Consultation submission form

Building Code update 2022

Transition period for the energy efficiency of housing

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# 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

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.

1. About you

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| Name: | Helen Viggers; Philippa Howden-Chapman |

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| Email address: | [Helen.viggers@otago.ac.nz](mailto:Helen.viggers@otago.ac.nz); Philippa.howden-chapman@otago.ac.nz |

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

Yes  No

1. 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.

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| He Kainga Oranga / The Housing and Health Research Programme,  University of Otago, Wellington |

1. 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  Other (please specify below)   
(please specify the type of product below)

Designer (please specify below)  Prefer not to say

Please specify here.

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| Researcher in engineering and public health |

1. Privacy information

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|  | 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: |

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1. Confidential information

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|  | 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.

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# Transition period for the energy efficiency of housing

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| 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?

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| Dwellings built under the current building code are routinely colder1-3 in winter than the 18˚C recommended by the World Health Organization4, and even extensive retrofitting of existing housing has not led to temperatures always above the WHO recommendation.5-6  Housing built to poorer standards “lock-in” the poorer performance of the house for potentially many decades, until the dwelling is demolished, or an extremely extensive retrofit is undertaken. This poorer performance will be reflected in some combination of the living conditions experienced by the residents of the dwelling, the energy and maintenance bills paid by the residents, the rest of the country due to the socialised cost of illness through the health-care system, and the rest of the world due to the impacts of increased emissions from the dwelling.  The documented health consequences of cold housing include circulatory and respiratory illness4, with additional evidence of cold housing leading to lack of mental wellbeing7 possibly due to stress from the “heat or eat” trade-off.8  Although we understand that the building industry is currently experiencing considerable stress, we ask that current stress be compared to the half-century or more of increased stress from living in unnecessarily cold housing; with building elements difficult to access or replace being required to last for 50 years without needing major renovation.9 Moreover, given the complexity of the supply chain issues, it is not clear that delaying the introduction of improved standards by six months will lead to a resolution of the supply chain issues.  The standards being transitioned to are still less than the minima already required in similar countries (for instance Ireland10). The stated logic for choosing these lower standards in the Building for Climate Change programme was that they were the only first part of a larger transition programme and could be executed rapidly.  We earnestly request that the immediate transition period not be extended.  If the immediate transition period were to be extended, we request that the extension be as short as practical. Additionally, as a technical point, we believe that, even if the end of immediate transition period is extended there is no need to move the date of the start of the immediate transition period. In particular, the wording should clearly indicate that compliance documents submitted under the higher standard between 29 November 2021 and 1 July 2022 should unambiguiously meet the requirements. The wording submitted in the consultation document is unclear, with “previous” used to refer to both the fourth and fifth editions.  If the immediate transition period were to be extended, we additionally request that all subsequent timings of the Building for Climate Change programme use the intended timeline rather than the amended so that the timeframe for the larger transition period is not extended.  1 Rangiwhetu L, Pierse N, Howden-Chapman P. 2017. Effects of minor household interventions to block draughts on social housing temperatures: a before and after study. Kōtuitui: New Zealand Journal of Social Sciences Online. 12(2):235-245.  2 Rosemeier K. 2014. Healthy and affordable housing in New Zealand: the role of ventilation. University of Auckland  3 Ade R, Rehm M. 2020. Cold comfort: A post-completion evaluation of internal temperatures and thermal comfort in 6-Homestar dwellings. Building and Environment. 167.  4 World Health Organization. 2018. WHO Housing and health guidelines. Geneva: World Health Organization.  5 Easton (L) ed. 2009. Papakowhai Renovations :Project Summary and Case-Studies New Zealand: Beacon Pathway Limited.  6 Lloyd B, Callau MF. 2006. Monitoring of Energy Efficiency Upgrades in State Houses in southern New Zealand. Dunedin: Energy Management Group, University of Otago.  7 Howden-Chapman P, Matheson A, Crane J, Viggers H, Cunningham M, Blakely T, Cunningham C, Woodward A, Saville-Smith K, O'Dea D et al. 2007. Effect of insulating existing houses on health inequality: cluster randomised study in the community. British Medical Journal. 334(7591):460-464.  8 Beatty TKM, Blow L, Crossley TF. 2014. Is there a 'heat-or-eat' trade-off in the UK? Journal of the Royal Statistical Society Series a-Statistics in Society. 177(1):281-294.  9 Ministry of Business Innovation & Employment. 2019. Acceptable Solutions and Verification Methods for New Zealand Building Code Clause B2 Durability. (Amendment 12).  10 Government of Ireland. 2021. Building Regulations Technical Guidance Document L2021 Conservation of Fuel and Energy - Dwellings. Government of Ireland. |

**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.

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| It terms of our expertise and the outcomes that we research we would expect *no* improvements from the proposed delay in implementation. If anything, we would expect a further deterioration in conditions and overall a continuation in the poor outcome of New Zealanders. There is *overwhelming* evidence currently, that cold housing leads to an increase in housing-related avoidable hospitalisations and poorer occupants’ wellbeing. |

**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)?

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| Our business is as a World Health Organization Collaborating Centre – an internationally recognised research organisation with broad expertise, highly valued by New Zealand organisations, the WHO and other international organisations. Our arguments are based on extensive research on the effectiveness of interventions in terms of building performance and health and wellbeing outcomes. |