

**BUILDING CONSENT SYSTEM
REVIEW
(MBIE)**

4 September 2022

Timaru District Council
Building Consent Authority
key submission points

WHAT THIS SUBMISSION IS ABOUT (MBIE)

1. Strategic Context
2. Desirable Outcomes
3. Issues With Current System

STRATEGIC CONTEXT

(section 1)

- The ongoing role that government provides relating to the building consenting system.
- The potential delegation of consenting functions to 3rd parties

DESIRABLE OUTCOMES

(section 2)

- Efficiency
- Roles and responsibilities
- Continuous improvement
- Regulatory requirements and decisions

EFFICIENCY

- Efficient consenting system
- Assurance
- Risk based system
- Better proportionate costs

ROLES & RESPONSIBILITIES

- Roles and responsibilities are not understood by owners, designers, building contractors.
- Greater responsibility and accountability for all participants.
- Greater regulatory obligations and knowledge for Licenced Building Practitioners (LBP)

CONTINUOUS IMPROVEMENT

- A responsive, flexible and agile consenting system
- Effective monitoring of systems
- Improved communication flows

REGULATORY REQUIREMENTS AND DECISIONS

- Regulatory requirements are clear and robust
- An element of predictability
- Transparency
- Greater understanding

ISSUES WITH CURRENT SYSTEM

(section 3)

- Roles, responsibilities and accountabilities
- Capability and Capacity
- System Agility
- Performance Monitoring and System Oversight
- Fragmented Implementation

ROLES, RESPONSIBILITIES & ACCOUNTABILITY

- Greater understanding across the board
- Consistency of implementation
- Greater reliance and accountability (other than BCA's) for those involved in the consenting system
- Greater understanding (other than BCA's) of what compliance with the building code means and how it is achieved

CAPACITY & CAPABILITY

(Building Consent Authorities)

- Many onerous requirements to meet capacity needs
- Capability impacted by capacity requirements
- Certain accreditation regulations not fit for purpose (eg, Reg 18)
- Private contracting companies, all care no responsibility
- Standard and quality of applications

SYSTEM AGILITY

- One type of consenting system, nation wide.
- Timeframe obligations (20 working days) not fit for purpose
- Uncertainty with making changes to a consent (amendments/ variations)
- Building Code – performance verses prescriptive?
- Levels and appetite for risk based consenting

PERFORMANCE MONITORING AND SYSTEM OVERSIGHT

- An enhanced working relationship between MBIE and BCA's
- A single consenting software system
- Development of a national BCA voice

FRAGMENTED IMPLEMENTATION

- Reduction of BCA's
- Greater collaboration between BCA's
- Increased training across the sector
- Consent applications, restricted to competent persons.
- Strong and robust LBP scheme

OUT OF SCOPE OF THIS REVIEW

- Liability
- Changes to the building code itself
- Building warranty insurance