



File No. DOIA 1617-0785 and 0786

01 FEB 2017

Ms Belinda Robinson

[fyi-request-5151-252c8b5a@requests.fyi.org.nz](mailto:fyi-request-5151-252c8b5a@requests.fyi.org.nz)

[fyi-request-5152-a6039fae@requests.fyi.org.nz](mailto:fyi-request-5152-a6039fae@requests.fyi.org.nz)

Dear Ms Robinson

I refer to your emails of 30 December 2016, requesting, under the Official Information Act 1982 (the Act), the following information:

- 1) *In April 2012 the Department of Building and Housing introduced quantitative pass/fail criteria into the performance clauses of the Building Code for fire safety. With regard to Building Code Clause C3.4 (internal surface linings), please provide the study, research report, or similar that considered the potential financial impact and job losses to the timber industry for the proposed quantitative pass/fail criteria that are now in effect.*
- 2) *In April 2012 the Department of Building and Housing introduced quantitative pass/fail criteria into the performance clauses of the Building Code for fire safety. With regard to Building Code Clause C3.4 (internal surface linings), please provide the fire investigation reports (or similar) that MBIE (or Department of Building and Housing) relied upon which identified timber linings as the lead or contributing factor that resulted in fire casualties.*

The development of the new provisions and solutions for Building Code Clause C3.4 was done in conjunction with a working group consisting of fire engineers, the New Zealand Fire Service and researchers. As part of this process, the Ministry of Business, Innovation and Employment (the Ministry) did not consider the potential financial impact and job losses to the timber industry prior to the implementation of the quantitative pass/fail criteria that are now in effect. This was not carried out as the changes were not intended to have an impact on the use of timber.

The Regulatory Impact Statement, *Streamlining building regulation: Proposed changes to the New Zealand Building Code*, provides more information on the considerations as part of the process. This can be found on the Ministry's website at [www.mbie.govt.nz/publications-research/publications/building-and-construction/ris-dbh-streamline-building-regulation-mar12.pdf/view?searchterm=regulatory%20impact%20statement%20building%2A](http://www.mbie.govt.nz/publications-research/publications/building-and-construction/ris-dbh-streamline-building-regulation-mar12.pdf/view?searchterm=regulatory%20impact%20statement%20building%2A).

Building Code Clause C3.4 covers all surface materials and is not related to any one product. The review of the fire provisions in the Building Code and the acceptable solutions and verification methods was not based upon a change in the performance level or targeted at timber linings. Instead, it was intended to prevent the use of highly combustible materials. Therefore, the Ministry did not rely upon fire investigation reports which identify timber linings as the lead or contributing factor that resulted in fire casualties.

**Building, Resources & Markets**

15 Stout Street, PO Box 1473, Wellington 6140 New Zealand

E [info@mbie.govt.nz](mailto:info@mbie.govt.nz)

T +64 4 472 0030

W [www.mbie.govt.nz](http://www.mbie.govt.nz)

The BRANZ study report *Fire Properties of wall and Ceiling Linings: Investigation of Fire Test Methods for Use in NZBC Compliance Documents* was used to develop Building Code Clause C3.4. A copy of the report can be found on the BRANZ website at [www.branz.co.nz/cms\\_show\\_download.php?id=7652db415e65acf4391dcaffb8edb87fac3784ff](http://www.branz.co.nz/cms_show_download.php?id=7652db415e65acf4391dcaffb8edb87fac3784ff).

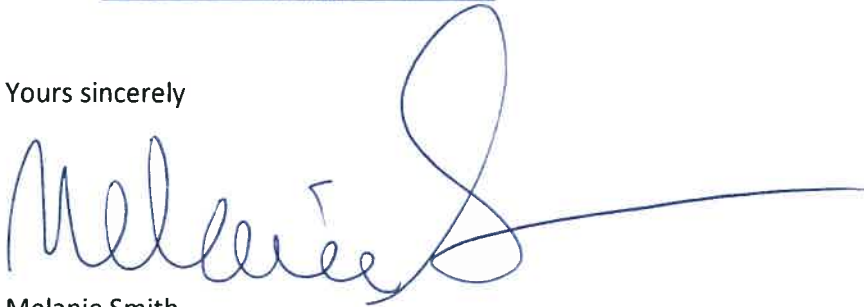
As the Ministry does not hold the information requested, your requests are refused under section 18(e) of the Act, as the information you seek does not exist.

You have the right under section 28(3) of the Act to ask the Ombudsman to investigate and review my decision. The relevant contact details are:

The Ombudsman  
Office of the Ombudsman  
PO Box 10 162  
WELLINGTON 6143

0800 802 602  
[www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz)

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Melanie Smith', with a long horizontal flourish extending to the right.

Melanie Smith  
Acting Manager, Engineering Design and Science  
Building System Performance  
Building, Resources and Markets