

Consultation submission form

Building Code update 2022

Transition period for the energy efficiency of housing



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How to submit this form

How to submit this form

This form is used to provide feedback extending the transition period for the implementation of insulation settings in Acceptable Solution H1/AS1 and Verification Method H1/VM1.

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, Tuesday 14 June 2022 by:

- › email: buildingfeedback@mbie.govt.nz, with subject line Building Code consultation 2022
- › post to: Ministry of Business, Innovation and Employment, 15 Stout Street, Wellington 6011
or: Ministry of Business, Innovation and Employment, PO Box 1473, Wellington 6140

Your feedback will contribute to further development of the Building Code. It will also become official information, which means it may be requested under the Official Information Act 1982 (OIA).

The OIA 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.

Submitter information

Submitter information

MBIE would appreciate if you would 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:

Nicholas Hill

Email address:

nickhill@boinz.org.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.

Building Officials Institute of New Zealand

D. The best way to describe your role is:

Architect

Engineer (please specify below)

BCA/Building Consent Officer

Residential building owner

Builder or tradesperson (please specify below)

Commercial building owner

Building product manufacturer or supplier
(please specify the type of product below)

Other (please specify below)

Designer (please specify below)

Prefer not to say

Please specify here.

New Zealand's peak Building Surveying and Building Control institute/association

Submitter information

E. 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. 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]

F. 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 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.

Transition period for the energy efficiency of housing

We are proposing to extend the transition period for adopting new insulation requirements for housing in Acceptable Solution H1/AS1 and Verification Method H1/VM1. The proposed change would extend the transition period for 6 months to 1 May 2023. This proposed change considers feedback received in the 2021 consultation, changing circumstances in New Zealand's building and construction sector, and the importance of New Zealand's obligations under the Climate Change Response Act 2002.

Questions for the consultation

1-1. Do you agree with the proposed extension of 6 months to the transition time so that the previous lower insulation settings can be used until 1 May 2023?

- Yes, I support the extension of 6 months (1 May 2023)
- No, the transition period should remain the same (2 November 2022)
- No, the extension should be longer (12 months to 1 November 2023)
- Not sure/no preference

Is there anything you would like to tell us about the reason(s) for your choice?

The Building Officials Institute of New Zealand (BOINZ) represents some 1300 plus building surveyors across New Zealand the majority of whom work in Local Government Building Consent Authorities (BCAs).

We are aware of support for both an extension to the November 2022 transition deadline and support for the date to remain as originally signalled (November).

On balance while our members within Building Control would need to accept whatever decision is landed on through this consultation, most of our members would prefer to support the best transition outcomes possible. Deadlines if not widely workable tend to create downstream issues and confusion. Certain sectors including a range of manufacturers and the construction sector generally believe the lead-up time for the transition is likely to be a difficult ask for many given the current operating environment.

From a consenting perspective Building Control staff will be able to adapt to the new solutions, but there is a concern that if consent applications don't contain the necessary and correct information due to the design and build sectors not being aware or sufficiently trained, then consent applications will either be rejected, or lengthier RFI processes will ensue. The likelihood is then unintended consequences for the well-intended increases to thermal efficiency for the built environment.

It needs to be understood that there is no intent to delay the ability for people to use the new Acceptable Solution and verification method at this point in time. They can use it now and if they can access materials then they can start to build to those improved levels immediately. The effect of extending the timeframe for the existing AS & VM options before they are superseded is all that is being proposed. This in effect allows customers choice for just a bit longer. We have to remember that actually no metrics are changing in the Building Code itself. We are aware that some customers intend to use the existing AS & VM documents as an alternative solution even past the date of them being superseded. MBIE would need to consider the likelihood of a challenge through determination by some parties.

Transition period for the energy efficiency of housing

1-2. What impacts would you expect on you or your business from the proposed change to the transition period?

These impacts may be economic/financial, environmental, health and wellbeing, or other areas.

There is technically no adverse impact upon our BOINZ members for the proposal to extend the period for the current AS & VM to be effective.

We are aware that the construction sector is currently exposed to several adverse impacts that make operations and efficiencies particularly difficult at this time, which are flowing onto businesses, their staff, contractors and customers (end users). Examples include:-

- Staff shortages
- Skill shortages
- Supply chain delays
- Cost escalations
- Rising interest rates.

The ability for the manufacturing, design and build sectors to adapt in this environment needs to be considered as building control officials and likely BCA's do not want to be taking the brunt of the change impact if information is not provided correctly, particularly given that consenting volumes are peaking at all time highs and the capacity to process consents efficiently may likely be impeded, should a delay not be considered.

The Institute would be looking to see some considerable effort going into designer and constructor training in this area between now and implementation date and would be open to working with MBIE and importantly the design and construction sector organisations to make this possible.

BOINZ has been supportive of the introduction of H1 changes. For the sake of a 6-month extension, some of which is over the annual Christmas break, we don't believe such an extension to seek implementation improvements and a more seamless introduction will have a significant impact on Climate Change initiatives long term. We would argue that the best approach to implementation would also support a better uptake of Climate Change initiatives over the implementation period and into the future.

It would also be our contention that a delay would be in the well-being interests of the majority of practitioners across the wider build sector given the considerable pressures currently being experienced.

Transition period for the energy efficiency of housing

1-3. What support would you or your business need to implement the changes by 1 May 2023 if introduced?

- Information about what the insulation changes are or what buildings they apply to
- Education material on how the new documents can be used to comply with the Building Code
- Webinars from MBIE technical experts
- Other types of support (please specify below)

If there anything else you would like to tell us about the reason for your choice(s)?

The sales maxim *implementation is everything* should apply to all change and new initiatives. We would encourage a strategy that includes all in the supply/use chain – from manufacturers through to designers and constructors.

BOINZ would encourage a strong educational programme with designers in particular, which includes expectations in terms of regulatory and specific product knowledge around choices they make in their consent applications. As mentioned earlier BOINZ would be available to assist in partnering MBIE and other organisations to achieve these outcomes.