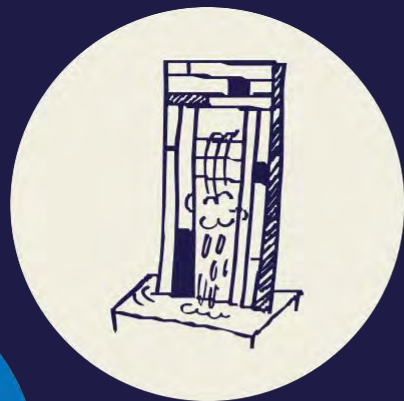


# HAMILTON CITY COUNCIL STAFF SUBMISSION

## Proposed CodeMark Scheme Rules Amendments (March 2023 Consultation Document)

Ministry of Business, Innovation and Employment



19 April 2023



**Hamilton  
City Council**  
Te kaunihera o Kirikiriroa

# Improving the Wellbeing of Hamiltonians

Hamilton City Council is focused on improving the wellbeing of Hamiltonians through delivering to our five priorities of shaping:

- **A city that's easy to live in**
- **A city where our people thrive**
- **A central city where our people love to be**
- **A fun city with lots to do**
- **A green city**

The topic of this submission is aligned to the priority '**A city where our people thrive**'.

## Council Approval and Reference

This staff submission was approved by Hamilton City Council's Chief Executive on 19 April 2023.

Hamilton City Council Reference D-4687701 - Submission # 732.

It should be noted that the following submission is from staff at Hamilton City Council and does not therefore necessarily represent the views of the Council itself.

## Introduction

1. Hamilton City Council staff would like to thank the Ministry of Business, Innovation and Employment for the opportunity to make a submission to the **Proposed CodeMark Scheme Rules Amendments (March 2023 Consultation Document)**.
2. The response/feedback from Hamilton City Council staff is outlined in the Ministry of Business, Innovation and Employment's official submission form - copy attached.

## Further Information and Opportunity to Discuss Our Submission

3. Should the Ministry of Business, Innovation and Employment require clarification of the submission from Hamilton City Council staff, or additional information, please contact **Alister Arcus** (Principal Building Advisor - City Growth) on **07 838 6881** or email [alister.arcus@hcc.govt.nz](mailto:alister.arcus@hcc.govt.nz) in the first instance.
4. **Hamilton City Council staff would welcome the opportunity to discuss the content of this submission in more detail with the Ministry of Business, Innovation and Employment.**

Yours faithfully



**Lance Vervoort**  
**CHIEF EXECUTIVE**

Hamilton City Council  
Garden Place, Private Bag 3010, Hamilton

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 @hamiltoncitycouncil

 07 838 6699

**hamilton.govt.nz**

# Proposed CodeMark scheme rules amendments

MARCH 2023





**MINISTRY OF BUSINESS,  
INNOVATION & EMPLOYMENT**  
HĪKINA WHAKATUTUKI

## **Ministry of Business, Innovation and Employment (MBIE) Hīkina Whakatutuki – Lifting to make successful**

MBIE develops and delivers policy, services, advice and regulation to support economic growth and the prosperity and wellbeing of New Zealanders.

### **MORE INFORMATION**

Information, examples and answers to your questions about the topics covered here can be found on our website: [www.mbie.govt.nz](http://www.mbie.govt.nz) or by calling us free on: **0800 20 90 20**.

### **DISCLAIMER**

This document is a guide only. It should not be used as a substitute for legislation or legal advice. The Ministry of Business, Innovation and Employment is not responsible for the results of any actions taken on the basis of information in this document, or for any errors or omissions.

### **CONTACT DETAILS**

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### **MARCH 2023**

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# How to make a submission

The Ministry of Business, Innovation and Employment (MBIE) is seeking your feedback on:

- a proposed requirement for product certification bodies (PCBs) to use MBIE's certificate template with the new mark of conformity
- a proposed requirement for certificate holders to make technical information from CodeMark certificates easily accessible for the public.

When completing this submission form, please provide comments and reasons explaining your choices. Your feedback provides valuable information and informs decisions about the proposals.

You can submit this form by **5pm, Thursday, 20th April 2023** by:

- Sending your submission as a Microsoft Word document to [Building@mbie.govt.nz](mailto:Building@mbie.govt.nz)
- Mailing your submission to:

CodeMark mark of conformity consultation 2022  
Building System Performance  
Building, Resources and Markets  
Ministry of Business, Innovation and Employment  
PO Box 1473  
Wellington 6140  
New Zealand

## USE OF INFORMATION

The information provided in submissions will contribute to MBIE's ongoing development of the CodeMark scheme. We may contact submitters directly if we require clarification of any matters in submissions.

## RELEASE OF INFORMATION

MBIE may upload PDF copies of submissions received to MBIE's website at [www.mbie.govt.nz](http://www.mbie.govt.nz). MBIE will consider you to have consented to uploading by making a submission, unless you clearly specify otherwise in your submission.

If your submission contains any information that is confidential or you otherwise wish us not to publish, please:

- indicate this on the front of the submission, with any confidential information clearly marked within the text
- provide a separate version excluding the relevant information for publication on our website.

Submissions remain subject to requests under the *Official Information Act 1982*. Please set out clearly in the cover letter or e-mail accompanying your submission if you have any objection to the release of any information in the submission, and in particular, which parts you consider should be withheld, together with the reasons for withholding the information. MBIE will take such objections into account and will consult with submitters when responding to requests under the *Official Information Act 1982*.

## PRIVATE 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 in the cover letter or e-mail accompanying your submission 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

MBIE would appreciate if you could provide some information about yourself. If you choose to provide information in the “About you” section below it will be used to help MBIE understand the impact of our proposals on different occupational groups. Any information you provide will be stored securely.

**A.** About you

Name:

Alister Arcus

Email address:

alister.arcus@hcc.govt.nz

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

☒ Yes

☐ No

**C.** Are you making this submission on behalf of a business or organisation?

☒ Yes

☐ No

If yes, please tell us the title of your company/organisation.

Hamilton City Council

**D.** The best way to describe your role is:

☐ CodeMark certificate holder

☐ Product certification body

☐ Industry organisation (please specify below)

☐ Business

☐ Individual

☒ Other (please specify below)

Please specify here.

Building Control Authority

**E.** If you represent a business the best way to describe it is:

- ☐ Designer/ Architect ☐ Builder  
☐ Sub-contractor ☒ Other (please specify below)  
☐ Supplier

Compliance reviewer

**F.** If you are an individual the best way to describe you is:

- ☐ Designer/ Architect ☐ Builder  
☐ Sub-contractor ☐ Other (please specify below)  
☐ Building Consent Officer  
☐ Homeowner

**G.** Privacy information

- ☐ *The Privacy Act 2020* applies to submissions. 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.
- ☐ MBIE may upload submissions or a summary of submissions received to MBIE's website at [www.mbie.govt.nz](http://www.mbie.govt.nz). If you do **not** want your submission or a summary of your submission to be placed on our website, please tick the box, and type an explanation below:

I do not want my submission placed on MBIE's website because [insert reasoning here]

**H.** Confidential information

- ☐ I would like my submission (or identifiable parts of my submission) to be kept confidential and have stated my reasons and ground under section 9 of the *Official Information Act 1982* that I believe apply, for consideration by MBIE.

If you have ticked this box, please tell us what parts of your submission are to be kept confidential.

# CodeMark scheme rules amendments

The *Building (Building Products and Methods, Modular Components, and Other Matters) Amendment Act 2021* (the Amendment Act) introduced a new certification scheme for modular component manufacturers (BuiltReady) and also made changes to strengthen the existing CodeMark product certification scheme.

The BuiltReady and CodeMark schemes offer deemed to comply building consent pathways along with MultiProof, which is a statement by MBIE that a set of plans and specifications for a building complies with the Building Code.

As part of the implementation work for the new CodeMark brand, MBIE has carefully considered whether other scheme rules were affected by the change or needed to be reviewed. As a result of sector feedback from the November 2022 consultation, MBIE has proposed two rule changes to foster public trust and create further consistency and clarity across the brand.

MBIE is seeking feedback on two proposals:

1. a requirement for product certification bodies (PCBs) to use MBIE's certificate template with the new mark of conformity.
2. a requirement for certificate holders to make technical information from CodeMark certificates easily accessible for the public.

The purpose of this consultation is to seek feedback from affected parties on whether the addition of these new rules will have any adverse or negative impacts.

## QUESTIONS FOR THE CONSULTATION

### 1. REQUIREMENT FOR PCBS TO USE MBIE ISSUED CERTIFICATE TEMPLATE

**1-1** Do you agree with the proposed rule that PCBs must use the MBIE issued product certificate template?

- ☒ Yes, I agree.
- ☐ No, I disagree.
- ☐ Not sure/no preference.

Please add any further comments here:

We agree that there will be a level of consistency in the certification templates that make the job of processing these applications easier, and therefore improve the timeliness of the application approval.

**1-2 Will you be able to implement this requirement by 1 September 2024?**

- ☒ Yes, I have enough time to prepare.
- ☐ No, I don't have enough time to prepare.
- ☐ Not sure/no preference.

If no, please explain your reasons here:

This has little impact on our business.

**1-3 Are there any barriers in the way of following the proposed rule change?**

- ☐ Yes
- ☒ No

If yes, please explain your reasons here:

This has little impact on our business.

## **2. INFORMATION REQUIREMENTS**

**2-1 Do you agree with the proposed requirement for certificate holders to make technical information from CodeMark certificates easily accessible for the public?**

- ☒ Yes, I agree.
- ☐ No, I disagree.
- ☐ Not sure/no preference.

Please add any further comments here:

Full disclosure to the public and other interested parties such as Building Control Authorities (BCA's) makes the process of approval much easier. This assists the BCA in ensuring that the system/product is within the scope of the approval and gives the public confidence that the system/product can be trusted.

**2-1 If the proposed rule change goes ahead, is 1 September 2023 enough time to implement this new rule?**

- ☒ Yes, I have enough time to prepare.
- ☐ No, I don't have enough time to prepare.
- ☐ Not sure/no preference.

If you replied no, could you please provide an explanation of how much time you believe will be necessary to successfully implement this change:

**2-3 Are there any barriers in the way of following the proposed new rule?**

☐ Yes

☒ No

If yes, please explain here:



**Te Kāwanatanga o Aotearoa**  
New Zealand Government

BRM 9586