

ICW Meeting with Minister Penk, Building and Construction, Feb 29 2024, 45 mins

Attendees: Geraldine Murphy (Inner City Wellington, ICW); Mel Johnston, Chair and Craig Sengelow, Cttee Member (MacAlister Heights EQ-prone apartment building)

Officials/Min office: Suzannah Toulmin, MBIE Mgr Building Policy, John Micah, MBIE Mgr, Building Support Service pilot (for 10 EQP apartment bldgs); Iris Millington-Bree, Private Secretary; plus one other - no intro

The key points raised/discussed:

- Our concerns that MBIE's Briefing to Incoming Minister recommendation was doing more of the same, but this isn't enough and we need a rethink of the legislation and how NZ manages seismic risk in the context of how NZ manages other risks in our daily lives; that the current system is not targeted or proportionate.
- We need to look at how other jurisdictions manage seismic risk as no jurisdiction is doing it the same as NZ. Overseas-based engineers may say NZ's approach is great, but their governments are not doing it, and the question is why not, and why are we.
- Need an independent review, with input from owners into the scoping. It cannot be led by MBIE
 - Minister said he'd noted our use of an 'independent review' and we discussed what that would look like. Having engineers, economists, owners, insurers/banks, risk management experts involved
 - We understand that a cost-benefit analysis will be part of any review
- Apartment owners need financial assistance/grants; residential buildings could be removed but that is not the whole issue
 - Targeting support based on type of owner creates issues as all owners must contribute; and taking one or more owners to court to force a sale/payment of monies just creates more costs/stress/delays for the other owners
 - Issue of presuming non-owner-occupiers to be investors and not trapped owners renting places out
 - Questioned the logic of differentiating anyway if aim is to get people to comply
- Minister said that any extension to deadline timeframes would be to enable a review to take place
 - Our response was that it cannot take years to do the review - it needs to be done with urgency and owners need certainty
- ICW's position is to move to a property resilience standard so all new buildings are more resilient and NZ building stock becomes more resilient overtime, but must break the connection of the EQP legislation to the New Building Standard, and
 - that the MBIE Framework for incorporating new knowledge in the Earthquake-prone Building System (EBS) had good objectives and the current EBS should be assessed against those objective as wouldn't be found to be targeted or proportionate
 - cannot incorporate new knowledge into a system that is already creating problems, even the architect of the 2004 legislation agrees it's gone beyond most vulnerable buildings, we highlighted costs to 'benefits' are not proportionate - and referred to [Hazel Kirkham's paper](#), (which he has discussed separately with Hazel)
 - changing the building standard date in regulations at any point (which he acknowledged is easily done) will create another tranche of owners experiencing what the current tranche have gone through or are continuing to go through.
- We asked about next steps and timeframes but didn't get anything. Minister said he is keen to keep the discussion going.