**Consultation submission form**

Improving efficiency in the inspection process

Increasing the use of Remote Inspections and Accredited Organisations

 **OCTOBER 2024**

**How to have your say**

**Submissions process**

MBIE seeks written submissions on this discussion paper by 5pm, Friday 29 November 2024.

Your submission may respond to any or all of the questions in the discussion document (noting that questions 16-21 are for building consent authorities and Accredited Organisations (Building)).

Please provide comments and reasons explaining your choices. Where possible, please include evidence to support your views, for example references to independent research, facts and figures, or relevant examples.

Your feedback will help to inform decisions on options that should be progressed, the detailed design of those options, and whether other options require further consideration.

Please respond to the questions by using this submission form which is located on [**MBIE’s Have Your Say page**](https://www.mbie.govt.nz/have-your-say/consultation-on-increasing-the-use-of-remote-inspections-in-the-building-consent-process) or by using the **[online survey form](https://www.research.net/r/remote-inspections-2024)**[.](https://www.research.net/r/remote-inspections-2024) This will help us to collate submissions and ensure that your views are fully considered.

You can submit the form by 5pm, Friday 29 November 2024 by:

* Sending your submission as a **Microsoft Word document** to **building@mbie.govt.nz**
* Mailing your submission to:

Consultation: Remote inspections
Building System Performance
Building, Resources and Markets
Ministry of Business, Innovation and Employment
PO Box 1473

Wellington 6140
New Zealand

Please include your contact details in the cover letter or e-mail accompanying your submission.

Please direct any questions regarding this consultation to **building@mbie.govt.nz**.

**Use of information**

The information provided in submissions will be used to inform MBIE’s policy development process and will inform advice to Ministers. We may contact submitters directly if we require clarification of any matters in submissions.

**Release of information on MBIE website**

MBIE may publish a list of submitters on [**www.mbie.govt.nz**](http://www.mbie.govt.nz) and will consider you have consented to this, unless you clearly specify otherwise in your submission.

**Release of information under the Official Information Act**

The *Official Information Act 1982* specifies that information is to be made available upon request unless there are sufficient grounds for withholding it*.* If we receive a request, we cannot guarantee that feedback you provide us will not be made public. Any decision to withhold information requested under the OIA is reviewable by the Ombudsman.

Please clearly mark which parts you consider should be withheld from official information act requests, and your reasons (for example, privacy or commercial sensitivity).

MBIE will take your reasons into account when responding to requests under the *Official Information Act 1982*.

**Personal information**

*The Privacy Act 2020* establishes certain principles with respect to the collection, use and disclosure of information about individuals by various agencies, including MBIE. Any personal information you supply to MBIE in the course of making a submission will only be used for the purpose of assisting in the development of policy advice in relation to this review. Please clearly indicate if you do not wish your name, or any other personal information, to be included in any summary of submissions that MBIE may publish.

**Submitter information**

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| --- |
| Please provide some information about yourself to help MBIE understand the impact of our proposals on different occupational groups. Any information you provide will be stored securely. |

**Your name, email address and organisation**

|  |  |
| --- | --- |
| Name: |  |
|  |  |
| Email address: |  |
|  |  |
| Organisation:  |  |

|  |  |
| --- | --- |
| Role:  |  |

**Are you happy for MBIE to contact you if we have questions about your submission?**

[ ]  Yes [ ]  No

**Please clearly indicate if you are making this submission as an individual, or on behalf of a company or organisation.**

[ ]  Individual [ ]  Company/Organisation
(Including individual
building consent officers)

**The best way to describe you or your organisation is:**

[ ]  Accredited Organisation (Building) [ ]  Commercial building owner

[ ]  Builder [ ]  Designer / Architect / Engineer

[ ]  Other building trades (please specify below) [ ]  Developer

[ ]  Building Consent Authority/Council [ ]  Homeowner

[ ]  Building Consent Officer (Individual) [ ]  IT / Software provider

[ ]  Other (please specify below) [ ]  Industry organisation (please specify below)

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**Privacy and official information:**

The Privacy Act 2020 and the Official Information Act 1982 apply to all submissions received by MBIE. Please note that submissions from public sector organisations cannot be treated as private submissions.

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| [ ]   | Please tick the box if you do **not** wish your name or other personal information to be included in any information about submissions that MBIE may publish or release under the *Official Information Act 1982*. |
| [ ]  | MBIE may publish or release your submission on MBIE’s website or through an Official Information Act request. If you do **not** want your submission or specific parts of your submission to be released, please tick the box and provide an explanation below of which parts of your submission should be withheld from release: |

Insert reasoning here and indicate which parts of your submission should be withheld:

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| *[E.g. I do not wish for part/all of my submission to be release because of privacy or commercial sensitivity]* |

**Consultation questions**

**Introduction**

The primary objective of the options in this consultation is to improve the efficiency and timeliness of building inspection processes, to make it easier, cheaper and faster to build.

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| **Outcomes and criteria*** System is efficient
* Roles and responsibilities are clear
* Requirements and decisions are robust
* System is responsive to change

Please refer to page 7 of the discussion document for full detail. |

**1a.** Do you agree these are the right outcomes/criteria to evaluate the options?

[ ]  Yes [ ]  No [ ] Unsure

|  |
| --- |
| [Insert response here] |

**1b.** Are there any others that should be considered?

[ ]  Yes [ ]  No [ ] Unsure

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| --- |
| [Insert response here] |

**Increasing the uptake of remote inspections**

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| The **main benefits** of remote inspections are increased efficiency and productivity through:* reducing the need for inspectors to travel to site
* greater convenience, flexibility and timeliness
* the ability for inspectors to carry out inspections in other districts

Remote inspections can also reduce emissions due to reduced travel and can support good record keeping practices.Please refer to pages 9 - 10 of the discussion document for full detail. |

**2a.** Do you agree with our description of the opportunity (i.e., benefits) of increasing the uptake of remote inspections? Please explain.

[ ]  Yes [ ]  No [ ] Unsure

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| [Insert response here] |

**2b.** Are there any other benefits? Please explain.

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| --- |
| [Insert response here] |

**3. For builders/sector:** What savings and costs have you experienced with remote inspections? Do they differ depending on whether a remote inspection is real time or evidence-based?

|  |
| --- |
| [Insert response here] |

**4. For builders/sector:** Do you have any concerns about taking part in remote inspections (whether real time or evidence-based)?

|  |
| --- |
| [Insert response here] |

**Key barriers and risks of remote inspections**

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| Key risks of remote inspections include:* Building safety and performance
* Dishonest practices
* Liability concerns
* Trust in build quality

Please refer to page 11 of the discussion document for full detail. |

**5a.** Do you agree these are the main risks associated with increasing the use of remote inspections?

[ ]  Yes [ ]  No [ ] Unsure

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| --- |
| [Insert response here] |

**5b.** Are there any other risks that should be considered? If yes, please explain.

[ ]  Yes [ ]  No [ ] Unsure

|  |
| --- |
| [Insert response here] |

**6.** Are current occupational regulation and consumer protection measures fit for purpose to manage risks associated with higher uptake of remote inspections? If not, what changes would be required?

[ ]  Yes [ ]  No [ ] Unsure

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| [Insert response here] |

**Options to increase the uptake of remote inspections and improve efficiency of inspection processes**

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| **Option One:** Review remote inspection guidance, address failure rates and/or publish wait times (non-regulatory) (Pages 12 – 13 in discussion document)**Option Two:** Require building consent authorities to have the systems and capability to conduct remote inspections (Page 13 in discussion document)**Option Three:** Require building consent authorities to use remote inspections as the default approach to conducting inspections (Pages 13 – 14 in discussion document)**Option Four:** (complementary option): Create a new offence to deter deceptive behaviour (Page 14 in discussion document) |

**7.** Which option(s) do you prefer? Please explain why by commenting on the benefits, costs, and risks compared to other options.

[ ]  Option One [ ]  Option Two [ ] Option Three [ ]  Option Four [ ]  None

|  |
| --- |
| [Insert response here] |

**8.** Are there any other options we should consider?

[ ]  Yes [ ]  No [ ] Unsure

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| --- |
| [Insert response here] |

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| **Option One:** Review remote inspection guidance, address failure rates and/or publish wait times (non-regulatory) (Pages 12 – 13 in discussion document) |

**9.** What can be done to help reduce inspection failure rates?

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| --- |
| [Insert response here] |

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| **Option Three:** Require building consent authorities to use remote inspections as the default approach to conducting inspections (Pages 13 – 14 in discussion document) |

**10.** What inspections could generally be conducted remotely with confidence?

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| --- |
| [Insert response here] |

**11.** Are there any inspections that should **never** be carried out remotely (e.g., based on the type of inspection or building category)? Please explain why.

[ ]  Yes [ ]  No [ ] Unsure

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| [Insert response here] |

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| Some exclusions may be needed under **Option Three**, including when:* there is poor internet connectivity at the inspection site
* there is poor lighting or adverse weather that may impair video/photo quality
* the inspector and/or builder deem it necessary to conduct an on-site inspection to ensure critical details are not missed
* a building professional has previously been deceptive or regularly failed inspections
* building work is being carried out by an individual with an Owner-Builder Exemption

Please refer to page 13 in the discussion document for full detail. |

**12a.** Do you agree with the proposed exclusions under Option Three?

[ ]  Yes [ ]  No [ ] Unsure

|  |
| --- |
| [Insert response here] |

**12b.** Is there anything else that should be added to this list?

[ ]  Yes [ ]  No [ ] Unsure

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| --- |
| [Insert response here] |

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| **Option Four:** create a new offence to target deceptive behaviour during a remote inspection.The offence relates specifically to *‘deliberate actions to hide, disguise, or otherwise misrepresent non-compliant building work’.*The offender would be liable on conviction to a maximum fine of $50,000 for an individual and $150,000 for a body corporate or business.Please refer to page 14 in the discussion document for full detail. |

**13.** If a new offence were to be created, does the above description sufficiently capture the offending behaviour? If not, is there anything else that should be considered?

[ ]  Yes [ ]  No [ ] Unsure

|  |
| --- |
| [Insert response here] |

**14.** Would the maximum penalty of $50,000 for individuals and $150,000 for a body corporate or business be a fair and sufficient deterrent?

[ ]  Yes [ ]  No [ ] Unsure

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| --- |
| [Insert response here] |

**15.** Are there any other ways to discourage deceptive behaviour besides creating an offence?

[ ]  Yes [ ]  No [ ] Unsure

|  |
| --- |
| [Insert response here] |

**Questions for Building Consent Authorities and Accredited Organisations (Building)**

**16.** What percentage of inspections do you carry out remotely?

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| --- |
| [Insert response here] |

**17.** What are the main things preventing you from using remote inspections, or using them more often? Please explain.

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| --- |
| [Insert response here] |

**18a.** Please briefly outline your policy regarding when, how and with whom you use remote inspections.

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| --- |
| [Insert response here] |

**18b.** In what circumstances do (or would) you use real time remote inspections versus evidence-based? Do you prefer one method (real time or evidence-based) over the other? Please explain why with reference to benefits, costs and risks.

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| [Insert response here] |

**19.** We want to know about building consent authority costs and savings (actual or anticipated) in establishing remote inspection technology and processes.

 **What are your actual or projected costs from undertaking remote inspections?**

 Training

|  |
| --- |
| $ |

IT Expenses

|  |
| --- |
| $ |

 Additional staff

|  |
| --- |
| $ |

Other

|  |
| --- |
| [Insert response here] |

 **What are your actual or projected savings from undertaking remote inspections?**

 Travel and vehicle

|  |
| --- |
| $ |

Ability to do more inspections per day

|  |
| --- |
| $ |

 Reduced staffing costs

|  |
| --- |
| $ |

Other

|  |
| --- |
| [Insert response here] |

**Please also provide any data and/or estimates on travel and emissions reductions achieved through the use or potential use of remote inspections. Please include any assumptions or qualifiers. Relevant attachments can be emailed along with your submission form to** **building@mbie.govt.nz****.**

|  |
| --- |
| [Insert response here] |

**20a.** Considering the actual or anticipated costs of establishing remote inspection capabilities, how long has it taken (or do you expect it to take) to see a return on investment?

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| --- |
| [Insert response here] |

**20b.** Do you anticipate that you will be able to reduce inspection charges for remote inspections?

|  |
| --- |
| [Insert response here] |

**21.** What factors would you consider in pursuing a prosecution for the deceptive behaviour described in Option 4?

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| --- |
| [Insert response here] |

**Increasing inspection capacity through the use of Accredited Organisations (Building)**

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| Many building consent authorities engage Accredited Organisations (Building) to carry out consent processing on their behalf, but only a few are involved in inspections. There is an opportunity to increase inspection capacity (onsite and remote), by using these organisations to carry out more inspection work, either on behalf of building consent authorities, or by enabling owners to engage them directly.Please refer to page 17 in the discussion document for full detail. |

**22.** What are the benefits, costs, and risks of building consent authorities contracting more Accredited Organisations (Building) to undertake inspections?

|  |
| --- |
| [Insert response here] |

**23.** What are the main barriers to building consent authorities contracting Accredited Organisations (Building) to undertake inspections? How could these be addressed?

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| --- |
| [Insert response here] |

**24.** Do you think that owners should be able to directly engage Accredited Organisations (Building) to undertake inspections? Please explain, commenting on the benefits, costs, and risks.

[ ]  Yes [ ]  No [ ] Unsure

|  |
| --- |
| [Insert response here] |

**25a.** Do you agree with the potential mitigations? (refer to table on page 18 of the discussion document)

[ ]  Yes [ ]  No [ ] Unsure

**25b.** Are there any other issues or mitigations we should consider?

[ ]  Yes [ ]  No [ ] Unsure

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| --- |
| [Insert response here] |

**General Comments**

**26.** Do you have any other general comments you wish to make?

[ ]  Yes [ ]  No [ ] Unsure

|  |
| --- |
| [Insert response here] |