



23 February 2023

Ref: DOIA 2223-1798

Geraldine Murphy

Email: Geraldine.murphy@xtra.co.nz

Tēnā koe Geraldine Murphy

Thank you for your email of 11 December 2022 to the Ministry of Business, Innovation and Employment (MBIE) requesting, under the Official Information Act 1982 (the Act), the following information regarding Energy ratings and waste minimisation plans proposed for the Building Act:

I have a few questions arising from this email:

- * how are large scale residential buildings (such as multi-storey apartment buildings) defined?*
- * what was the rationale for including this group of home owners while excluding all other home owners indefinitely?*
- * which of the members of the stakeholder group (p8 of the RIS) was providing a voice for the home owners who were impacted by the proposals? There appears to be no organisation that has the interests of that group at its core.*

I sincerely apologise for the delay in responding to your request. Please find below a response to your questions.

The Building for Climate Change (BfCC) team is currently working through the detail of the proposed energy performance rating requirements. As part of this process, the scope of buildings included in the proposed requirements will be defined and that detail will be set out in regulations, which will be consulted on as MBIE works to finalise how the requirements will apply. I encourage you to share your feedback through making a submission in the public consultation process, as we know how crucial it is to get the right balance of reducing emissions in the sector and ensuring new requirements are fit for purpose.

The proposed requirements are intended to apply to large-scale commercial, public, industrial, and large residential apartment buildings. It is not the intent to set minimum performance requirements for existing buildings through the proposed energy performance rating requirements. The proposed requirements will apply to these building types because large buildings have greater emissions on a per building basis than smaller-scale or standalone residential buildings and may realise greater potential cost savings on energy bills to offset the cost of assessment.

Requiring owners of large residential apartment buildings to hold an energy performance rating will benefit home owners in these buildings. Home owners will be able to see how much energy their large residential apartment building uses and it will incentivise building owners to invest improving their buildings' energy efficiency, which is likely to reduce home owners energy bills.



All New Zealanders were invited to provide feedback on these proposals through public consultation on the *Te hau mārohi ki anamata - Transitioning to a low-emissions and climate-resilient future* in October and November 2021. Andstakeholders and agencies representing both industry and building owner perspectives were engaged in the design of the proposals. The Ministry of Housing and Urban Development and Kāinga Ora were among the agencies consulted for how the proposals may impact homes and home owners. We also consulted several other groups as part of a legislative discussion group, which included representatives from Wellington City Council, Selwyn District Council, Institute of Architects, BRANZ, Property Council New Zealand, Certified Builders, Registered Master Builders, New Zealand Green Building Council, and the Ministry for Environment.

Throughout the process of proposing, introducing, and implementing the proposed requirements, the MBIE will continue to consult with and listen to the feedback of building and homeowners as well as other industry participants and agencies. There will be an opportunity to consider this feedback during the Select Committee process to understand how proposed requirements can be implemented with the right balance of climate action and industry support. Any regulations proposed to supplement the requirements will also be consulted on publicly to ensure we get the balance right. I welcome you to share your feedback at both of these consultation stages.

If you wish to discuss any aspect of your request or this response, or if you require any further assistance, please contact OIA@mbie.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā



Suzannah Toulmin
Manager, Building for Climate Change
Building System Performance