

# Building Post

## Introduction

Welcome to the September 2020 edition of the Building Post. Don't forget that if you receive a hard copy of the Building Post you can provide me with your email contact details and you will receive Building Post via email. It's much quicker than snail mail and you will help save a tree. Plus any links for information included in the Building Post articles can easily be followed.

What a year it has been so far, full of the unexpected and here we go again with Covid-19. I guess the resurgence was always going to happen given the way the rest of the world has been fairing. We have to be thankful that we don't live on top of each other and we do have room to isolate effectively.

## What's Coming Up?

### Building Control Group Survey

We will be reintroducing the Building Control Group Survey later this year. The survey will be totally different from the old paper process. You will receive a link to Survey Monkey with your issued building consent. I encourage you to complete the survey so that we get a better idea of our customer's needs, impressions and concerns. We are also happy to review our services in the areas that are not controlled by the regulatory requirements of the Building Act 2004.

are you paranoid?

yes    *who*

no      *is this???*

## Dam Safety Program



Just a quick update to those of you who have an involvement with dams. MBIE was delayed in getting the Dam Safety Program to Cabinet to seek approval on the regulations prior to the election because of Covid-19 (and other things I'm sure). MBIE hope to resume work on the program once the elections are out of the way.

**Section 73 practice note is now on the Council website**

*BCA  
Accreditation  
Audit  
May 2020*

## IANZ Accreditation

I mentioned in the June Building Post that we had had our bi-annual IANZ audit during May. The audit resulted in the Building Consent Authority (Building Control) receiving eight general non-compliances (GNCs), two of which we had cleared during the audit week. The group was given until 26 August 2020 to provide evidence that we had met the requirements of the GNCs satisfactorily to be reaccredited as a Building Consent Authority. In early August we provided IANZ with all of our evidence and received notification from them that all GNCs were cleared Monday 10 August 2020. A great bit of news to receive on a Monday morning I can tell you. I put our success down to a number of factors:



- I have a supportive management team at Council.
- I have two very skilled Senior Building Control Officers (Jeff and Brendon).
- I have a professional Quality Manager (Steve Mazey).
- And finally, I have a great Building Control Team who strive to follow the regulations but still provide our customers with the best service they can considering those regulations.



"WE DON'T WANT YOU TO VIEW THIS AUDIT COMMITTEE AS BEING IN ANY WAY CONFRONTATIONAL"

## Services in Infill Subdivisions

Please note that building consent is required to install sewer and stormwater services into a private subdivision when those services will remain private. This situation is the same whether it is an infill or greenfield subdivision. The only exemptions are for "Network Utility" works, such as drainage services, that will become part of Council's ownership (i.e. in land vesting as road or an easement in gross). You can check the specifics out by using the Schedule 1 exemptions link on page 4.

Getting a building consent for these works can cause some real issues for the applicant, especially when these private services pass over separate existing lot boundaries. Council appreciates that these lots will change once the subdivision has been deposited with the new lot boundaries and easements created. However the fact remains that the Building Act 2004 requires a section 75 to be registered on the current titles before that completion point when the proposed building work crosses over existing boundaries. Council has developed a work around for this timing issue. It will require the applicant to enter into s75 BA agreement and Council will not register it if proposed easements are created as part of the subdivision process. If the subdivision doesn't get deposited in a timely manner, Council will send the section 75 for registration. Alternatively, once the subdivision is deposited for the new lots the Council will cancel its section 75 processes. The catch is that all properties involved need to be in the same name as the building consent applicant.

*Split  
It Up*

Continued

## Services in Infill Subdivisions *continued...*

Here is the standard wording that the Resource Consent Team use in their Advice Notes on subdivisions:

*“A building consent or resource consent, or other authorisation, may be required for some of the works under this resource consent. Building consent will be required for proposed drainage works (stormwater and sewer) that are not to be owned by Council (i.e. within legal road, easements in gross or grants). The consent holder must take their own advice as to what other consents are required”.*

Of course the whole process turns to custard when the lots are owned by different owners. If you have that situation coming up please come and talk to us (Building and Resource Consent Teams) here at Council.

## Inspection Trends that we Need to Address

As most of you are well aware, we issue building consents with a set of required building inspections. These are identified on the issued building consent and you also receive a booklet explaining those inspections. Booklet, now there’s an interesting side discussion. How many of you read it? I remember a few years ago dealing with a disgruntled customer who said “you don’t expect me to read that do you”. When I answered yes, the phone call ended right there, there was no one left on the line. I recognise that the booklet is really for those first timers to the process so you don’t have to answer my question.

It Needs  
Fixing

Anyway, moving along. You all know that we expect to see the building project at certain stages to enable us to be confident that at the end of the project the work complies with the Building Code and the consented documents, which allows us to issue the Code Compliance Certificate. Because we understand the industry and understand the timing issues that arise through a building project, we try to work in with the builder on site and allow some flexibility with what we have to see. We also recognise that in busy times bookings for inspections can go out to 4 to 5 days. We don’t like that situation any more than you do. We are noting lately that some builders are taking that flexibility too far and they are not ensuring that work is completed to the required stage. They are also failing to have the work completed at the next inspection stage and then checking of those details moves onto the next stage. Usually at two stages down the process it is almost near impossible to see the details we need to see. A prime example of this is; a pre-wrap is called, fixings are not completed, we get to the pre-line and the items are still not completed. Then we get to the post-wrap and the insulation is in (when using a barrier like ply or hardies) and we can’t see the fixings without pulling out the insulation. Get the picture? Well, Building Control is now calling a halt to that approach. If you have not significantly completed the stages of work required for an inspection we will fail the inspection and require another full inspection. We will still consider one off situations and work with the builder on site, but we are not going to let the issue carry on over a number of inspections. A failed inspection could result in additional inspection charges to the flat fee. The Building Control Officer will have the discretion to make the call if the builder on site is not doing their best to comply.

Just to confirm, Building Control recognises that most of you try really hard to be ready for the required inspection so this message is to those of you who are pushing the boundaries. Don’t forget that an additional inspection just adds to the booking days for those who are making the effort.



## Schedule 1 “Beware” of the Traps

# Changes to Schedule 1 (Exempt Building Work)

As from 31 August 2020 the Ministry of Business, Innovations and Employment (MBIE) introduced additional structures and construction activities that can be carried out without the need for a building consent.

To view MBIE's guidance document on Schedule 1 (exempt work) you can go direct to MBIE's website or look via Building Control's page on the Council website.

Like the existing exemptions, you must ensure that the work you are planning doesn't affect any other enactment or Council Environment Plan. Don't forget to consider the following before rushing in:

- Location - will what I'm building breach daylighting recession planes, be too close to boundaries?
- Am I building over an easement? These can be private or Council services.
- Am I building in a hazard zone? Most of the Sounds have some sort of hazard to contend with.
- Am I considering Council plan rules?
- Are there minimal floor heights required or other consent notice requirements?
- Am I going to affect another enactment?

Example: Exemption 3.1 (Windows and Exterior Doorways) - Installing a large opening door under an exemption when that door is located within a wall that forms part of a pool barrier. The previous wall, window or door may have been included in an exemption under the old Fencing of Swimming Pools Act 1987. Any new large opening over a metre will never!!!! comply under F9 (Pool Barriers). In this situation you will now have to completely comply with F9 and fence in front of the door so that the doorway no longer opens into the pool area. Very expensive and not what the owner wants.

- Consider the wind zones. Some exemptions are negated in certain wind zones, for example, not exempt in Very High winds or above.
- Don't forget there are limitations on exemptions when considering the intended use of the structure.
- All exempt work must still comply with the Building Code. The only exception to this rule is under Exemption 2 where an assessment of the importance and use of the building can be considered by the Territorial Authority.



The doors pictured could never be made to comply. To meet compliance you would have to erect a compliant pool barrier between the building and the pool.



### Schedule 1 link:

<https://www.building.govt.nz/assets/Uploads/projects-and-consents/building-work-consent-not-required-guidance.pdf>

*Names -  
Getting it  
Right the  
First Time*

## Naming Protocols - On-Line Building Consent Applications in Datacom Datascape

The naming protocols have always been pretty strict but we have managed by getting our Administration Team to follow up with applicants to get the names right in our system. As you well know, Council has spent a lot of energy getting our online application up and running. The system is having further add-ons created to lessen the need for manual inputting of standard information into our systems. To allow the online system to relay the information correctly we need to be stricter on how information is provided by the applicant. So here are the rules:

Owners, agents and tradespeople must have **FULL** complete names entered.

Note: The owners' full names must match the names recorded on the Record of Title.

**All** property owners' names must be entered fully and **separately** with a complete address:

Example:

**Incorrectly entered:**

Full First Name: Lorrie & Johnny

Last Name: Bobbitt

Mailing Address: 99 Nowhere Lane, Blenheim

Contact Phone Number: .....

**Correctly entered:**

Full First Name: Lorena Leonora

Last Name: Bobbitt

Mailing Address: 99 Nowhere Lane, Blenheim 7201

Contact Phone Number: .....

Second Entry:

Full First Name: John Wayne

Last Name: Bobbitt

Mailing Address: 99 Nowhere Lane, Blenheim 7201

Contact Phone Number: .....

Company/Business Name: Shark & Company Limited

Contact Person: John Sleaze

Mailing Address: 25 Shenanigans Street, Blenheim 7201

Contact Phone Number: .....

Please help us to help you. Names often become an issue for your clients at the issuing of the Code Compliance Certificate.

**Owner Name/s**

Please enter each owner as a separate entry. Add another owner by selecting 'Add another owner'.

The owner is \*

an individual  a company

Full First name \*   
e.g. William Peter. Multiple persons (e.g. Jane and Joel) entered into this field will be rejected as voting.

Last name \*   
e.g. East

Mailing address \*   
Type an address here  
 Can't find your address? Enter it manually

Street address/registered office

Contact Phone number \*  
 Home  Work  Mobile  N/A

Email address

Confirm email address

[Add another owner](#)

## Not Meeting the Grade

### Consent Refusal

I have mentioned this topic before but I want to explain the “why and what” we are doing.

**WHY:** We all know that the Building Act 2004 only allows 20 working days to process the consent application. In general, for the type of work this region carries out, 20 days is a reasonable time period. It is certainly not in line with large complicated commercial projects, but that is another subject which requires Government intervention to change.

20 days can remain achievable if the amount of processing required for an application is reasonable. When I say reasonable, I recognise that most applications will require a “request for further information” (RFI). I say I recognise that issue because I have been part of the massive lift in our documentation requirements since the introduction of the 2004 Building Act, and more so, the introduction in 2006 of the “Building (Accreditation of Building Consent Authorities) Regulations 6”. These regulations saw a massive lift in consenting requirements and I have to say many of you designers out there have accepted the lift and provide very good documentation. When we receive the requested information we can generally complete the process and then grant the consent. Where time runs away for processing is when we get applications that require up to 60 items that need addressing in the first RFI. We get that information back and have to go back again because compliance still has not been shown. Of course we can stop the processing clock and move onto the next application, but when the next lot of information comes back the Act expects us to drop everything and get back on to that consent. Immediately this slows every application down in the processing hub and sets them back the additional time we are spending on the problematic consent.

For many years we as a Building Consent Authority just accepted this and tried to work smarter and harder to reduce timeframes. Unfortunately this had no positive effect on the designer who continued to submit plans that lacked large amounts of detail.

So **WHAT** have we done to combat this problem? As you all know by now, we have set up a very successful vetting process. That vetting process only checks that there is sufficient information to accept the application in to our system. The process is not meant to be a technical review, though our Vetting Officer, Janeen, does spot the odd obvious error and includes that into her vetting reply where an application is not accepted. Doing a technical review at the vetting stage would only be double dipping and very time demanding. I am sure that the designers among you would not want us double dipping.

We have also set up an internal process for when we find that the number of RFIs is creeping up on an application. For example, if we are half way through a standard consent and have already found 30 RFIs then we will refuse the consent application. From feedback received from the industry we are now also putting more thought into the refusal process when dealing with complicated applications. We totally understand that some jobs are very difficult to design, especially for complicated alterations or specific design projects. The big thing here is to contact us before submitting the consent. We are more than happy to discuss a proposed application before it is submitted. Having a meeting with us up front could save all of us a lot of frustration through the consenting process. I do understand that receiving a refusal letter is very concerning to you and your client, but if you want us to perform efficiently and get your application granted and issued out the door, then you need to do your bit too. We will no longer allow ourselves to be used as the list provider so that you only have to do the minimal amount of work necessary to get the application issued.

I often hear at industry meetings complaints from designers that say they have to provide many different levels of consent applications to different councils. Sorry but my answer to that is “provide the best example of application to all councils”. I still don’t agree with the attitude that the minimum is best. A bit more effort, aiming above the minimum, saves everyone time and money further down the track. It’s called investment.

Ever heard the saying “spending a dollar to save a few cents” or “spending a pound to save a penny”, dependant on your age? Rework is a prime example of that saying.

## Continued

## Consent Refusal continued...

In final:

- Council will continue to reject sub-standard applications at the vetting stage for completeness of content.
- Council will continue to refuse to issue a building consent if the application documentation is generating an unacceptable number of RFIs.
- This approach is support by MBIE and they have provided guidance to building consent authorities on the matter.
- The approach is designed to benefit the applicants who do it right. They should not be held up by people who don't do it right.
- Building Control's (Council) door is always open if you want to have a pre-application meeting for a difficult project, especially if you believe there are details you can't provide. I note that many of you are starting to take this approach and it pays dividends.

## Shocking News

## Electrical Safety

This is a subject that should never be forgotten when considering water and conductive building materials.

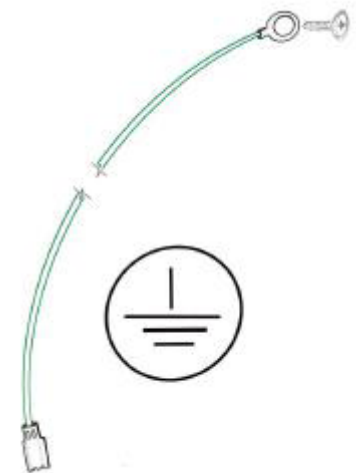
It was recently brought to my attention that the trades are forgetting to follow the "Earthing-Safety" messages contained within Aluminium Composite Panels (APC) products specifications.

Don't forget to take notice. Not doing so may have a "Shocking" result for all.

Two typical safety messages:

### > Electrical earthing

IBS Showerline has an aluminium face, which is conductive to electricity. In situations where there is any kind of power point, switch, light fitting or wire running behind the sheet, an earth connection must be made. IBS recommends using a crimp lug (a simple screw connector) that connects to a bonding wire which runs down the back of the sheets. IBS recommends that the installation of the earthing be carried out by a registered electrician. As a minimum a registered electrician should confirm that the earthing has been correctly installed.



#### NZ Electrical (Safety) Regulations 2010

In order to meet the requirements of the NZ Electrical (Safety) Regulations 2010, it is essential that, when necessary, panels are earthed correctly. In the case of commercial installations, a registered electrician is required to earth the panels.

In the case of domestic installations, an owner can earth the panels, but unless they are experienced in electrical work we would still recommend that the earthing be carried out by a registered electrician

### Electrical Earthing-Safety Message

**When installing Wetwall Panel it is important to earth the panels whenever there is an electrical switch or socket. Depending on the type of joiners you use there are two options when earthing the panels.**

**1.** When using plastic or silicon mouldings you would need to earth each sheet that could possibly come into contact with power. Basically if there are any wires behind the sheet on either side of the wall or if there is a power socket in the sheet itself. You will need to earth it using a crimp lug. The crimp lug will be easily hidden behind

the skirting, scotias or just to the side of the penetration for the power socket, making sure that the cover plate hides it. A crimp lug is a simple screw connector that allows you to connect a bonding wire which will feed back to earth to the board itself and will earth both the face side and the backside at the same time.

**2.** When using aluminium mouldings you may only need to use one crimp lug for each area where all the boards are forming one circuit. You must confirm this with an electrician on-site.

*Face Lift*

## Council's Website - Building Control Group Page

We recently reviewed our website pages (over Covid-19 Lockdown 4) and as a result we have redesigning our web pages with the help of the Web Administration Team. The purpose is to get rid of old double ups in information, some of which we found to be out of date, and to link the main Building Act and Building Code type of information directly to the Ministry of Business, Innovations and Employment's website. Our page will end up a "one stop shop" and should relieve the need to go searching all over the place for information. Being a prehistoric member of the building industry I find it very frustrating using a website where I have to jump all over the place to find what I want. I usually give up in disgust and ask someone from this century to find what I want. Our aim is to make our web page easy for everyone, no matter what century they come from.

In addition to our website changes, we have also added the "As Built Drainage Card" as a downloadable document, meaning that you won't have to have boxes of them at home. Add your design to the document and send back to us digitally identifying the building consent it is meant for. We have not run out of the old cards yet so we are happy to supply what we have, but we won't be chopping down more trees to create more. Yes, I'm a tree hugger saving the trees.

<https://www.marlborough.govt.nz/services/building-services>

*Save the  
Trees*

## Building Post (Hard Copy) Reminder

Talking about saving trees. If you get a hard copy of the Building Post at present and want to change to getting it via email, please send me your email address. Getting the Building Post by email will allow you to connect directly to any link I refer to in articles. For example, the exemption guidance.

My email address is: [bill.east@marlborough.govt.nz](mailto:bill.east@marlborough.govt.nz).

