

## Wellington City Council 2022 elections

### Candidate responses to questions on impacts of the earthquake-prone legislation on Wellington apartment owners over the next triennium and beyond

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Thank you to those candidates who provided responses to ICW’s questions during the busy campaign period. Four candidates did not have an email address and 45% of emailed candidates responded. The following questions were submitted to all candidates who provided an email address in the Candidates List on the WCC website.

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?
<i>Noting that those candidates elected this election will be responsible for formulating the council's enforcement policy, and if they stand for re-election, responsible for ensuring officers carry out that policy, what is your position on the following questions.</i>
Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?
Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

See ICW website: [Earthquake-prone buildings](#) for more information on this issue.  
Geraldine Murphy, Spokesperson on Seismic Matters, [icwseismicproject@gmail.com](mailto:icwseismicproject@gmail.com)

## Mayoral candidate

### Andy Foster

Q1. If elected will you call for the mayor and other councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer : Definitely. I have met recently with MBIE to express again my concerns about the impact of legislation, and any possible changes to legislation on building owners and tenants – residential and commercial, and the broader potential effect on the life and vibrancy particularly of our central city. It was clear that there should be significant doubts – as I already knew – about the NBS system, and the relationship with both life safety and building survival in a seismic event. I was given reassurances about existing NBS ratings not being revisited and owners forced to upgrade again.

There is absolutely a need to continue work to strengthen our city's building stock. However, I consider that the combined impact of earthquake legislation/risk and insurance represent a significant risk to the health and vitality of our central city in particular, and to our people's wellbeing, and I don't think either the regulations or insurance markets are working well for Wellington. If our city is to continue growing as we expect for the foreseeable future, then Government and Council want to densify rather than spread out. That demands that insurance and resilience issues are resolved. I have had multiple discussions with Ministers on this matter, and specifically included this as a focus in our new Economic Wellbeing Strategy.

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answers to 2 and 3

I would encourage residential owners to strengthen buildings, but I think we need to recognize that there are limitations in people's ability to afford to do this work, and limitations in the capacity of the market to get the work done, so I would prefer to work collaboratively on this with owners and Government to find practical, affordable and reasonable ways forward. (so that's a 'no' to both questions).

### Chris Dudfield

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?
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Answer: I will certainly push for a review of the earthquake prone legislation. Taking account of the situation in the building industry, the deadlines as outlined are effectively not achievable. There needs to be a workable mechanism for consideration and negotiated extensions on a case by case basis. Engineering reports can be as variable as a winters day in Wellington and inherent flexibility must therefore be built into legislative requirements.
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Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?
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Answer: No. There is a chronic housing shortage and this is a matter requiring consultation and collaboration between WCC and owners. There must be a clear and transparent process whereby owners can show an inability to comply. Eviction is a last resort. Unless it can be shown that there is an immediate threat to "life and limb" (generally unlikely), deadline extensions must be negotiable and central government pressed to provide long term repayable funding options so that owners are able to achieve compliance.
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Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being
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imposed on apartment owners who cannot comply by the deadline?

Answer: No. This is counterproductive and could impact livelihoods. WCC should not be in the business of making people destitute or putting them out of business. However, the onus should be on owners to show that they cannot comply and are not simply resisting their obligations in terms of health and safety. My rationale for Q2 above also applies - particularly the idea of long term funding options. Once again, there must also be a mechanism whereby owners can apply for deadline extensions.

### Ellen Blake

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: Yes, I will ask for MBIE to undertake the 5 year review and for Government to review the legislation and policy intent.

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: No, I don't believe evicting people from their home is any sort of solution.

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: Asking people to pay a fine when they can't afford an upgrade is counterproductive. I would ensure all other options are pursued as a first step including how to better support apartment owners. I'm not sure what WCC obligations are in regard to enforcement of the notices they have already issued. Central government action to remedy this is needed including looking at the higher earthquake standards only to be applicable for key public buildings and new builds.

### Paul Eagle

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: Yes. The current requirements are too onerous on property owners. I support lobbying the Government to review them in line with other countries as ours are too strict. They put a huge financial and emotional burden on apartment owners.

I will work with central government to make sure the rules work for Wellingtonians. We simply cannot have closed buildings littering Wellington.

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: No in principle. It depends on each individual situation as obviously people's safety is important. Eviction should be the last resort, working with people to meet deadlines and acknowledging the status of the building and construction sector for example is important.

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: No in principle – for the same reasons above. But the insurance market is already making it hard for some buildings to be covered. This has implications for the property's value and re-sale as Banks require insurance when taking out a mortgage.

### Tory Whanau

I'm not familiar with the detailed issues of this legislation. As a city on a fault line it's clearly important that Wellington's buildings are safe for earthquake risk - however we also need to ensure retrofits are financially possible. I'll be happy to look into this further to consider how to resolve the issue if elected.

## Takapu-Northern Ward

### James Sullivan

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: As a general statement, no. Building owners have shown a lack of desire to do anything but the bare minimum for decades when it comes to construction and maintenance. So, I do support the general gist of the legislation even though it will unfairly impact some.

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: If owners and tenants are educated to the risk and willing to accept the increased risk to life in living in such a building. Then I would not support eviction.

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: Similar to the answer for Q2. If residents can show they understand and are willing to accept the extra risk, I would not support actions to penalise them.

### Jenny Condie

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: Yes, the earthquake prone legislation was passed urgently and may not have received enough consideration of consequences. Now that it has been in place for some time and as we come up on the significant deadline in 2027 it would be appropriate for the Government to review the legislation to see if it is operating as intended. Clearly there have been significant challenges for residential buildings managed via body corporates, and this should be a key focus of a review.

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: My understanding is that there is limited discretion allowed for Councils in enforcing this legislation. Eviction of owners should be an absolute last resort.

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: My understanding is that there is limited discretion allowed for Councils in enforcing this legislation. If the Government does not change the legislation Councils will have little choice but to use the legal mechanisms provided to them. It is not yet clear how the process of Council remediating a building and recovering the financial cost will work in practice. The first example of this is in process and before the court. The outcome of this case should be taken into account in the review of the legislation.

### John Apanowicz

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: Yes, The NBS system is a lottery system for building owners.

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: No, I would prefer to work collaboratively on this with owners.

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: No, I would prefer to work collaboratively on this with owners.

### Raveen Annamalai

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: It's absolutely imperative that we continue our work to strengthen our city's buildings. As part of the focus we need to review whether the regulations or insurance markets are working well for Wellington. If we want to grow in terms of density that we need to ensure that the insurance and resilience issues are resolved. We should also look at ways we can support businesses that are forced to look for temporary tenancies while they're waiting for their buildings to be strengthened. Maybe we can offer tax relief or rebates depending on circumstances.

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: It's been a challenging time for both residential/business owners in Wellington as a result of the pandemic so we need to move away from punitive measures. I would prefer to work with owners to encourage them to strengthen buildings instead of looking at eviction of owners/tenants. We need to understand that not all owners have the resources or ability to embark on strengthening work. You have to think about relocating your staff/tenants, pay rent for your new premises while still paying for your premises that's being strengthened, so many issues that need to be reviewed and handled in a practical and reasonable manner. We need to look at things from their point of view and find ways to achieve a mutually beneficial solution that's good for them, their tenants/staff, and the city. The answers are no to both questions.

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: No, we need to address the matter pragmatically based on the current crisis and work out a plan that is favorable for both parties involved.

### Robyn Parkinson

I've made the decision not to fill in any surveys. I feel that standing with party affiliation and with a clear policy statement (see our Wellington Greens webpage) should be enough guidance for voters. Fair enough for those who run as independent - voters need more reassurance from them as to what they stand for.

My views are unlikely to differ from my fellow Greens who have responded to your survey, but I hope you can understand my decision to go with a 'no survey response' decision.

## Tony Randle

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

I do understand there are major issues with building earthquake protection and I am sympathetic to the plight of the many Wellingtonians who own apartments in earthquake-prone buildings. However, as a new candidate, I do not yet have the required understanding to give a yes/no answer. If elected I will work to understand these issues and, if the evidence supports it, lobby for a review of legislation.

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: Eviction is obviously a last resort to be avoided if at all possible. However, as for Q1, as a new candidate, I do not yet have the in-depth understanding of these complex issues to give a yes/no answer to this question.

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: Again the prosecution and/or imposition of financial penalties on residents should be avoided if at all possible. However, as for Q1, as a new candidate, I do not yet have the in-depth understanding of these complex issues to give a yes/no answer to this question.

I am sorry I could not be more definitive but I am conscious of my lack of knowledge in this area (I am better on Transport). I do understand this is a serious issue that needs to be handled properly and this is why I still completed your questionnaire.

## Motu Kairangi / Eastern Ward

### Aaron Gilmore, Eastern

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: Yes - as an owner of one, and having a business that has gone through the process, and am aware that even EQC does not consider that the law is working. I note that I was a MP in Christchurch that went through the earthquakes and saw thousands of people lose their homes and be red stickered from my area.

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: That is a very difficult question. It would seem to me that eviction is a very harsh tool that should only be used in the event of threat to safety and life. I do consider that there needs to be a model where people can accept a reasonable level of safety and risk. Recent actions in Wellington seem to imply the standards being applied for unsafe buildings may be way higher than people would think reasonable versus other risks they face daily, like driving a car.

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: As our family owns a yellow stickered building, I think that the current rules while a deadline is needed, many factors outside the control of the owner can make that difficult. These include changing zoning, ability to actually get a construction contract or consents as well as the actual costs. Funding in terms of facilitated Govt loans for these processes should be available as it is the Government/Council that is imposing the changes in standards. Obtaining funding from normal sources like banks can be very difficult for these purposes when they will not even sometimes accept the property as security. Wellington faces a considerable issue that other cities do not.

### Ken Ah Kuoi

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: Yes

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: No. Unless the legislation and process is reviewed.

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: No. Unless the legislation and process is reviewed.

### Nathan Meyer

As I am an independent, I don't have the resources to go though and fully answer all the many surveys I am being sent often about central Government rather than local body politics.

Please feel free to follow my facebook page @meyerforwellington and this will give you updates on what I stand for.



### Rob Goulden

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: I am happy to support a review if that is necessary.

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: Hopefully that action will be unnecessary. Having said that Councillors would probably have to follow the advice of Council Officers if buildings are deemed unsafe. Perhaps we should explore others ways Council can help these owners / tenants. 2016 was a wake up call for Wellington.

Q3 Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: This would have to be a last resort and I again would follow the advice of Officers. I would also have to examine the reasons why they cannot comply? Can they get people to do the work for example. The overriding consideration for me is safety of people.

### Sarah Free

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?
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Answer: Yes
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Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?
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Answer: No, unless the building is so dangerous that this is absolutely necessary - but it's hard to imagine this would be the case if it has been inhabited up to this point. Better solutions need to be found.
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Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?
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Answer: No, again better solutions need to be found. I will commit to investigating these issues further if I am re-elected.
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### Steph Edlin

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?
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Answer: Yes
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Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?
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Answer: Yes
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Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?
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Answer: Yes
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**Tim Brown**

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: Yes

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: It would depend on circumstances and the risks.

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: It would depend on circumstances and the risks.

## Wharangi / Onslow-Western

### Andrew Garside

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: Yes. With the NPS-UD the need to keep earthquake legislation effective and functional is more important than ever.

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: Not unless all other avenues of extension and flexibility have been exhausted.

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: Unless the council is financially totally unable to assist, I'd preference taking partial public ownership of buildings, doing the work and keeping people in homes over prosecution.

I hope the council and government can navigate this situation as constructively as possible.

### Bob Mason

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: Yes

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: I'd struggle to support that unless there had been a review and reconsideration of requirements etc first

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: Same as above for Q2 - no, unless there has a review and reconsideration

### Diane Calvert

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: We need to tackle this from a "city inc" approach- meaning not just the city and residential apartment owners but also other regional, business and community leaders. This also means looking at insurance related matters, regulatory factors and access to reliable and affordable engineering advice.

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: The policy needs to be formulated/drafted first before a definitive response can be provided. However, my general approach is being pragmatic and fair and preferring incentives before any enforcement or removal of rights.

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: See above

## Heather Baldwin

The following are links to my website and Facebook page. <https://www.heatherbaldwin.co.nz/>  
<https://www.facebook.com/Vote1HeatherBaldwin>

You will see on my website that I explain I am standing on the basis that I can bring an informed, positive voice to council based on my nearly 30 years of voluntary service to the community. My website explains the experience and philosophy I would bring to the Council.

I have been a member or chair of numerous community organisations. I will bring a deep understanding of community interests to the Council, and an ability to work well with others to make informed decisions and to get things done.

On each of the key areas of interest I have set out my philosophical view. Voters can get a sense of what I believe and stand for. I am, however, deliberately not making specific promises. Many candidates will promise things they simply cannot deliver. I believe this will further exacerbate the dysfunctional behaviour we have seen in the past. If elected I would be one of 15 councillors, together with the Mayor. These 16 people need to work together to make informed decisions that reflect what is in the best interests of Wellington as a whole. I am committed to bring my philosophy, knowledge and experience to make evidence based decisions on the issues before Council, weighing the advice and different stakeholder perspectives we receive.

For these reasons I have not completed your questionnaire. I hope nonetheless that you will see I can bring deep experience and a philosophy that would make me an effective elected representative.

## Lachlan Patterson

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?
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Answer: Yes. We need to get the balance between earthquake safety and reasonable compliance demands right.
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Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?
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Answer: I am against evictions, unless the residence is genuinely unsafe for the residents. All other options should be exhausted first before resorting to evictions.
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Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?
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Answer: Prosecution or financial penalties should be the last resort, recognising the high costs of earthquake strengthening compliance already. Efforts should be made by Wellington City Council to support owners to meet compliance before or when the deadline expires.
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## Pukehinau / Lambton Ward

### Afnan Al-rubayee

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: Yes I will advise, approach and lobby with any government of the day to review the legislation.

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: I believe in a pragmatic approach to this and to ensure decisions are not taken lightly. To evict owners or tenants may just not be a sustainable solution to the problem. What I would rather do is work together with owners and tenants to ensure better solutions in terms of making sure they can comply with deadlines, for this to happen there needs to be a decent case by case system of working, transparency and a good line of communication.

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: I think that would be unfair to not take into consideration individual cases circumstances, again it needs to be a case by case basis approach to make sure owners and tenants are not jeopardized when it is not their fault, we need to take into account that to get this done it will not be cheap for home owners and take that on board when making decisions.

### Ellen Blake

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: Yes, I will ask for MBIE to undertake the 5 year review and for Government to review the legislation and policy intent.

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: No, I don't believe evicting people from their home is any sort of solution.

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Asking people to pay a fine when they can't afford an upgrade is counterproductive. I would ensure all other options are pursued as a first step including how to better support apartment owners. I'm not sure what WCC obligations are in regard to enforcement of the notices they have already issued. Central government action to remedy this is needed including looking at the higher earthquake standards only to be applicable for key public buildings and new builds.

### Iona Pannett

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: Yes. As one of the councillors involved in the issue of earthquake resilience at the time the legislation was passed, I supported it with the proviso that funding support was offered to owners. Both the National and Labour Governments have offered some limited support however it has been insufficient and now owners are now caught in a perfect storm of decreasing values and increasing costs for remediation work to their buildings with little ability to pay for the work.

As the costs have increased and the barriers to doing this work have been clearly articulated by

owners and ICW, I believe a review is justified in terms of understanding whether the costs outweigh the benefits and if strengthening is to be required, what the cost share should be.

I believe that we need to do as much as we can to make our city resilient to inevitable earthquakes and that significant public funding must be made available to this end. Critical infrastructure and buildings with a high public use are being strengthened and rightly so but private homes are a different category to a large extent with most of the risk being carried by the owners. This means a robust cost benefit analysis must be done to see whether the legislation is fit for purpose.

I have consistently advocated for and defended public money going into private buildings for strengthening work and will continue to do so.

WCC understands there is a challenge in owners getting this work done and is undertaking some assessment of how best we should respond to this issue under new senior leadership.

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: I will strongly oppose such a move and in fact have already successfully moved it down the list of Council priorities given our other challenges.

I understand many of the problems that owners have faced in meeting the 2016 legislation and consider it completely unreasonable to expect people to have done this work by the required deadlines. With the most stringent earthquake strengthening regime in the world, I consider that the legislation is unfair and as above needs to be reviewed. In the lead up to the legislation being passed, I raised concerns along with ICW about the availability of relevant professionals and affordability of the regime but these concerns were not considered by Parliament. Taking enforcement action then is unjustified given significant concerns were raised and were not considered.

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: Wellington City Council will obviously have to comply with relevant legislation/guidelines in place at the time if there are any changes but I will not support such a policy given the serious impacts on owners and the unreasonableness of the requirement. Given we are still facing a housing crisis, this strengthening requirement is even more untenable. If owners are evicted or are faced with unbearable costs, where are they to live? No one has been able to answer this question satisfactorily who wants to see this work done. The social and economic costs of penalties or prosecution are simply too high for our society and owners to bear.

### Jane O'Loughlin

I am not an expert on this subject however I think it is unfair that apartment owners have had to bear the burden of trying to navigate this very difficult policy issue and it warrants the council being more proactive and supportive. Given the chance that this will affect many more people we need a rethink about how we approach this. Thanks for your work on this matter. If elected I would be very happy to discuss further.

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: yes

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have

not been able to comply by the deadline?

Answer: No

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: No

### Jonathan Markwick

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: Yes. My partner and I live in an apartment in the Mt Cook area and we understand the major impacts this issue has on all apartment owners in Wellington City. The current legislation, with the deadline for work on the majority of EPBs approaching in 2027, causes insecurities and uncertainties for owners and residents in those residential apartment EPBs.

I believe this is unfair for the affected owners as the Building Act legislation was instated without considering the regulatory impact on apartment owners and renters. The Government with WCC has effectively established a new rule with inadequate support to provide a remedy for the costs of retrospectively complying to the new rule. It is understood any assessment and remediation work on EPBs would be unaffordable or put owners in financial distress. I believe the Kainga Ora financial support scheme loan is insufficient and the eligibility criteria too narrow. Apartment buildings have complex ownership structures with multiple property owners. There hasn't been enough guidance to manage the often multi-million dollar strengthening projects for buildings with multiple property owners.

WCC have not been proactive enough when responding to the looming crisis in 5 years. This is further amplified by the lack of intermediate housing supply to re-house those potentially displaced by the effects of the legislation deadline, natural disaster, or climate change.

I believe that apartment living must be supported and shown to be a viable lifestyle if we are to achieve affordable, climate-friendly housing. I think it's within the WCC's and Government's own best interests in regard to housing supply, transport and climate action to protect our current and future apartments dwellings. Wellington City's 2022 Housing Business Assessment (HBA) indicates that apartments are the long-term solution to the city housing shortage. This means it should be **their** responsibility to provide that support and safety rather than offloading everything to owners some of whom are unable to meet the requirements nor have any control over the matter.

If elected, I will:

- Call on the council and the government to review their legislation on residential apartment EPBs
- Work to set up reasonable funding support for those need remediation work or even a top up to purchase buildings that are no longer safe. Housing supply affects all other issues in the city (transport, economy, culture, climate) so I believe we can relook at the budget and redistribute funding as one of the options.
- Ensure new apartments built have a high NBS% and safety net to protect prospective owners from the same situation.
- Lobby central government to review its current legislation and provide more funding support

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have

not been able to comply by the deadline?

Answer: I will not support the eviction of owners/tenants unless there is a real immediate risk to lives or unsanitary living conditions. I will listen to experts/engineers regarding this but would love to hear your opinions.

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: I will not support an enforcement policy until a resolution has been agreed on by the affected owners, councils, and central government. I believe this require cooperation from all the aforementioned parties. I think any enforcement before-hand would be undemocratic, unreasonable and outright cruel.

### **Karl Tiefenbacher**

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: Having had a chance to look into this a bit ,and realising the impossibility of the task many have in reaching these requirements, I am happy to lobby on their behalf on this. Something that can't be achieved should not be playing on peoples well being and a sensible approach needs to be developed

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: No. The council works FOR the people and needs to do exactly that

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: No. That will only exacerbate the problem

### **Nicola Young**

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: Yes

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: In principle no, although it's hard to give a definitive answer without a specific case. I wouldn't want to encourage people to remain in a dangerous building, but also need to be realistic about people's circumstances - and potential risk.

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: Same as before. In principle, no; but it depends on specific circumstances so it's impossible to give a definitive answer.



### Nicholas Hancox

Thank you for your engagement and advocacy. Your RNZ interview was most nuanced and pragmatic. It is a difficult situation and I can't imagine the latent stress continuing in the affected apartment owners.

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: Yes

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: No

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: No

### Tamatha Paul

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?
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Answer: Yes
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Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?
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Answer: No. I will do everything within my power to prevent eviction
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Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?
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Answer: No. I will try to support them and find ways to help
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## Paekawakawa / Southern Ward

### Chris Dudfield

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: I will certainly push for a review of the earthquake prone legislation. Taking account of the situation in the building industry, the deadlines as outlined are effectively not achievable. There needs to be a workable mechanism for consideration and negotiated extensions on a case by case basis. Engineering reports can be as variable as a winters day in Wellington and inherent flexibility must therefore be built into legislative requirements.

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: No. There is a chronic housing shortage and this is a matter requiring consultation and collaboration between WCC and owners. There must be a clear and transparent process whereby owners can show an inability to comply. Eviction is a last resort. Unless it can be shown that there is an immediate threat to "life and limb" (generally unlikely), deadline extensions must be negotiable and central government pressed to provide long term repayable funding options so that owners are able to achieve compliance.

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: No. This is counterproductive and could impact livelihoods. WCC should not be in the business of making people destitute or putting them out of business. However, the onus should be on owners to show that they cannot comply and are not simply resisting their obligations in terms of health and safety. My rationale for Q2 above also applies - particularly the idea of long term funding options. Once again, there must also be a mechanism whereby owners can apply for deadline extensions.

### Dipak Bhana

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: With Lets get Wellington moving and tor when these things come the new district plan and with more planned multi story building in CBD, we need to have a solution. I feel you may have had plenty of meetings with interested parties. I would plan a meeting with insurers, engineers, local and central government and building owners to work out a plan.

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: If the building is unsafe I would support eviction but we need to have a solutions where the occupants have a place to go.

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: There needs to be fines as a deterrent to get building owners to comply, ultimately we want safe and secure home for people to live and bring up families. For the building that evictions take place there needs to be a solution. Rather than eviction we could look at appointing a Board to oversee the strengthen work. The owners will get the bill and if they are not in a position to afford then low interest loan could be offered to pay for the work the owners would be required to pay this back.

### **Paula Muollo**

Answer to Q1: Yes as a person who is a Real Estate Agent, with increased Rates costs and Insurance costs going up every year, I absolutely would do this. There must be better solutions and more affordable ways to strengthen. I would definitely do this.

Answer to Q2: I will not support evicting people where this hasn't been complied with as I believe we need a staggered approach and it is better to give a realistic timeframe to do the work and reassess the situation prior to just evicting owners and tenants. That's not the solution.

Answer to Q3: I think we have to have some measure and imposing financial penalties should only be enforced if the apartment owners repeatedly ignore the request to comply by the deadline. If owners provide evidence that they have undertaken measures, ie. getting a detailed seismic report and have engaged a quantity surveyor and can't quite meet the deadline, then we need to allow them time as it may be the cost is too much for them at that time. We need to work with owners and not bully them.

## Te Whanganui-a-Tara Maori Ward

### Nikau Wi Neera

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?

Answer: Āe, yes.

Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?

Answer: My top priority is keeping our people in safe, secure housing, and as a renter myself (living in a very shaky home) I know how traumatic evictions can be. However, it would be remiss of any councillor to deliberately keep people in a building that was at risk of causing serious injury or death in the event of an earthquake, so if the closing of a building became necessary I would fight to relocate tenants without other arrangements to safe social housing premises. Eviction should be avoided at almost any cost, but not if the alternative will result in injury to our citizens.

Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?

Answer: Yes - but only for negligent owners who had the ability to meet the required standard and elected not to.

## Makara-Ohariu Community Board

### John Apanowicz

Q1. If elected, will you call for candidates elected as the mayor and councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings?
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Answer: Yes, The NBS system is a lottery system for building owners.
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Q2. Will you support the eviction of owners/tenants from apartment buildings where owners have not been able to comply by the deadline?
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Answer: No, I would prefer to work collaboratively on this with owners.
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Q3. Will you support an enforcement policy that pursues prosecution or financial penalties being imposed on apartment owners who cannot comply by the deadline?
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Answer: No, I would prefer to work collaboratively on this with owners.
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## Tawa Community Board

### Tim Davin

I advise that If elected to the Tawa Community Board, I will advocate to the Community Board that they advocate to the mayor and other councillors, as the governance body for the city, to lobby the Government for a review of the earthquake-prone legislation with respect to residential apartment buildings as it relates to Wellington.