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Submission of Historic Places Wellington on the Building (Earthquake-prone Buildings) Amendment Bill

Historic Places Wellington (HPW) is an incorporated society which aims to identify and protect heritage places in the Wellington region.

Historic Places Wellington supports the proposals in the Building (Earthquake-prone Buildings) Amendment Bill (the Bill) to establish a more proportional and risk-based regulatory system for managing earthquake-prone buildings.

This submission identifies specific features of the Bill that we believe will enhance the retention of heritage buildings that may otherwise have been at risk from demolition through onerous and expensive seismic strengthening requirements that owners could not afford. It also identifies clauses that could be amended to give further relief for heritage owners.

Buildings in scope

Threshold

- **HPW proposes the threshold for exemption be extended to three storey buildings with secured facades and parapets.** Many small regional towns have prominent three storey buildings on corner sites which would benefit from such an exemption without increasing risk levels.

Support

- Applying requirements only to high-risk buildings in medium and high seismic zones will mean that owners of heritage buildings in Auckland and Northland will be able to focus on repair, maintenance, and adaptive reuse of their buildings.
- The focus on URM buildings and post 1975 buildings of heavy construction materials means that owners of non-URM heritage buildings will be relieved of unnecessary and costly seismic strengthening requirements.

Remediation

Support

- Relaxing the requirement to comply with building code provisions for means of escape from fire and disability access when a building consent application is only for seismic work. These provisions are often difficult and expensive to retrofit to heritage buildings. It would also help owners if consideration of resource consent applications were targeted to effects on heritage.
- The requirement that URM buildings of 2 stories or less need only fix the façade. However, some buildings are currently classified, or suspected to be, earthquake prone but are uninhabited except for machinery and equipment.

Proposed amendment

- **Clarify how building that are of a height greater than the equivalent of “2 stories” but do not have stories, such as churches and halls, will be classified**
- **Consequential amendment to the RMA/Planning Act or national standards to clarify that for seismic strengthening of heritage buildings, a restricted discretionary consent where the only matter of discretion is effect on historic heritage values**
- **Introduce regulations under 401C(1)(b) to provide for exemptions from strengthening for heritage buildings that are not used for human occupancy, for example, a shed at Wellington Botanical Gardens, ex-Morgue at Dunedin Cemetery, are both URM but uninhabited, and for buildings that are infrequently inhabited, such as churches.**
- **Resurrect funding for owners of earthquake prone heritage buildings, such as the Heritage EQUIP scheme. Heritage EQUIP was introduced in 2016 and contributed \$12.95M for 111 projects (out of 138 applications) covering 153 buildings.**

Timeframes

Support

- **We support the ability of owners to apply for an extension of timeframes for up to 15 years**

Proposed amendment

- **Currently only Category 1 heritage buildings can be granted a 10 year extension (non-heritage, 5 years). The Bill proposes a blanket 15 year extension limit. The current provisions recognise the specific challenges faced by owners of heritage buildings are greater than for owners of other buildings.**
- **We propose that the issues faced by heritage owners be addressed by:**

- **Making heritage status a consideration to be taken into account when assessing extensions to deadlines under 133Y and**
- **take account of heritage status when setting any conditions on an extension, such as “whether there are special requirements to be met because the building is a heritage building”**

Priority buildings

Support

- **We support the narrower definition of priority buildings, which are required to be strengthened to shorter timeframes.**

Implementation

It is not clear what will happen to buildings that have been issued earthquake-prone notices but are now out of scope because of the building type or location in a low seismic zone.

Proposed amendment

- **Add transitional provisions to require territorial authorities to reassess whether buildings are in scope of the earthquake-prone building requirements, remove out of scope buildings from the EPB register, and notify owners that EPB notices can be removed.**