

0.0 Report Template

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1. Reason for Report

2. The purpose of the report is to provide the Committee with an update regarding Regulatory matters of the District.

3. Context

3.1 Determinations :

- 3.2 Determinations are a mechanism under the Building Act 2004 which allows parties to apply to MBIE (Ministry of Business, Innovation & Employment) to determine disputes in relation to applying the Building Act, Building code, Regulations and standards.

- 3.3 The Building team received a complaint about structures/buildings being built on a property in the Taihape West slip zone. During the investigation the team discovered that three separate structures/buildings had been built ranging in size from about 10 to 30 square meters.

- 3.4 The two smaller structures/buildings was found that one contained a toilet and the other a shower, the larger of the three structures was occupied and used for human habilitation/living.

- 3.5 The team has been dealing with the absent owners (Oversea) for sometime now and the matter has escalated from letter to Notice to fix (Three) and two infringements. The notices to fix alleges non compliance with section 17 and 40 of the Building Act (Build not in accordance with the Building code and No Building Consent).

- 3.6 The owners have now applied to MBIE to determine if the Buildings/structures require building consent under section 40 of the Building Act 2004 as they advocate that the building work undertaken is exempt.

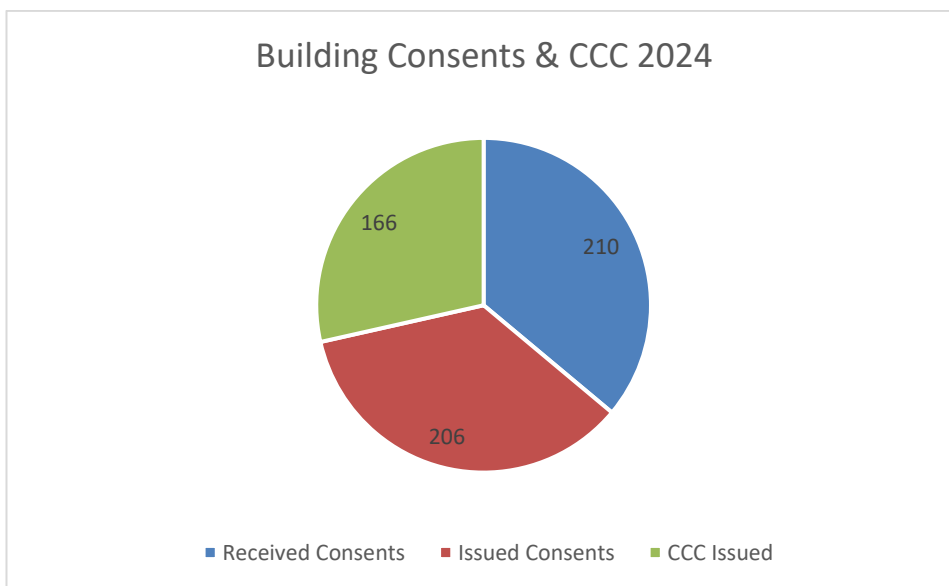
- 3.7 It however needs to be noted that although there are many exemptions under the Building act 2004, to meet this the exemption work undertaken must meet **ALL** requirements for that specific building work including meeting the Building code.

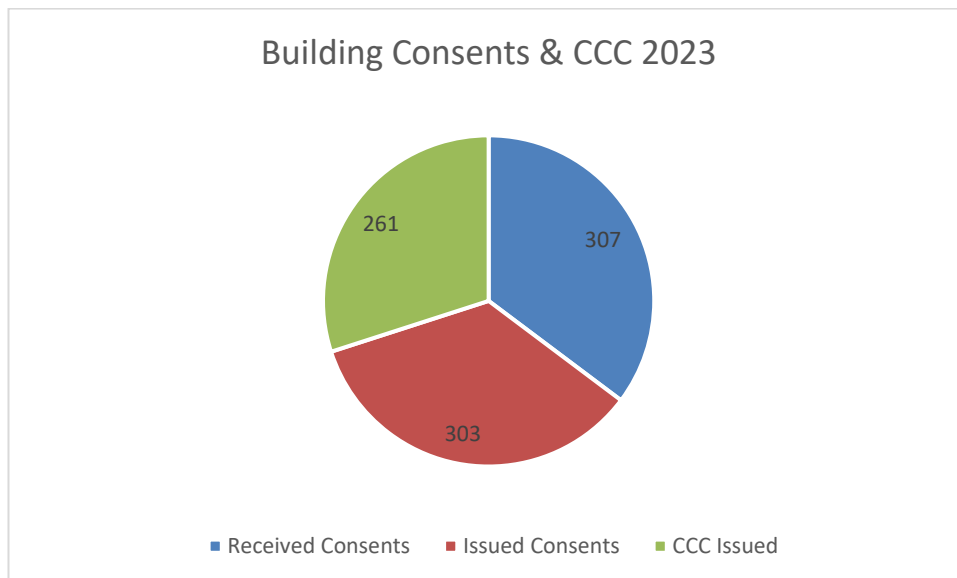
4. Impacts/Changes in Building Team environment

- 4.1 In recent months there have been several different impacts in the building sector some which is driven by the Coalition Government in relation to proposed legislative changes, being more exemptions (Granny Flats), Remote inspections, Self Certifying and Nationalising/Regionalising Building Consent Authorities. The other impact is that building work in general has now started slowing down dramatically in our district just

like other parts of the Country which have already been in a downward trend for some time.

- 4.2 On the legislative front there seems to be a misalignment of information circulated with various proposed legislative changes or the past impacts ignored for so called regulatory streamlining, cost effectiveness and time efficiency.
- 4.3 A recent article by Chief Executive Nick Hill from Building Officials Institute New Zealand (BOINZ) challenges some of these aspects and in particular that 70% of all new builds have 6 or more requests for further information because the plans or building work are not up to standard, incomplete or just in-correct (Non-compliant)
- 4.4 A harsh reminder that leaky buildings cost is at 40 Billion and counting, trying to fix housing affordability by targeting Building Consenting Authorities does not make sense. The argument that building consents are too expensive does not stack up and at most add 1.5 to 3 % of total building costs.
- 4.5 Building Consents and CCC's 2023 vs 2024 to date (Calander year)
 - 4.5.1 The pie charts below indicate that we have received about a third less consents this year against the previous year and about 25% less CCC's. This shows a current downward trend in the building environment throughout the district and would reflect the same pattern in current revenue streams for this area.





5. Financial Implications

5.1 There are no financial implications associated with this report.

6. Impact on Strategic Risks

6.1 There are no impacts on Councils strategic risks

7. Strategic Alignment

7.1 There are no matters that impact on Councils strategic Framework associated with this report.

8. Mana Whenua Implications

8.1 Officers are not aware of mana whenua implications associated with this report.

9. Climate Change Impacts and Consideration

9.1 There are no climate change impacts associated with this report.

10. Statutory Implications

10.1 There are no statutory implications associated with this report.

11. Decision Making Process

11.1 This item is for information only and no decisions are required.

Recommendation

That the Regulatory update report be received.

