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Submission on the Building Products Specifications proposal

Organisation: Building Officials Institute of New Zealand (BOINZ)

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Introduction

For nearly 60 years the Building Officials Institute of New Zealand (BOINZ) has been the peak body for building surveying in New Zealand, with over 1250 members across disciplines including building consenting and inspection, prepurchase property inspection and building project management. BOINZ supports strong and fair regulation of the building industry.

BOINZ vision is to 'Improve the Quality and Performance of the Built Environment', with professional development programmes it aims to improve the competency of building surveyors and unapologetically seeks to improve building outcomes for building owners and occupiers.

BOINZ is the only organisation within the design and build sector that can truly provide independent oversight and advice based on its members observations of design and construction practices throughout New Zealand.

Our aim to ensure best practice outcomes without agendas or sector interference, based on member input.

General Comments

BOINZ supports processes and systems that generate building efficiencies, particularly the building consent process. We are mindful of additional regulatory requirements that may produce unintended consequences, such as:

- Increased time and delays for processing building consents
- Overly complex procedures
- Duplication of procedures

These should be tested prior to implementation as part of the policy development process.

We understand the rationale for a unique building products specification system with an ability to update product information and Standards, including international Standards as required in a timely manner.

The description of the building product specification system must be consistent with and alignment with the Building Act 2004, and all other building regulatory instrument descriptions. This will ensure a single accurate interpretation of the building product specification and its role in the Building Regulatory system, so that it is not distorted by inaccurate statements in the building product specification.

Such an approach and consideration will ensure sector efficiencies and behavioural understanding for all participants in the building chain.

We also believe the corresponding changes required within the building consent authority (BCA) environment will take a period of time and associated cost to implement. Additionally, there will be a requirement by IANZ to access and confirm that any new systems and procedures are consistent with BCA accreditation protocols. Therefore, we encourage MBIE having an important and economically strategic role to play in:

1. The development of implementation guidelines to avoid unnecessary duplication of process across multiple BCAs. BOINZ suggest the Building Levy should be used for this important sector wide change and minimise unnecessary consumer expense.
2. Advising the construction sector and the public of these new systems and the likely imbedding timeframes.

Risk evaluation

While BOINZ appreciates the general concept of approved building product specifications and standards we have good reason to raise concerns that need consideration.

The introduction of any new product or standard in the building product specification will generate a need for awareness, education and additional specific technical product knowledge in order to deliver maximum benefit.

BCA workload, processing and inspection timeframes. In the short-term there will be an additional demand on BCA resource and time to implement the new system. Resource and time-demand will be high in the long-term if there is significant market uptake. Designers and constructors should not have an expectation that new products or associated standards will lessen consenting times.

Liability trail. Despite a product standard within the building product specification, approved by MBIE, and consented as a deemed-to-comply solution by a BCA, failing, where would the liability sit? Does the building owner have any recourse? This needs careful consideration by MBIE before the release of a final document, supported by accurate guidance.

What is MBIEs role. It is not clear to BOINZ and we consider there is insufficient clarity in the status of the building product specification document. Is it deemed to comply, or does a building solution need to be checked? This is extremely important for all building sector participants to comprehend and fully understand, ensuring no confusion.

We have already commented on under Part 1. Paragraph 1.1.2.1 that if a product is in the building product specification and is deemed-to-comply, why is the BCA checking geographic location or any other limiting factor. We consider these should be in the building product specification.

It is also unclear as to the relationship of the building product specification and acceptable solutions (AS) and verification methods (VM) because some AS and VMs contain limits, geographic areas, climate zones etc. Overseas product standard, if included in this document, should not need additional scrutiny by a BCA before granting a building consent.

Comments on the Draft Building Standards Specification document

Preface Section

The description of the building product specification system must be consistent and align with the Building Act 2004 and other descriptions of the Building Regulatory system in other publications. This lower order document should not distort the Building Regulatory system by having an inaccurate description of where the building product specification fits.

Consequently, BOINZ proposes the following edits in the Preface section.

Page 2. In the paragraph immediately following the triangle, replace the second sentence with: "They may reference design standards and other publications."

In the next paragraph replace "referred to" with "referenced"

In the next two paragraphs replace "parts" with "clauses" (two changes). The Building Code has clauses not parts.

In the last paragraph on page 2 delete the words "provisions" and "other".

Page 3 Features of this document section

First bullet: delete "along with their" and replace with "and the"

Part 1. General section

Paragraph 1.1.1.1 Replace "that can be used" with "for use"

Paragraph 1.1.1.2 Replace "must be demonstrated" with "has been demonstrated". The reason for this change is that the referenced standard in the building product specification has been accepted by MBIE as establishing Building Code compliance, on its own, or as part of a building system, and requiring the building consent applicant to demonstrate the relevance of geographic scope requirements is contradictory and inconsistent for a deemed-to-comply solution. It is either a deemed-to-comply solution, or it is not.

Paragraph 1.2.1.2 BOINZ considers that the requirements for fire characteristics of building products and materials should not be part of this document. These characteristics should be in the fire acceptable solutions and verification methods, which would enable the building product specification to reference products and materials that met the characteristics.

Paragraph 1.2.1.3 Delete the last sentence. BOINZ is concerned that this sentence is misleading. Building products used in building work must comply with the Building Code and Building Act 2004, Section 18, means that provisions in other Acts cannot impose additional requirements above Building Code compliance.

Part 2. Structure section

It is unfortunate that paragraph 2.1.1.2 is a complicated list of referenced standards. As it is written there are two test method pathways.

- 1) NZS 3112.2:1986, or
- 2) AS1012.1:2014 and AS1012.9:2014 with the specific requirements in either AS1012.8.1: 2014 or AS1012.14: 2018

What is confusing is the term 'one or more' test methods. Paragraph 2.1.1.2 needs to be rewritten.

Paragraph 2.2.2.2 b) i) add "concrete" so that it reads "minimum concrete yield strength of 550 MPa, and"

Paragraph 2.4.1.2 For clarity, after 'coatings' add "for sheet steel"

Paragraph 2.4.1.3 For clarity, after 'coatings' add "for fabricated steel components"

Paragraph 2.5.1 For accuracy change this heading to correctly reflect the Building Code clause B2.3.1(a) Change to: "Durability - The life of the building, being not less than 50 years".

This additional wording should also be applied to Paragraphs 2.5.1.1, 2.5.1.2, and 2.5.1.3.

Inserted Tables

The inserted tables in this Part and throughout the document, should be indented or otherwise clearly differentiated from the text to make it easier to read.

Part 3. Enclosure section

Paragraph 3.2.1.1 replace after ", with respect to . . . *cladding systems*." with "for their properties when used as components of *cladding systems*."

Paragraph 3.4.1.1 (c) Shift the standard to the start of the sentence and reword. To make the document consistent. See consultation draft 2.1.1.2(d) i) and ii).

Paragraph 3.4.1.4 (c) and 3.4.1.4 (c)(i) Shift the standards to the start of the sentence and reword. To make the document consistent. See consultation draft 2.1.1.2(d) i) and ii).

BOINZ suggests that the Standard number be placed at the start of the sentence should be the normal layout.

Paragraph 3.5.1.3 (b) delete the "or". See next comments.

Paragraph 3.5.1.3 (c) replace "one or more" with "one". See next comment

Paragraph 3.5.1.3 (c) Make this a stand-alone paragraph, starting "For any other insulation types, excluding loose fill and vacuum panels, shall be determined by using one of the following standards for the specific insulation type:"

Paragraph 3.5.1.3 (c) as amended by comment above, for 3.5.1.3 (c)(i) through to (vii) remove the 'or' after each line. Also, include the Standard/ product name on each line.

Part 7. Fire characteristics of building products

This section is different to the other sections in that it defines the characteristics of fire related building products.

This highlights that the definition of building product specification is inconsistent or possibly incomplete because it contains product characteristics and does not always reference overseas product standards.

BOINZ suggest that the characteristics be included in the appropriate acceptable solution or verification method, then the building product specification will, as in all the other parts, contain the Standards that the products can meet.

A handwritten signature in black ink, appearing to read 'N. Hill', with a horizontal line drawn underneath.

Nicholas W Hill
Chief Executive