



COVERSHEET

Minister	Hon Chris Penk	Portfolio	Building and Construction
Title of Cabinet paper	Building (Earthquake-prone Buildings) Amendment Bill Approval for policy changes to be included in Amendment Paper	Date to be published	20 August 2026

List of documents that have been proactively released

Date	Title	Author
June 2026	Building (Earthquake-prone Buildings) Amendment Bill Approval for policy changes to be included in Amendment Paper	Office of the Minister for Building and Construction
24 June 2026	Building (Earthquake-prone Buildings) Amendment Bill: Policy Approvals for Amendment Paper ECO-26-MIN-0111 Minute	Cabinet Office

Information redacted

YES / NO (please select)

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Cabinet Economic Policy Committee

Minute of Decision

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Building (Earthquake-prone Buildings) Amendment Bill: Policy Approvals for Amendment Paper

Portfolio **Building and Construction**

On 24 June 2026, the Cabinet Economic Policy Committee (ECO):

Background

- 1 **noted** that in September 2025, following a review of seismic risk management in existing buildings, ECO agreed that the Building Act 2004 be amended to give effect to changes to the earthquake-prone building system [ECO-25-MIN-0139];
- 2 **noted** that in December 2025, the Cabinet Legislation Committee approved the introduction of the Building (Earthquake-prone Buildings) Amendment Bill (the Bill) [LEG-25-MIN-0259];

Policy decisions

- 3 **agreed** that the Bill be amended to allow exemptions from carrying out seismic work to be granted where specified mitigation measures that reduce a building's risk profile are in place;
- 4 **agreed** that the Bill be amended to empower the making of regulations for the purpose of the exemption referred to in paragraph 3 above, such as setting the types of risk mitigation measures that are considered suitable, their minimum requirements, and the types of buildings they can be used for;
- 5 **agreed** that the Bill be amended so that where an exemption is revoked after an earthquake-prone building (EPB) remediation deadline expires, and the reason for the revocation is not attributable to the conduct of the building owner (such as an increase in the number of passersby, as opposed to a failure to maintain a risk mitigation measure), its owners are given five years from the date of revocation to comply with the requirement to carry out seismic work;
- 6 **noted** that in September 2025, ECO agreed that the Act's 'identify at any time' provisions be amended such that it can only be used to identify an EPB if:
 - 6.1 the building was completed before the Act's commencement; and
 - 6.2 it is a high-risk post-1976, 3+ storey building of heavy construction, as per the updated EPB methodology, in a medium or high seismic zone; and

- 6.3 the Ministry of Business, Innovation and Employment Chief Executive authorises the territorial authority's designation;

[ECO-25-MIN-0139]

7 **agreed:**

- 7.1 to rescind the decision in paragraph 6 above, and instead;
- 7.2 that the Bill be amended so that any building within scope, in addition to high-risk 3+ storey post-1976 concrete/heavy material buildings in medium or high seismic zones, can be designated as an EPB as per the updated EPB methodology once the applicable identification timeframe for that area has passed, provided that:
- 7.2.1 the building has never been identified as a potential EPB and is subsequently determined to be earthquake-prone, or not, by a territorial authority previously in accordance with the EPB methodology;
- 7.2.2 the building was completed prior to 1 July 2027; and
- 7.2.3 building owner consultation and Ministry of Business, Innovation and Employment Chief Executive approval of the proposed designation has taken place;

8 **agreed** that the Bill be amended so that, in the case of 1-2 storey unreinforced masonry buildings (URMs) within a medium or high seismic zone and located in an urban centre, and all URMs that are within a medium or high seismic zone but are located outside urban centres, the EPB regime only applies where those buildings have exterior unreinforced masonry walls that face onto streets, roads, footpaths or places that are intended, designed, or ordinarily used as places where people congregate;

9 **agreed** that the Bill be amended to ensure that the provisions empowering the EPB methodology are sufficiently clear and robust enough to support the policy intent in paragraph 8 above, including by enabling the methodology to provide appropriate detail and requirements where required;

10 **agreed** that the Bill be amended to ensure that the EPB methodology empowering provisions are sufficiently clear and robust to support the policy intent of the EPB system in the Bill, including to clarify the relationship and intent between the Bill's high-level framework for things such as required remediation measures, and the level of detail appropriately dealt with in the EPB methodology;

11 **noted** that:

- 11.1 in September 2025, ECO agreed to certain mitigation requirements, including risk register, targeted retrofit, façade securing and full retrofit [ECO-25-MIN-0139];
- 11.2 under the Bill, façade securing on two-storey unreinforced masonry buildings will not require remediation of walls overhanging adjacent buildings

Amendment Paper

12 **agreed** to introduce an Amendment Paper to the Bill to progress the decisions in paragraphs 3 to 10 above;

- 13 **invited** the Minister for Building and Construction to issue drafting instructions to the Parliamentary Counsel Office to give effect to the above decisions;
- 14 **authorised** the Minister for Building and Construction to make decisions, consistent with the above decisions and the overall policy framework described in the paper under ECO-26-SUB-0111 and underpinning the Bill, on any issues that arise during the drafting process;
- 15 **authorised** the Minister for Building and Construction to release the Amendment Paper ahead of the Committee of the whole House stage of the Bill, without further submission to Cabinet.

Rachel Clarke
Committee Secretary

Present:

Hon David Seymour
Hon Nicola Willis (Chair)
Hon Brooke van Velden
Hon Shane Jones
Hon Paul Goldsmith
Hon Louise Upston
Hon Mark Mitchell
Hon Tama Potaka
Hon Simon Watts
Hon Chris Penk
Hon Penny Simmonds
Hon Andrew Hoggard
Hon Nicola Grigg
Hon Mark Patterson
Hon Scott Simpson
Hon Cameron Brewer
Simon Court MP

Officials present from:

Office of the Prime Minister
Officials Committee for ECO