



COVERSHEET

Minister	Hon Chris Penk	Portfolio	Building and Construction
Title of Cabinet paper	Building Fire Safety Work Programme: Update	Date to be published	18 June 2024

List of documents that have been proactively released

Date	Title	Author
May 2024	Building Fire Safety Work Programme: Update	Office of the Minister for Building and Construction
1 May 2024	Building Fire Safety Work Programme: Update ECO-24-Min-0066 Minute	Cabinet Office

Information redacted

YES / NO (please select)

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Cabinet Economic Policy Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Building Fire Safety Work Programme: Update

Portfolio **Building and Construction**

On 1 May 2024, the Cabinet Economic Policy Committee (ECO):

- 1 **noted** that officials have been supporting the Regulations Review Committee with a complaint relating to the fire safety provisions in the Building Code;
 - 2 **noted** that the Minister for Building and Construction intends to return to ECO in September 2024 with a discussion document on the issues with the fire safety provisions in the building code;
 - 3 **noted** that the Loafers Lodge fire raised concerns with independently qualified persons not complying with the building warrant of fitness regime;
 - 4 **noted** that in August 2023, the previous government agreed:
 - 4.1 to amend the Building Act 2004 to clarify the obligations of independently qualified persons in issuing a 12A form;
 - 4.2 to introduce a new standard offence for independently qualified persons who negligently issue a 12A form for a specified system where the inspection, maintenance, and reporting procedures of the compliance schedule for that system have not been fully complied with in the previous 12 months;
 - 4.3 that the penalty for this offence is a fine not exceeding \$50,000 for an individual and \$150,000 for a body corporate;
 - 4.4 to increase the fine for buildings owners for failing to supply the territorial authority with a building warrant of fitness from \$250 to \$1,000;
 - 4.5 to increase the fine for building owners for failing to display a building warrant of fitness that is required to be displayed from \$250 to \$1,000;
- [CAB-23-MIN-0350]
- 5 **noted** that the decisions in paragraph 4 above are to be included in the Building (Earthquake-prone Building Deadlines and Other Matters) Bill, which holds a category 3 priority on the 2024 Legislation Programme (to be passed by the end of 2024);

- 6 **noted** that the Ministry of Business, Innovation and Employment is working with territorial authorities to find non-legislative ways to improve the consistency of the independently qualified persons regulatory system;
- 7 **noted** that Operation Magazine, in which an inspection was undertaken of buildings similar to Loafers Lodge throughout New Zealand to identify and address any immediate fire safety concerns, highlighted issues in the fire safety regulation settings;
- 8 **noted** that the Ministry of Business, Innovation and Employment is developing guidance for territorial authorities based on the findings from Operation Magazine.

Janine Harvey
Committee Secretary

Present:

Rt Hon Christopher Luxon
Rt Hon Winston Peters
Hon David Seymour
Hon Nicola Willis (Chair)
Hon Chris Bishop
Hon Brooke van Velden
Hon Shane Jones
Hon Simeon Brown
Hon Tama Potaka
Hon Matt Doocey
Hon Simon Watts
Hon Melissa Lee
Hon Penny Simmonds
Hon Chris Penk
Hon Andrew Bayly
Hon Andrew Hoggard
Hon Mark Patterson
Simon Court MP

Officials present from:

Office of the Prime Minister
Office of the Deputy Prime Minister
Officials Committee for ECO
Ministry of Business, Innovation and Employment