



31 January 2018

Geraldine Murphy  
Chair  
Inner City Residents Association  
[innercityassociation@gmail.com](mailto:innercityassociation@gmail.com)

Dear Geraldine

## **Hurunui/Kaikōura Earthquakes Recovery (Unreinforced Masonry Buildings) Amendment Order 2018**

**Proposal: an Order in Council to provide an extension for building owners who have taken reasonable steps towards completing mandatory securing work**

The Minister for Building and Construction proposes to amend the Hurunui/Kaikōura Earthquakes Recovery (Unreinforced Masonry Buildings) Order 2017, to provide a six-month extension for building owners to complete mandatory unreinforced masonry (URM) securing work before an offence is committed. The extension would apply only to building owners who have taken reasonable steps towards securing URM parapets and façades.

This proposal recognises that building owners may face a range of practical constraints that hinder their ability to get work done on time, such as sector capacity. It strikes a balance between the need to secure URM buildings during the period of heightened earthquake risk following the November 2016 Hurunui/ Kaikōura earthquakes, and ensuring there is reasonable time to get the work done.

**Your organisation's views are requested by 10.00am 7 February 2018**

Your organisation has been identified as one that may be affected by this proposal. In accordance with section 9(1)(a) of the Hurunui/Kaikōura Earthquakes Recovery Act 2016 (the Recovery Act), I am providing you with an engagement document outlining the key parameters and impacts of the proposal.

The Recovery Act specifies that written comments should be provided within three working days. I invite your organisation to make written comments on the document by 10.00am Wednesday 7 February 2018. The Minister for Building and Construction must have regard to your organisation's comments before recommending that the amendment is made.

### **Falling unreinforced masonry parapets and façades present significant risks to life safety**

The November 2016 Hurunui/Kaikōura earthquakes increased the risk of a significant earthquake occurring in areas between Lower Hutt in the north and Culverden in the south (the affected areas).

Securing URM parapets and façades is an effective way to reduce risks to life safety from URM buildings in an earthquake. In response to the heightened level of earthquake risk, the Hurunui/Kaikōura Earthquakes Recovery (Unreinforced Masonry Buildings) Order 2017 was made on 27 February 2017.

The Hurunui/Kaikōura Earthquakes Recovery (Unreinforced Masonry Buildings) Order 2017 empowered the territorial authorities of Hurunui, Hutt, Marlborough, and Wellington districts to issue notices under the Building Act by 29 March 2017 to require work to be done to secure parapets or façades on streets with high pedestrian and/or vehicular traffic. Building owners must carry out the work within 12 months of the date of the notice. One hundred and eighty-nine buildings were originally identified to be secured.

**Decisions to better support building owners, further encourage compliance, and incentivise owners to continue work in progress have been made**

Affected Councils and engineers are proactively assisting building owners to meet the requirements. The Government and affected Councils have also made changes to the \$4.5 million Unreinforced Masonry Securing Fund (URM Fund) to better support building owners complete this work. From mid-February, building owners will be able to apply for:

- up to \$25,000 to secure either a single parapet or façade, or both (instead of \$10,000 for a parapet and \$15,000 for a façade)
- funding for work to remove non-heritage unreinforced masonry parapets and façades
- funding towards the cost of an engineering assessment as soon as they receive an invoice from their engineer.

Cabinet has also agreed to raise the funding cap to secure large and complex URM buildings, with a further announcement on this to be made in mid-February 2018.

Despite this support, building owners face a range of practical constraints that hinder their ability to get work done on time, such as sector capacity. These constraints were identified as risks at the time the Hurunui/Kaikōura Earthquakes Recovery (Unreinforced Masonry Buildings) Order 2017 was developed; however, at that time it was unclear how significant these issues would be.

Updated GNS Science forecasts in November 2017 suggest the heightened seismic risk period is expected to continue at two times the usual risk for at least a further six months beyond the period initially identified. In the affected areas, there is a 53 per cent probability of a magnitude 6 earthquake occurring in the next year, and a 6 per cent chance of a magnitude 7 earthquake.

Securing work remains the most effective means of managing the life safety risks during this period. Building owners should be encouraged to continue work that is in progress, especially where they may be unable to meet the current deadline due to practical constraints.

**The proposed amendment is intended to encourage building owners to continue the securing work**

The amendment is intended to support the objectives of the Hurunui/Kaikōura Earthquakes Recovery (Unreinforced Masonry Buildings) Order 2017: to achieve safety enhancements to, and improvements to the resilience of, URM buildings in areas where they present an increased risk to life safety due to the heightened probability of a damaging earthquake.

The amendment is intended to encourage building owners to continue the securing work necessary to achieve the above objectives, particularly where practical constraints beyond building owners' control have caused delay.

### **Publicity**

On 21 December 2017 the Minister for Building and Construction announced changes to increase the flexibility of the URM Fund. The Minister also announced the Government's intention to extend the time available for building owners to complete this work.

As soon as this amendment is passed, the Minister intends to announce the changes.

### **Commenting on these proposals**

I look forward to receiving your comments by 10.00am 7 February 2018 so that they can be taken into account before recommendations on the amendment are made. Comments can be sent to [URMconsultation@mbie.govt.nz](mailto:URMconsultation@mbie.govt.nz).

Yours sincerely



Anna Butler  
General Manager  
Building System Performance  
Ministry of Business, Innovation and Employment