Alert but not alarmed

An Australian report highlights a potential risk for New Zealand as the building boom gathers pace and attempts are made to reduce materials costs by using building products that may not be fit for purpose.

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THE AUSTRALIA Industry Group’s recent report The quest for a level playing field - the non-conforming building products dilemma outlines the shortcomings behind a rise in non-compliant products across the Tasman. These are products that do not meet the performance requirements of the Building Code and, as a consequence, are not fit for purpose.

This is also a warning to the New Zealand building industry. It emphasises the importance of suppliers demonstrating compliance with the New Zealand Building Code and fitness for purpose of their products with at least first-party certification through New Zealand’s product assurance framework.

Range of sectors investigated
The Australia Industry Group’s report contains evidence from the steel, electrical, glass, aluminium, engineered wood products and paint sectors of the scope and scale of non-conforming building products in the building and construction sector.

Several causes for non-conformance
The Australian report identified gaps and weaknesses in the product conformance framework, including regulators, regulations, codes of practice and standards. Shortfalls included surveillance, audit checks, testing, first-party certification and enforcement.

Gaps and weaknesses in the Australian building product conformance framework were found to be due to:

● confusion among stakeholders about the responsibilities of regulators and insufficient knowledge of the conformance framework
● inadequate surveillance, audit checks, testing, enforcement and first-party certification
● too much responsibility placed on building certifiers (rather than materials suppliers) by the current conformance framework and inadequate clarity about their role
● the conformance framework placing an overemphasis on regulatory controls at the point of installation.

In some cases, the gaps and weaknesses in the building products conformance framework result in third-party product certification schemes and market surveillance, which can be effective.

Gaps and weaknesses also cause confusion about how and where to report non-conforming products.

Non-conforming products creeping in
Significant non-conforming product penetration was found in the building and construction sector, but not all sectors were impacted equally.

The problems of non-conforming product use include:

● a negative impact on Australian businesses
● increased safety risks to employees and the public
● an impact on long-term asset values.

**What should be done in Australia?**

Recommendations in the report are that:

● stakeholders are made aware of the regulatory bodies they can report non-conforming products to
● state and territory governments clarify the role of building certifiers and assess the adequacy of existing arrangements in preventing the use of non-conforming products
● stakeholders and government examine how to address the gaps and weaknesses in the building and construction sector conformance framework
● further research is carried out to identify national and international conformance models that are effective and that keep compliance costs to a minimum
● research is undertaken into non-conforming products in other sectors of the economy.

**New Zealand’s product assurance framework**

Unlike New Zealand, Australia does not have a government-initiated and promoted product assurance framework. The New Zealand framework was developed in consultation with industry by the Ministry of Business, Innovation and Employment and takes a risk-based approach to identifying the best way to demonstrate Building Code compliance.

Its aim is to give building product suppliers the guidance they need to verify the performance of their products. The framework includes product technical statements that summarise the need-to-know product and Code compliance information in a digestible format.

Product technical statements are a useful first step in product assurance and should include:

● a statement of the Building Code clauses relating to the product
● a self-declaration of compliance with the performance requirements of the clauses
● a statement using recognised New Zealand terms – for example, high wind, seismic and corrosion zone - to outline the product’s scope of use and any conditions or limitations on that use
● any statements that could help a building consent authority determine the compliance of building work using the product
● links to any supporting documents.

BRANZ has adopted the product technical statements approach, and BRANZ Appraisal summaries on www.branz.co.nz are now in this format.