

# Christchurch City Council

Response to MBIE building system legislative reform discussion paper.

Te Pou  
Herenga Waka

# Building Law Reforms

Raising the bar across the Sector



**MINISTRY OF BUSINESS,  
INNOVATION & EMPLOYMENT**  
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# BUILDING PRODUCTS & METHODS

- Strengthen the framework for product certification
- Require manufacturers & suppliers to provide information about building products
- Make consenting easier for modern methods of construction including off-site manufacturing
- Clarify roles & responsibilities for building products and methods



# Christchurch response

- A lot more work needed on definitions
- Providing information will not in itself provide reasonable grounds



# OCCUPATIONAL REGULATION

- Introduce a new licensing scheme for engineers & restrict who can carry out safety-critical engineering work
- Change the licensed building practitioners scheme to raise the competence standards
- Remove exemptions that allow unlicensed people to carry out plumbing, gas-fitting and drain-laying work.
  - Broaden the definition of restricted building work



# Christchurch response

- Scheme should be for all building work
- CPEng is already well recognised. Should be strengthened rather than replaced.
- 2012 amendments to the Act??



# Risk and Liability

- Leave the liability settings for building consent authorities unchanged
- Require a guarantee and insurance product for residential new builds and significant alterations, and allow homeowners to actively opt out of it



# Christchurch response

- 2012 amendments?
- All buildings should be covered
- Value of work does not reflect potential cost of failure
- Separate submission on risk and liability





# Building Levy

- Reduce the building levy from \$2.01 to \$1.50 (per \$1,000)
- Standardise the building levy threshold at \$20,444
- Allow MBIE to spend funds raised by the building levy on broader stewardship of the building sector.



# Christchurch response

- Providing a better service is preferable to reducing the levy
- Threshold should be adjusted for inflation



# Offences, Penalties & Public notification

- Extend the time enforcement agencies can lay a charge from six months to 12 months
- Set different maximum penalties for individuals and organisations
  - Modify the definition of 'publicly notify' in section 7 of the Building Act.
  - Increase the maximum financial penalties



# Christchurch response

- Generally agree
- Include infringements

# Additional Christchurch submission

- Building Amendment Act 2012
- Risk and liability
- Other areas overdue for review
- MBIE guidance and advice

# Building Amendment Act 2012

- Bigger amendment than current proposal
- What's happening?
- Need to know in order to provide more informed feedback on current proposal

# Risk and liability

- Proportionate liability
- No confidence that insurance industry will provide products
- Insurers are more likely to pursue costs from councils

# Other areas overdue for review

- Use
- What is a building
- COA's
- Determinations
- Schedule 1
- Transient accommodation



# MBIE guidance and advice

Guidance and advice has noticeably diminished to the detriment of the building industry

# Have your say

Submissions are open until the 16<sup>th</sup> of June

[www.MBIE.govt.nz/buildingreform](http://www.MBIE.govt.nz/buildingreform)



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