exclusions of certain buildings from the definition of earthquake-prone building and to include hostels, boarding houses or other specialized accommodation. We also support the recommendation that the Bill be amended to ensure parts of buildings are adequately and clearly covered and to improve clarity of the definition of earthquake-prone building to include injury or death to persons around the building.

Key Issue: Application of the definition of earthquake-prone building in areas of low seismic risk

Recommendation 3.1

Ashburton District Council supports the recommendation that no change be made to the definition of earthquake-prone building in relation to its application in areas of low seismic risk.

Key Issue: Level of remediation required of earthquake-prone buildings

Recommendation 4.1

Ashburton District Council supports the recommendation that no change be made to either the definition of seismic work or the level of remediation required.

Key Issue: Seismic capacity assessments, outcome notices, the seismic capacity register and seismic work notices

Recommendations 5.1 – 5.24

Ashburton District Council supports all of the recommendations except for 5.1 as we believe that the proposed timeframes are too long. As a Territorial Authority we have to consider the health and wellbeing of our residents, by having the timeframes as proposed we believe is detrimental to this core value for our District. It is our responsibility to provide the effort and resource to achieve the timeframe that is set, but the timeframe needs to be sooner rather than later.

Key Issue: Remediation timeframes

Recommendations 6.1 – 6.9

Ashburton District Council supports the recommendations except for recommendation 6.2 where we support the original submitters in point 114 stating that the timeframe for remediating certain parts of unreinforced masonry buildings (e.g. parapets) and other high risk features because of the hazard posed is too long. These high-risk type of buildings need to have a much shorter timeframe or even be listed as a 'priority' building. We only need to look back at the Canterbury earthquakes to justify why the timeframe needs to be reduced.

Key Issue: Remediation timeframes for heritage buildings

Recommendation 7.1

Ashburton District Council supports the recommendation that the Bill be amended to incorporate amendments arising as a result of the enactment of the Heritage New Zealand Pouhere Taonga Act 2014.

Key Issue: Exemptions from remediation requirements

Recommendation 8.1

Ashburton District Council supports the recommendation to amend the Bill to include a purpose statement in the regulation-making power of the criteria for granting an exemption from a requirement to remediate an earthquake-prone building.

Key Issue: Upgrade requirements

Recommendation 9.1 – 9.3

Ashburton District Council supports the recommendations to clarify that the exception applies in relation to interim work undertaken in advance of the main seismic work required to ensure the building is no longer earthquake-prone.

Key Issue: Enforcement and offences

Recommendations 10.1 – 10.2

Ashburton District Council supports the recommendations in regards to the clarification of the infringement regime.

Key Issue: Transitional provisions

Recommendation 11.1

Ashburton District Council supports the recommendation to replace the transitional provisions of the Bill in respect of notices already issued under Section 124 of the Building Act 2004.



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