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Kia ora,

Hutt City Council thanks the Transport and Infrastructure Committee for the opportunity to provide feedback on the proposed Building (Earthquake-prone Buildings) Amendment Bill.

## **Hutt City Council submission on the Building (Earthquake-prone Buildings) Amendment Bill**

### **General Comments**

We fully support Taituarā's submission, in particular their comments and recommendations.

### **Background**

While we support the overall intent to move toward a more risk-based and proportionate framework for managing earthquake-prone buildings, successful implementation will rely on clear guidance, and suitable transitional arrangements.

Below, we outline our concerns and provide some recommendations.

## **1. Earthquake Ratings and Cost Recovery**

### **Concerns**

We are concerned about the lack of a cost-recovery mechanism for reissued EPB notices and the administration of extensions. This could have a negative impact on the cost-recovery systems that councils depend on for managing the EPB process.

### **Recommendations**

We recommend that cost recovery be addressed through regulation.

## **2. Redefined Priority Buildings and Transitional Provisions**

### **Concerns**

- The Bill seems to rely on transitional provisions, rather than new statutory timeframes, for re-identifying priority buildings. This raises the question how TAs should prioritise EPB identification during the transition period.
- The absence of a defined timeframe could lead to inconsistent implementation between TAs, potentially affecting the overall objectives of the Bill.

### **Recommendations**

- We suggest timeframes are clearly defined and/or a transitional process be put in place, particularly for previously identified priority buildings.
- We also recommend MBIE develop standard guidelines to promote consistency across TAs.

### **3. Seismic Work Deadline Extensions**

#### **Concerns**

The Bill does not appear to provide a formal application process for building owners to seek seismic work deadline extensions. While TAs have the discretion to grant extensions of up to 15 years, the lack of a clear process could create challenges and potential legal issues for councils when making such decisions.

#### **Recommendations**

We recommend introducing a formal application process for seismic work deadline extensions. This would help ensure consistency, transparency, and reduce the likelihood of disputes or challenges.

### **4. Conclusion**

We believe further consideration of the Bill as currently drafted would be beneficial. Hutt City Council encourages MBIE to provide appropriate training, technical support, and guidance on the proposed changes following the passage of the Bill. Additionally, continued collaboration with TAs throughout the implementation process will help ensure that the system is practical, and consistent.