Taituarā

Building Amendment Bill

Submission to Transport and Infrastructure Committee

November 2026



Taituarā Submission on the Building Amendment Bill

Taituarā-Local Government Professionals Aotearoa (Taituarā) thanks the Transport and Infrastructure Committee for the opportunity to submit on the Building Amendment Bill.

Taituarā supports the Building Amendment Bill's move from joint and several liability to proportionate liability, a change long advocated for by local government. This change will better align financial responsibility with each participant's contribution to defective work, while councils remain accountable for their own statutory decisions. Taituarā also supports the Bill's aims to enable voluntary BCA consolidation and collaboration, support sustainable building outcomes, and modernise building research funding.

The Bill proposes home warranties and professional indemnity insurance to manage risks for consumers. Clear enforceable standards and responsibilities in the legislation are essential to ensure these measures provide effective protection for homeowners and certainty for councils.

The reforms will deliver their intended benefits if they are well-sequenced and supported by appropriate funding, national systems, guidance, and training. Safeguards should remain in place if insurance or warranty requirements are disapplied. Reflecting these conditions in the Bill will help minimise risks and costs for homeowners, building consent authorities (BCAs) and ratepayers, while supporting the effective implementation of the reforms.

Key opportunities to strengthen the Bill

- **Liability reform and safeguards:** Clear public communication about the responsibilities of councils and other building participants should accompany the introduction of proportionate liability, to build public understanding. Safeguards for homeowners should be maintained where professional indemnity insurance or home warranty requirements are disapplied, to ensure continued protection. Implementation should also address what will be recorded and disclosed through land information memoranda (LIM).
- **Home warranties and BCA implementation:** The warranty regime should prescribe the evidence a BCA must receive before granting consent to support clarity and consistency. Set minimum terms and levels of cover that provide meaningful protection for homeowners. Clearly specify the necessary national guidance, training, and cost-recovery arrangements to support effective implementation.
- **Professional indemnity insurance:** Taituarā supports MBIE and the relevant professional registration or licensing bodies being responsible for monitoring and enforcing the regime. Minimum levels of cover should be clearly specified in

the legislation or regulations to ensure meaningful protection. Cover should reflect the value of the project and remain available for claims made after a consultant stops practicing. Local government should be consulted on the regulations to help ensure they are practical and effective, and subpart 2B should commence 12 months after Royal assent.

- **BCA consolidation and building research:** BCA consolidation arrangements should remain voluntary and follow national implementation guidance and standards to support consistent and effective implementation. The modernised research levy should protect the practical research and technical information BCAs rely on in their day-today operation, with strong local government and BCA input into research priorities to ensure research remains relevant to the sector's needs.
- **Fast-track sustainable-building consents:** The ten-working-day pathway should commence only once national eligibility criteria, technical guidance, training, and reporting requirements are in place so BCAs can apply the pathway consistently. The Bill should also require an applicant to obtain a formal consent amendment if a qualifying feature, such as solar generation, is removed after consent is granted to maintain the integrity of the fast-track pathway.

Recommendations:

1. Introduce proportionate liability for building work supported by clear public communication and appropriate recording and disclosure through LIMs.
2. Prescribe objective home warranty evidence and protect councils that rely on it.
3. Strengthen the minimum protection provided by home warranties.
4. Keep professional indemnity insurance verification and enforcement with the appropriate regulators.
5. Set enforceable minimum standards for professional indemnity cover.
6. Fund and sequence the new BCA warranty functions.
7. Strengthen safeguards around disapplication powers and continue exploring a government-backed scheme of last resort.
8. Retain voluntary BCA consolidation and support it with national implementation standards.
9. Establish effective safeguards before introducing fast-track solar and sustainable-building consenting.
10. Modernise building research funding while protecting BCA needs.

Who is Taituarā?

Taituarā is Aotearoa New Zealand's leading membership network for professionals working in and for local government. The organisation exists to help local government professionals succeed and support operational excellence in local government.

Local government in Aotearoa is operating in a constant state of change. Policy reform, financial pressure, rising community expectations, and workforce challenges are reshaping how councils work and how decisions are made.

For more than 35 years, Taituarā has supported the sector through change, challenges, and opportunities. Taituarā has around one thousand individual members. Every council in Aotearoa

also subscribes to the Taituarā Council Support programme to access information, advocacy, and support.

Taituarā supports its members to be the best they can be. The organisation strengthens, develops, and connects members by providing opportunities for current and future leaders to learn and grow from each other, the wider public sector, and international perspectives.

Submission scope

This submission focuses on the parts of the Bill that directly affect councils, territorial authorities, and BCAs. It covers proportionate liability, professional indemnity insurance, home warranties, and related BCA functions, including the powers to disapply the insurance and warranty requirements. It also covers voluntary BCA consolidation, fast-track consenting for solar and sustainable residential buildings, and the building research levy and funding framework. This submission considers responsibilities, consumer safeguards, funding, governance, timing, and practical implementation. It does not address off-site constructed small dwellings or consequential amendments that do not directly support these reforms.

Detailed recommendations

Recommendation 1: Introduce proportionate liability for building work supported by clear public communication and appropriate recording and disclosure through LIMs.

Councils should remain accountable for their own statutory decisions, while designers, builders and other participants bear the financial consequences of failures attributable to them.

Taituarā supports the introduction of proportionate liability under subpart 2A of the Bill. It would align legal and fiscal responsibility more closely with each participant's contribution to building work and address a longstanding transfer of private sector risk to councils and ratepayers.

Under joint and several liability, a council may be required to meet losses attributable to insolvent or unavailable building participants, even where the council's contribution to the failure was limited:

- A 2018 Sapere report cited by MBIE estimated that absent parties may have resulted in additional costs of 170 per cent for BCAs, transferring approximately $332 million in disproportionate costs to BCAs between 2008 and 2018.

- In the Nautilus litigation, Auckland Council was allocated 20 per cent responsibility but paid approximately 95 per cent of the $24 million redress.
- Queenstown Lakes District Council reportedly faced potential exposure of $162.9 million in relation to a single property, equivalent to a 9.6 per cent rates increase or approximately $305 per property each year for 30 years.

The change to proportionate liability would not reduce council's statutory responsibilities. Councils would continue to perform their statutory consent, inspection and certification functions and remain accountable for their own decisions. Until occupational training and regulations consistently operate at the level required, building consent authorities will continue to perform a necessary and critical quality-control role in the system. Improved occupational training and regulation may reduce reliance on council quality control over time.

Taituarā recommends that the legislation should:

- Be supported by clear public communication explaining that building consent approval does not displace the responsibilities of designers, builders, product suppliers, insurers, or owners.
- Address how the proportionate liability regime and its supporting safeguards will be recorded and disclosed through LIMs.

Recommendation 2: Prescribe objective home warranty evidence and protect councils that rely on it.

Replace the subjective "sufficient evidence" test with a prescribed warranty certificate, provide statutory protection for BCAs that rely on the certificate in good faith, and require warranty providers to maintain a reliable verification service.

Establishing clear, nationally consistent evidence requirements will help building consent authorities (BCAs) make consistent decisions, provide greater certainty for applicants and homeowners, and reduce unnecessary risks for councils.

Sections 393U and 393Y should specify the evidence a BCA (or a territorial authority in the event BCA authority has been transferred elsewhere) must receive before granting consent for work requiring a home warranty.

The Bill currently defines "sufficient evidence" by reference to what the individual BCA considers sufficient. It does not prescribe a document, evidential threshold, or verification method. This creates a risk of inconsistent decisions and potential council exposure where evidence is false, defective, expired or fraudulently produced.

The issue is particularly significant because:

- section 393Y requires the BCA to decide whether a warranty is required and whether sufficient evidence is held before granting consent,
- section 393Y(1)(d) requires the BCA to issue a certificate restricting building work where the evidence requirement has not been met, and
- the warranty assessment must be completed within the existing consent-processing timeframe.

Taituarā recommends that:

- "Sufficient evidence" be defined as a certificate or prescribed form issued by a registered home warranty provider.
- Section 392 of the Building Act 2004 be amended to provide that no civil proceedings may be brought against a BCA for anything done or omitted to be done in good faith in reliance on a warranty provider's certificate or form in the prescribed format, issued under subpart 2D, including where that evidence is later found to be false, defective or fraudulently obtained.
- Registered warranty providers are required to maintain a register or confirmation service that BCAs can rely on.
- The Bill confirms that receiving or relying on warranty evidence does not create or extend a BCA duty of care concerning the adequacy or performance of the warranty.

Recommendation 3: Strengthen the minimum protection provided by home warranties.

Extend minimum cover for all defective work to at least two years, ensure cover scales appropriately as project size increases, define structural defects and the warranty commencement date in the Bill, and address exclusions that leave owners without meaningful protection.

The statutory warranty settings should provide meaningful consumer protection rather than establish a minimum product that leaves significant gaps for defects that are not apparent when the work is completed.

Section 393V currently provides one year of cover for all defective building work and ten years only for structural defects. The Bill does not define "structural defects," and the commencement point for both periods is left to regulations.

A one-year period is unlikely to protect homeowners from defects that emerge after occupation, particularly latent weathertightness failures.

The available evidence also indicates that:

- only about 46 per cent of new builds currently have home warranty cover, with lower uptake for renovations,

- recovery from an insolvent building participant is generally negligible—of 2,210 insolvency reports filed to June 2025, only sixty-two recorded any return to unsecured creditors, with most receiving less than ten cents in the dollar,
- the exclusion of mixed-use buildings or buildings over 10m in height also creates a coverage gap for residential owners of those units that should be considered as part of the further design of the warranty regime.

Taituarā recommends that:

- Minimum cover for all defective building work is extended to at least two years.
- "structural defects" be defined in the Bill and include structural damage caused by water ingress.
- Both warranty periods begin when the code compliance certificate is issued, or when the building work is completed if no certificate is issued.
- The Committee reviews the exclusion of mixed-use buildings or buildings ten meters or more in height, whose owners may lose the protection of joint and several liability without gaining home warranty protection.

Recommendation 4: Keep professional indemnity insurance verification and enforcement with the appropriate regulators.

Confirm that MBIE and occupational registration bodies are responsible for monitoring professional indemnity insurance.

Taituarā supports the proposed approach and supports MBIE and the relevant occupational or professional registration and licensing bodies being responsible for monitoring and enforcing professional indemnity insurance requirements.

Section 393P requires a design consultant to disclose insurance information to the client. Section 393P(3)(b) should be redrafted to clarify who must receive the insurance information and what is expected of those recipients.

MBIE's Regulatory Impact Statement states that MBIE will be responsible for monitoring and enforcing the professional indemnity requirements. Taituarā supports this approach. MBIE is the appropriate body because councils are not insurance professionals and are not well placed to assess whether a professional's policy is valid or adequate for the work undertaken. The detailed monitoring regime is expected to be managed through boards governing registered professionals and peak bodies. This should include an authoritative national mechanism that enables those with a legitimate need to verify that the professional indemnity requirements have been met. The Bill and regulations should reflect these intended roles clearly.

Taituarā recommends that:

- The Bill confirms that monitoring and enforcement sit with MBIE and relevant professional registration or licensing bodies.
- Section 393P(3)(b) be redrafted to clarify who must receive the insurance information and what is expected of those recipients.
- Require MBIE and occupational or professional registration bodies to establish a national compliance verification mechanism.

Recommendation 5: Establish effective minimum standards for professional indemnity cover.

Professional indemnity cover should scale with project value. It should remain available for claims made after a consultant stops practicing or the original policy ends. Minimum policy terms should prevent exclusions or an insured party's conduct from defeating legitimate claims.

Section 393M requires an "adequate level of indemnity" but does not define the minimum statutory standard needed to meet that requirement.

These standards should address circumstances where insurance may not provide sufficient protection, including where:

- the insured amount is too low for the value of the project,
- defense costs substantially exhaust the available cover,
- important risks, including weathertightness, are excluded,
- the policy lapses before a latent claim arises or does not provide run-off cover, or
- the insured party's failure to notify the insurer, or admission of liability, prevents the policy from responding.

MBIE acknowledges that cover varies among professional groups and that market availability can change quickly following disruption in the insurance or reinsurance markets. Existing requirements may also be modest: for example, Architectural Designers New Zealand members are only required to hold a minimum cover of $250,000. In some cases, contractual clauses between client and design professional also purport to cap liability to a certain amount, for example five times the fee creating a potential cover gap for homeowners.

Taituarā recommends that regulations:

- Prescribe a minimum sum insured that scales with project value.
- Ensure defense costs do not reduce the available indemnity below a specified minimum.
- Require professional indemnity insurance to remain available for claims made after a consultant stops practicing or the original policy ends, for a period aligned

with the ten-year statutory limit for bringing civil proceedings under section 393(2).
- Address exclusions that could defeat the purpose of mandatory cover, including weather tightness.
- Local government be consulted on the development of the professional indemnity regulations.
- Subpart 2B commences 12 months after Royal assent.

Recommendation 6: Fund and sequence the new BCA warranty functions.

Cost the new council workflow before enactment, commence it only after the regulations and national systems are ready, and provide standard forms, training, and a clear mechanism for recovering reasonable BCA costs.

Sections 393Y to 393ZA establish a new BCA workflow involving assessment, notification, certification, reconsideration, record keeping and information transfer. This work will need to be completed within existing statutory consent-processing timeframes.

Successful implementation will require councils to develop or adapt forms, systems, staff training and quality assurance processes. Nationally consistent requirements and adequate preparation time will help BCAs implement the changes efficiently and provide a consistent service to applicants.

MBIE has identified additional BCA administrative costs but has not quantified them. Sections 219(3) and 240(4) also require councils to perform the relevant function even if the associated fee has not been paid. Clear cost-recovery arrangements will help ensure the new responsibilities can be delivered without transferring additional costs to ratepayers.

Taituarā recommends that:

- MBIE quantifies the BCA administrative costs of sections 393Y to 393ZA and provides that cost to the Committee before the Bill is reported back.
- The regulations prescribe mandatory national forms, certificate formats, records, and information-transfer requirements.
- The Bill provides an express fee-setting power enabling councils to recover the actual and reasonable costs of administering the new home warranty functions from applicants rather than ratepayers.
- MBIE, as part of its signaled comprehensive education and engagement campaign, names BCAs as an intended audience and works with Taituarā and BCAs to develop guidance, forms, staff training, and a published implementation timetable.

Recommendation 7: Strengthen safeguards around disapplication powers and explore a government-backed scheme of last resort.

Require consultation, transparency, notice, transitional arrangements, a public record, and a cumulative limit when professional indemnity or home warranty safeguards are disapplied. The Government should also continue to explore the feasibility and design of a government-backed insurance or warranty scheme of last resort where private-market cover becomes unavailable, unaffordable, or otherwise inadequate.

The Governor-General may disapply all or any of the professional indemnity provisions, or the home warranty provisions, by Order in Council.

Each order may run for up to two years and may be extended by further two-year periods without an aggregate limit. The Bill does not require consultation, prior public notice, a statement of reasons or a report to the House.

Proportionate liability would continue while a supporting safeguard is disapplied. Councils, homeowners, and applicants may not know which regime applies to a project. The market-failure circumstances that trigger disapplication are also the circumstances in which homeowners may most need protection. A government-backed insurance or warranty scheme of last resort could provide a further safety net if private-market products become unavailable, unaffordable, or otherwise unable to provide adequate coverage.

Sections 393Q (1) and 393ZE (1) allow the requirements to be set aside for periods of up to two years and extended for one or more further periods of up to two years. The Bill sets no limit on the total duration and no date on which the power expires. Sections 393Q (2) and 393ZE (2) set tests relating to availability, affordability, effects on building work and proportionality, but do not require consultation, notice, reasons or review. Nothing suspends subpart 2A while a safeguard is set aside.

Taituarā recommends that:

- The legislation requires the Minister to consult local government, insurers, warranty providers and other affected parties before advising the Governor-General to make an order under section 393Q or 393ZE.
- Each order be accompanied by a published statement of reasons and presented to the House with a report on the market conditions relied upon.

- The Minister be required to provide a minimum notice period before an order takes effect and establish transitional provisions for projects with building consent applications already in progress.
- The chief executive be required to publish and maintain a public record of all orders in force, searchable by date, so councils and applicants can determine which requirements apply to a project.
- Where a safeguard has been disapplied for more than four years in total, any further disapplication require Parliament to consider and pass new primary legislation.
- The Government continue to explore the feasibility and design of a government-backed insurance or warranty scheme of last resort to provide consumer protection where private-market products become unavailable, unaffordable or otherwise unable to provide adequate coverage.

Recommendation 8: Retain voluntary BCA consolidation and support it with national implementation standards.

Keep transfers and delegations voluntary, provide national governance and data standards, and sequence implementation with wider local government reform so councils can consolidate functions without compromising continuity or accountability.

Taituarā supports voluntary transfer and delegation of BCA responsibilities as an enabling mechanism rather than a mandatory consolidation model.

Clauses 26 to 36 enable a territorial authority to transfer all or specified BCA functions to another territorial authority or a stand-alone BCA. However, the Bill does not expressly confirm the degree to which a council may retain routine functions while transferring only specialist, infrequent, or high-complexity work. That lack of clarity may discourage councils from adopting arrangements short of full consolidation.

Different councils will have different operational needs. Some may wish to retain responsibility for routine residential work while arranging for another BCA to undertake specialist or infrequent categories of work. The Bill should therefore state expressly that transfers and delegations may be partial, staged, or limited to specified functions or categories of work, without requiring a council to move to a single consolidated model.

Member feedback identifies several practical risks:

- incompatible ICT platforms and data standards,
- inconsistent terminology,
- uncertainty about governance, political oversight, and statutory accountability,
- loss of local knowledge and responsiveness,

- workforce and transition pressures; and
- potential duplication if wider local government reform overtakes consolidation arrangements.

Taituarā recommends that:

- The voluntary and enabling character of clauses 26 to 36 be retained.
- MBIE issue national implementation guidance covering governance, accountability, service continuity, performance monitoring, local responsiveness, workforce transition, cost sharing, and dispute resolution.
- National ICT standards, common data definitions, and consistent terminology support reliable information exchange.
- Funding and phased implementation assistance be provided where platform integration is required.
- Implementation be coordinated with wider local government reform to avoid unnecessary investment and rework.

Recommendation 9: Establish effective safeguards before introducing fast-track solar and sustainable-building consenting.

Before introducing the ten-working-day pathway, establish clear national eligibility and technical requirements, prepare BCAs for implementation, and require a formal consent amendment if a qualifying feature is later removed.

Taituarā supports sustainable building, climate resilience, energy efficiency, renewable electricity generation and reduced whole-of-life embodied carbon. However, a shortened consent timeframe is not, by itself, an effective mechanism for achieving those outcomes.

Clause 15 inserts section 47A, which enables national performance criteria and supporting document requirements for features including solar generation, energy efficiency, embodied carbon, climate resilience, and water efficiency. Clause 16 reduces the processing period for an eligible whole-building application from 20 to 10 working days.

A faster statutory processing period does not make an application less technically complex. Without clear eligibility and assessment requirements, the pathway could:

- produce inconsistent decisions between BCAs,
- increase compliance and quality risks,
- create resourcing pressure for councils,
- require staff to assess unfamiliar or emerging technologies within compressed timeframes, and

allow an applicant to obtain faster processing using a qualifying feature that is later removed from the project.

The Regulatory Impact Statement did not demonstrate that the estimated benefits of the pathway outweighed its costs and implementation risks.

Taituarā recommends that:

- MBIE establishes clear national performance criteria, eligibility guidance, standard application information, and technical guidance before implementation.
- The requirements align with Schedule 1 exemptions, minor works, producer statements, and any relevant self-certification pathways.
- Nationally developed training and process guidance be provided before the ten-working-day pathway commences.
- The cost of redesigning BCA workflows be recognised.
- Removal of a qualifying solar or sustainability feature after consent requires a formal consent amendment, with standard processing timeframes and fees, rather than a minor variation.
- Reporting requirements use nationally consistent fields and formats compatible with council systems.

Recommendation 10: Modernise building research funding while protecting BCA needs.

Support a simpler building research levy framework that preserves stable public-good research, transparent allocation and a strong local government and BCA voice in setting priorities.

Taituarā supports modernising and simplifying the building research levy framework. The reform must, however, preserve stable public-good research capability that BCAs rely on, transparent allocation, and a strong local government voice in setting priorities.

Member feedback supports levy-funded research addressing practical BCA needs, including consent-processing capability, materials assessment, and emerging construction methods. It also seeks clear governance, reporting, outcome measurement, and local government input.

Clauses 18, 21 and 52 replace the separate Building Research Levy Act 1969 regime with a building research component of the levy administered by MBIE. New section 175AC requires a long-term research strategy and public consultation.

Sections 175AD to 175AG establish funding allocated through a competitive application process, published investment plans and an investment advisory panel. The panel must include expertise in building, research, government and any other sector the chief executive considers relevant, but local government or BCA representation is not expressly required.

Members support a simpler, more modern levy framework. They also raise concerns about governance and transparency and want research to respond to BCA needs. The reform should preserve secure multi-year public-good research, transparency, independence, and local government sector confidence.

Taituarā recommends that MBIE:

- Use the long-term research strategy under section 175AC to provide secure, predictable, multi-year support for public-good building research, testing and technical information BCAs rely on in their day-to-day operations. Engage local government practitioners and BCAs in developing the strategy.
- Ensure the research strategy and investment plans explicitly include applied research relevant to BCA operations, including processing capability, materials assessment, and emerging construction methods.
- Include strong building-sector representation, including local government and BCA perspectives, in the investment advisory arrangements under sections 175AE to 175AG.
- Publish clear allocation decisions, reporting expectations and outcome measures, and ensure simplification does not reduce transparency, independence, or continuity of research funding.

Appendix 1 – Summary Table of Issues and Recommendations

ISSUE	COMMENT	RECOMMENDATION	RELEVANT SECTIONS
1. Disproportionate liability for councils	Joint and several liability can require councils and ratepayers to meet losses attributable to insolvent or unavailable building participants, even where a council's contribution is limited.	Introduce proportionate liability for building work, with public communication about each participant's responsibilities and appropriate recording and disclosure of supporting safeguards through LIMs.	Subpart 2A (sections 393A to 393I)
2. Unclear home warranty evidence requirements	The subjective "sufficient evidence" test does not prescribe a document, evidential threshold, or verification method, creating inconsistency and potential council exposure where evidence is false, defective, expired, or fraudulent.	Prescribe a warranty certificate or form, protect BCAs acting in good-faith reliance on it, require a provider verification channel, and prevent warranty evidence from extending a BCA duty of care.	Subpart 2C (sections 393U and 393Y); section 392
3.Insufficient minimum home warranty protection	One year of cover for all defective work may not protect owners from latent defects. "Structural defects" and the commencement date are undefined, and exclusions may leave higher or mixed-use buildings without meaningful protection.	Extend minimum cover for all defective work to at least two years, ensure cover scales appropriately with project size, define structural defects and commencement dates, address exclusions that leave owners without meaningful protection, and review building exclusions.	Subpart 2C (section 393V)
4.Professional indemnity monitoring responsibilities	MBIE is the appropriate body to monitor and enforce professional indemnity requirements	Confirm that MBIE and occupational regulators monitor and enforce	Subpart 2B (section 393P)

ISSUE	COMMENT	RECOMMENDATION	RELEVANT SECTIONS
	because councils are not insurance professionals and are not well placed to assess whether cover is valid or adequate for the work undertaken.	professional indemnity requirements and clarify who must receive insurance information and what is expected of those recipients and establish a national compliance verification mechanism.	
5.Adequacy of professional indemnity cover	Requiring a policy will not provide effective protection if cover is too low, defense costs exhaust it, key risks are excluded, cover lapses before a latent claim, or the insured's conduct prevents the policy responding.	Set enforceable minimum standards scaled to project value, protect the available indemnity, require appropriate run-off cover, prevent exclusions or insured conduct from defeating legitimate claims, consult local government on the regulations, and commence subpart 2B 12 months after Royal assent.	Subpart 2B (sections 393M–393O)
6.Cost and readiness of new BCA warranty functions	The new assessment, notification, certification, reconsideration, record-keeping, and information-transfer workflow must operate within existing consent timeframes, but its council costs have not been quantified.	Cost the workflow, commence it only after regulations and national systems are ready, prescribe national forms and records, provide training and guidance, and enable councils to recover reasonable costs.	Subpart 2C (sections 219(3) and 240(4) and 393Y–393ZA)
7.Disapplication of professional indemnity and home warranty safeguards	The Bill allows insurance or warranty requirements to be disapplied while proportionate liability continues. It does not require consultation, prior notice, reasons, review, or	Require consultation, published reasons, notice and transitional arrangements, a searchable public record of every order,	Subparts 2B and 2C (sections 393Q and 393ZE)

ISSUE	COMMENT	RECOMMENDATION	RELEVANT SECTIONS
	an aggregate time limit, which may create uncertainty and leave homeowners without a supporting safeguard. Further protection may be needed if private-market insurance or warranty products become unavailable, unaffordable, or otherwise inadequate.	and fresh primary legislation scrutiny if a safeguard is disapplied for more than four years in total. Continue exploring the feasibility and design of a government-backed insurance or warranty scheme of last resort.	
8.Implementation of voluntary BCA consolidation	Transfers and delegations may support capability and specialist work, but incompatible systems, unclear governance, loss of local knowledge, workforce pressures and wider reform create implementation risks.	Retain the voluntary model and support it with national governance, accountability, service, workforce, ICT, and data standards, phased assistance, and coordination with wider local government reform.	Clauses 26–36 (sections 212 to 240)
9.Fast-track solar and sustainable-building consenting	A ten-working-day pathway does not reduce technical complexity and may create inconsistent decisions, quality risks, resourcing pressure, and opportunities for misuse if a qualifying feature is later removed.	Do not commence the pathway until national eligibility, technical guidance, training, and reporting standards are ready; require a formal amendment if a qualifying feature is removed.	Clauses 15–16; (section 47A)
10.Building research levy and research funding	A simpler levy framework should preserve secure multi-year public-good research, transparent governance and reporting, and applied research that addresses practical BCA needs. Local government and BCA representation is not expressly required in the proposed advisory arrangements.	Use the research strategy to provide predictable public-good funding, include research relevant to BCA operations, ensure strong local government and BCA input, and publish clear decisions, reporting	Clauses 18, 21 and 52; (sections 175AC–175AG)

ISSUE	COMMENT	RECOMMENDATION	RELEVANT SECTIONS
		expectations and outcome measures.	



Taituarā – Local Government Professionals Aotearoa
Level 9, 85 The Terrace, Wellington
PO Box 10373, Wellington 6140

T 04 978 1290
W taituara.org.nz
E info@taituara.org.nz