

# House of Representatives

## Supplementary Order Paper

Tuesday, 6 April 2021

### Building (Building Products and Methods, Modular Components, and Other Matters) Amendment Bill

#### *Proposed amendments*

Debbie Ngarewa-Packer, in Committee, to move the following amendments:

*New clause 3A*

After *clause 3* (page 8, after line 20), insert:

#### **3A Section 3 amended (Purposes)**

After section 3(b), insert:

- (c) to provide for the Crown's te Tiriti o Waitangi/Treaty of Waitangi obligations by investing a proportion of the building levy surplus in projects and initiatives that lead to better outcomes for Māori homeownership and development on Māori land, in line with the direction, design, and process that hapū and iwi so determine.

*Clause 24*

In *clause 24(2)*, *new section 53(1A)(b)(ii)(B)*, replace “.” (page 17, line 11) with “.”.

In *clause 24(2)*, after *new section 53(1A)(b)(ii)(B)* (page 17, after line 11), insert:

- (c) the Crown's te Tiriti o Waitangi/Treaty of Waitangi obligations by—
  - (i) transferring a proportion of the yearly building levy surplus for investment in—
    - (A) the Whenua Māori Fund administered by Te Puni Kōkiri:

- (B) the Kāinga Whenua Loan Scheme administered by Kāinga Ora—Homes and Communities; and
- (ii) ensuring that the proportion of the yearly surplus provided to Te Puni Kōkiri and Kāinga Ora—Homes and Communities under **subparagraph (i)** is not less than 30 percent of the surplus.

### **Explanatory note**

This Supplementary Order Paper amends the Building (Building Products and Methods, Modular Components, and Other Matters) Amendment Bill. The Building Act 2004 (the **Act**) requires that building work be carried out with a building consent first applied for and obtained. A building levy is collected under the Act on applications made for a building consent. The levy collected from all applicants pays for functions of the Ministry of Business, Innovation and Employment (**MBIE**) under the Act. The sum, while actually paid to the building consent authority, is ultimately collected by the chief executive under the Act.

According to financial statements provided by MBIE under the Official Information Act 1982, the closing balances for the levy account for the 2017, 2018, and 2019 financial years were \$32,010,000, \$43,015,000, and \$55,548,000, respectively. The trend evident from the accounts is that the surplus from building levies is increasing each year.

Māori are struggling to put warm, dry roofs over their heads under current policy settings. While Aotearoa has experienced falling homeownership rates since 1991, Māori homeownership has declined at a greater rate than the general population consistently over that time. Māori make up 36 percent of public housing tenants, more than double the proportion of the Māori population. Māori comprise 57 percent of all emergency housing Special Needs Grants made, compared to 21 percent of Pākehā.

These amendments are to ensure that the Crown's te Tiriti o Waitangi obligations are set out in the Act, supporting the policy of investing a proportion of the building levy surplus in projects and initiatives that lead to better outcomes for Māori homeownership and development on Māori land, in line with the direction, design, and process that hapū and iwi so determine.