



HUTT CITY COUNCIL'S SUBMISSION ON THE BUILDING (EARTHQUAKE-PRONE BUILDING DEADLINES AND OTHER MATTERS) AMENDMENT BILL

Submission to the Transport and Infrastructure Committee

22 August 2024

Introduction

Hutt City Council thanks the Transport and Infrastructure Committee (the Committee) for the opportunity to submit on the Building (Earthquake-prone Building Deadlines and Other Matters) Amendment Bill (the Bill).

1. General Comments

We support the Taituarā Draft submission (once finalised), in particular their comments and recommendations, and so will not be commenting on the issues they have already raised. Hutt City Council's submission is to provide additional commentary and should be seen as supplementary.

2. Extending the remediation timeframe for earthquake-prone buildings

While we agree with the need to extend timeframes, to allow building owners of certain buildings more time to complete seismic works, we do have concerns about the implementation of the new provisions. We have outlined our concerns and recommendations as follows.

Concerns

- Incentive for building owners to carry out seismic remedial works is lessened.
- Council will see an increase in complaints from people concerned for their safety when entering and using these buildings.
- Buildings that have a high level of societal benefit or importance remain closed for longer.
- Increased litigation risk to the Council.
- Imposes significant additional administrative costs on the Council.
- There are no transitional timeframes proposed for reissuing existing EPB notices.

Recommendations

- Extension of remediation timeframes should be tailored to the Importance Level and risk profile of buildings.
- MBIE provide proper training and guidance to Councils and building owners on the new provisions.
- Introduce transitional timeframes for reissuing existing EPB notices.

3. Repealing Section 450A (Transitional and savings provision for residential pools)

The proposal is to repeal section 450A of the Building Act 2004 (the Act). As a result, the Schedule of the Fencing of Swimming Pools Act 1987 (FOSPA) will no longer be considered an acceptable solution for the fencing of residential pools.

Recommendation

- MBIE provide proper training and guidance to Councils and pool owners on the new provisions.

Conclusion

Further consideration of the Bill as drafted is required, supported by a commitment to work with local government through the implementation process. This needs to recognise the significant cost and resource implications for councils and that many aspects of the reform will be challenging to put in place. Hutt City Council recommends MBIE provide appropriate training and guidance on the proposed changes, following the passing of the Bill.