

REGULATORY MANAGEMENT COMMITTEE

LEGISLATION UPDATE FOR 28 APRIL 2016

Legislative Item	Comment	Update on Progress (Latest entry in Bold)
Building Amendment Act 2012	<p>This Act is part of a package of changes which introduce a range of new consents with corresponding time frames based on risk. The details of this framework are to be set by Order in Council and be supported by regulation.</p> <p>The types of consents include the following:</p> <ul style="list-style-type: none"> • Low risk building consent - to be granted within 5 working days and is not required to inspect before issuing Consent Completion Certificate (CCC). • Simple residential consent - to be granted within 5 working days and is only required to undertake the prescribed inspections before issuing CCC. • Standard building consent- similar regime as currently undertaken with building consents. • Commercial building consents - to be granted within 20 working days- information provided regarding risk profile of application and quality assurance system that will apply to building work. Inspections are likely to audit the quality system that is being used for work rather than work itself. 	<p>Enacted March 2012.</p> <p>Minor and/or technical changes as a result of this amendment came into force immediately on 12 March 2012.</p> <p>However, the commencement date for the remaining more significant changes will not come into force until a date appointed by the Governor-General by Order in Council. At this stage we are still awaiting that Order in Council.</p> <p>There were some suggestions that regulations in this area would progress in 2015 but to date this has not happened.</p> <p>As at 15 April 2016 There has been no further progress with this legislation.</p>
Building (Earthquake-prone buildings) Amendment Bill 2013	<p>The key components of this Bill are:</p> <p>To require territorial authorities to undertake seismic capacity assessment of all non-residential and multi-storey/multi-unit residential buildings (as currently defined in section 122 of Building Act) in their districts within five years from commencement, using a methodology specified and published by the Ministry of Business Innovation and Employment (MBIE).</p> <ul style="list-style-type: none"> • Territorial authorities to prioritise for assessment according to a framework to be specified and published by MBIE. • Territorial authorities to provide the results of the assessments to the relevant building owner. • Owners will be able to provide an engineering assessment as specified by MBIE if they disagree with the territorial authorities' assessment. 	<p>The Bill received its First Reading on 5 March 2014 and was referred to the Local Government and Environment Select Committee. Submissions closed on 17 April 2014. The select committee was due to report on the Bill to Parliament on, or before, 5 September 2014.</p> <p>Recent comments from government ministers have mentioned changes to the Bill to modify the timeframes and types of buildings that may be impacted. The Local Government and Environment Select Committee report is now due on 30 July 2015.</p> <p>There are likely to be significant changes to this bill as a result of the select committee process.</p>

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	<ul style="list-style-type: none"> • There will be a National Register on earthquake prone buildings held by MBIE that will be able to be searched by public. • There will also be the ability for owners to seek exemptions from these requirements from the territorial authorities and special provisions for heritage buildings. 	<p>The bill as reported back to Parliament does not have any significant changes for our district.</p> <p>As at 15 April 2016 This bill is currently awaiting its third and final reading in Parliament.</p>
<p>Weathertight Homes Resolution Services Amendment Bill</p>	<p>This bill was introduced into Parliament on 23 February 2015 and deals with the following matters</p> <ul style="list-style-type: none"> • Assists claimants in similar circumstances as the Osborne's receive the benefits of the Supreme Court decision (this was regarding timing of work) • Deals with uncertainty of claimants when legislation timeframe expires <p>It clarifies the standing of regulations that have been recently gazetted.</p>	<p>This bill has been referred to the Local Government and Environment Select Committee. This bill is not likely to have any significant impact on the claims received by this Council.</p> <p>As at 15 April 2016 This legislation has now been passed into law with Royal Assent on 14 March 2016</p>
<p>Food Act 2014</p>	<p>The Food Act 2014 introduces some fundamental changes to NZ's domestic food regulatory regime. The Act has come about through research conducted since 2003 as part of the Domestic Food Review – only the second review of the domestic food sector in over 30 years. Through a risk-based approach, it seeks to:</p> <ul style="list-style-type: none"> • clarify the role of regulators, • remove the need for local bylaws, by having a single set of rules for training, registration and other food safety aspects, and • improve compliance and enforcement. <p>The Food Act 2014 and Food Regulations 2015 were fully enacted on 1 March 2016.</p> <p>Since 1 March 2016 all new food businesses, or those changing hands will have to register and be verified under the new regime. Existing businesses will transition over the next three years and cafes and restaurant holding On licences will be the first to transition by June 2017.</p>	
<p>Fencing of Swimming Pools Act 1987</p>		<p>As at 15 April 2016 No further update</p>

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<p>Resource Management Act 1991 (Phase 2 amendments)</p>	<p>During the last term of Government proposed amendments to the RMA were announced. Some of those amendments were enacted and the remainder (Phase Two amendments) are understood to be proposed to be enacted during the current term. The following taken from the Ministry for the Environment website gives some context to the proposals.</p> <p><i>These proposals would make further improvements to the RMA and resource management more broadly, including how fresh water is managed and used. Main elements of the proposals include:</i></p> <ul style="list-style-type: none"> • <i>clearer national direction and tools</i> • <i>single, local resource management plans that address future environmental and development priorities and cover all local, regional and national issues; replacing the range of planning documents we have today</i> • <i>simpler, faster and fewer resource consents</i> • <i>Māori interests and values to be considered earlier in resource management planning processes with solutions developed upfront</i> • <i>comprehensive management of natural hazards in planning and consenting</i> • <i>housing affordability addressed through explicit attention being paid to this issue in plans and changes to consenting arrangements to drive down their cost and improve their timeliness.</i> 	<p>As at 15 April 2016</p> <p>The amendments have been introduced to Parliament. Submissions to the select committee closed on 14 March 2016</p>