



Building Post

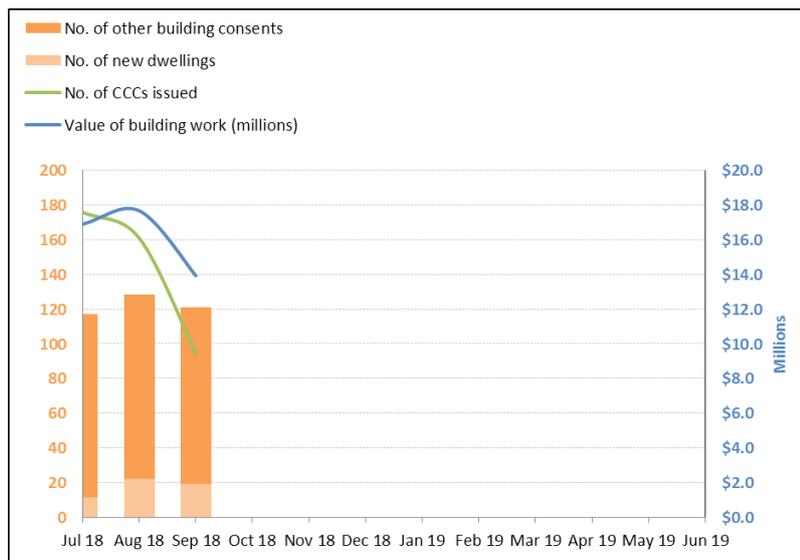
Welcome

Welcome to the September 2018 edition of the Building Post. Building Control has had an interesting few months since the June edition. The Group happily received reaccreditation as a Building Consent Authority (BCA) in the first week of August. As mentioned in the June edition, we had a number of general non compliances with the regulations to correct, but we managed to get those all sorted out and sent off to International Accreditation New Zealand (IANZ) within the allotted timeframe. That's it for another two years. The next audit round is already booked for May 2020. I can't wait. Yeah right!!!

Workload

Consent applications coming in the door suddenly died off in June, but inspection demand did the exact opposite. Not surprising really considering the number of consents issued over the past year. The reduction in applications allowed us to add resources to the inspection team, but as the weeks have gone by the applications are starting to flow in again. This creates a perfect time to remind you that the silly season is not far away. Don't forget that if you are expecting to get consents issued before Christmas the cut off day is 23 November. This date allows 20 working days until the official processing clock stops. The 'Clock Stop' rule is set by the Building Act 2004.

2018/2019	This month (as of 1st October)				YTD			
	All		New dwellings		All		New dwellings	
	Number	Value	Number	Value	Number	Value	Number	Value
Consents received	115	\$17.03	14	\$4.74	393	\$49.64	55	\$19.97
Consents issued	121	\$13.93	19	\$7.17	366	\$46.37	52	\$20.37
Inspections	506				1666			
CCC issued	94				431			
		\$ Millions		\$ Millions		\$ Millions		\$ Millions



Building Compliance Officer

New Staff

We have two new staff members. Alysha Hutchison started with us in June. Alysha is our new Building Compliance Officer and is assisting Craig Balaam with all building related compliance issues. The main focus at present is the pool site audits. If you need further information about pool requirements, Alysha is the person for you to contact.

The second appointment is Michelle Richards, PIM Information Officer. Michelle started with us in the second week of September and will be assisting Julie and Mandy with the planning side of building consent applications. Julie and Mandy have done a fantastic job keeping that information flowing to the Building Control Officers and our applicants whilst we have been a person short.

Alysha Hutchison

Hi, I'm Alysha Hutchison. Back to the Council I came. I started working for the Marlborough District Council in 2007 where I was working as a Building Control Administration Officer. After some time off when I had my son I came back to the Council where I worked in the LIMs department for several years before jumping ship and heading to Marlborough Roads.

At Marlborough Roads I was able to gain experience in compliance issues as well as deal with members of the public and numerous contractors around the region. This role gave me some great background skills to be able to effectively fill my role at Marlborough District Council as a Building Compliance Officer.

I have lived in Marlborough most of my life, with just a few years away in the deep south of Invercargill and Arrowtown - but Marlborough was where we wanted to raise our family. My husband (Daniel) and I have three children - Kayley (12), Charlotte (11) and Oliver who is 6. Our family loves to travel and over the last few years have been on some great holidays including Phuket, USA and a quick cruise in Mexico. On a more simple travel note we love to go camping and have spent many weekends exploring the fantastic camping spots we have around Marlborough.

This role as a Building Compliance Officer has already taught me so much and got me out and about in the Marlborough region. I am looking forward to continuing to learn more about some of the building regulations and help ensuring we have a great level of compliance in works which are undertaken.



Michelle Richards

I'm Michelle Richards, all the way from sunny South Africa. I've joined the Building Control Section in the role of Part-time PIM Officer. Our family of three relocated to Blenheim earlier this year and have settled in nicely.

Most of my career has been in the building industry, working for civil engineering and multi-disciplinary engineering firms, where I was involved with office administration, quality management and drafting.

I'm looking forward to adding value in my new role at Marlborough District Council, broadening my horizons and making the most of the challenges of our big move abroad.



PIM Officer

Seniors Building Control Officers (SBCOs) - Building Officials Institute of New Zealand (BOINZ)

Brendon Robertson and I attended the forum in Napier on 16 and 17 August. This is an annual event and provides an opportunity for SBCOs to get together with industry professionals and Government representatives from the Ministry of Business, Innovation and Employment (MBIE). There are always plenty of interesting subjects presented during the two days and this year was no different. It is clear from the subjects discussed that the Government is concentrating on sorting out the huge housing shortage in New Zealand, or should I say Auckland and surrounding areas. MBIE is working with the industry to get Kiwi Build underway. "What's Kiwi Build I hear you say?" Kiwi Build is a way of building lots of dwellings quickly and cheaply. Have you ever heard anything like this before? If you have been in the trade as long as I have you might have heard it a few times before. It still seems that the Government expectations of the industry continues to be "Rough and Strong and Don't be Long", and of course cheap. To follow on from one of the presenters at the forum, when will New Zealand stop designing to the minimum code requirements? When a person elects to build a dwelling they are probably making the biggest investment of their life, why shouldn't it be built to be durable, sustainable, easy to maintain and at a cost that over the extended life of the dwelling will be cost effective (use of energy a big one). Not a life of 50 years plus, at least 100 years plus.

There was also a really interesting presentation from Standards New Zealand. It appears they are striving to provide a much better service, but as they are not well funded, they rely on charging the various users for the use of standards. This certainly creates issues for the building industry as standards are extremely expensive. There has been some progress though. There are now a few free standards on the MBIE website. If you go to the link below you will be able to access five standards and a handbook for NZS3604:2011 for free.

<https://www.building.govt.nz/about-building-performance/news-and-updates/all-news-and-updates/bc-update-226/>

Schedule 1 Warnings

As you are all well aware, the Building Act 2004 allows certain works to be undertaken without the need for a building consent. You can go to our website at any time to check what can and can't be constructed without a building consent. All sounds pretty simple, doesn't it? It is, BUT, beware of hidden considerations that must be allowed for in your decision making process.

Here are a few examples:

- Whether exempt or not, all work must still comply with the requirements of the NZ Building Code.
- By undertaking exempt work you cannot impede on another enactment. *Examples:* building over an easement; structure breaches recession planes; use of the structure does not comply with the RMA.
- If a product or system does not meet its durability requirements then you must get a building consent to rectify. *Example:* a cladding system fails after 10 years. The durability requirement for a cladding system is a minimum of 15 years so any repairs or replacement of the cladding will require a building consent. This is often not considered. Failure to get a building consent for this type of work can have huge repercussions further down the track.
- Non-load bearing walls. Yep, it might be non-load bearing, but what effect does it have by adding or removing the wall. You must consider the use of the building or the room you are altering. *Example:* you may be blocking off natural ventilation or light. The wall may be now isolating a specified system and by doing so create a dangerous building, or at least making the building perform to a lesser extent required by the Building Code.
- And here's one that we are finding at present with our increased swimming pool inspections. Adding a window or door to an existing dwelling (Exemption 8). Consider if by adding that door or window you have now made the pool area non-compliant. F9 of the Building Code has strict requirements for doors and windows that open into a pool area. A door opening into a pool area has numerous restrictions under F9. It must operate in a specific manner and have certain opening sizes for the pool to comply. Please refer to F9 of the Building Code before bowing on. In doing so you will save yourself and the property owner a lot of grief. By law we must inspect all residential pools at least once every three years. You can guarantee Council will find the issue and require full compliance.

100 Years
Plus
Life

Comply
with the
Building
Code

Sections 71, 72 & 73

Building Act Section 71 to 73 - Building on Land Subject to Natural Hazard - Questions and Answers

What does Section 71, 72 and 73 mean when approving a building consent?

This part of the Building Act addresses proposed structures that are to be built in areas that are subject to natural hazard or hazards. So what's a natural hazard? Some would argue it's the Council, but we won't go there. The Act describes hazards as any of the following:

1. Erosion (including coastal erosion , *example*: the beach at Hokitika), bank erosion and sheet erosion).
2. Falling debris (including soil, rock, snow and ice). A good example is the new hazards on existing properties south of Ward resulting from the 2016 earthquake.
3. Inundation (including flooding, overland flow, storm surge, tidal effects and ponding). The Marlborough region has its fair share of these types of hazards. Areas like Hardings Road and the lower land of Renwick are prime examples. In most cases these areas have consent notices on the property title that have already assessed the hazard and directed a means of avoiding the hazard. *Example*: minimum floor levels stated on the consent notice identified on the title.
4. And lastly, slippage. There are a number of areas in the Sounds that have this hazard.

The Building Act allows for the hazard to be assessed and for appropriate decisions to be made by the consenting authority. If a hazard or hazards are identified in the consent process the Building Act allows the territorial authority three choices when considering whether or not to issue the building consent. The choices are described as Section 71, Section 72 and Section 73.

Section 71

- (1) This section states that a building consent authority must refuse to grant a building consent for a new build or an alteration if:
- (a) the land on which the building work is to be carried out is subject or is likely to be subjected to 1 or more hazards; or
 - (b) the building work is likely to accelerate, worsen or result in a natural hazard on that land or any other property.

Comment: this is a no build situation.

But (2) Subsection (1) as written above does not apply if the building consent authority is satisfied that adequate provision has been or will be made to:

- (a) protect the land, building work, or other property referred to in that subsection from a natural hazard or hazards; or
- (b) restore any damage to that land or other property as a result of the building work.

Comment: Simply raising the floor level may not remove the hazard, especially if by raising the floor level you cause an effect to another property. If the building consent authority is not happy that the building cannot be built in a manner where the hazard is addressed, then it will simply refuse to issue the consent.

Section 72

Despite Section 71 a building consent authority that is a territorial authority must grant a building consent if the building consent authority considers that:

- (a) the building work to which an application for a building consent relates will not accelerate, worsen, or result in a natural hazard on the land on which the building work is to be carried out or any other property; and
- (b) the land is subject or is likely to be subject to 1 or more natural hazards; and
- (c) it is reasonable to grant a waiver or modification of the Building Code in respect of the natural hazard concerned.

This means that the applicant has assessed the hazard and designed the structure in a manner that will not make the hazard worse. It also means that the building will at all times continue to comply with the Building Code and therefore the building consent can be issued. *Example*: not get flooded.

Building Act Section 71 to 73 - Building on Land Subject to Natural Hazard - Questions and Answers *continued...*

Section 73

This part of the Act allows the consent to be issued, but with certain conditions:

Part (1) A building consent authority that is a territorial authority that grants a building consent under Section 72 must include, as a condition of the consent, that the building consent authority will, on issuing the consent, notify the consent to:

- (a) in the case of an application made by, or on behalf of, the Crown, the appropriate Minister and the Surveyor-General; and
- (b) in the case of an application made by, or on behalf of, the owners of Māori land, the Registrar of the Māori Land Court; and
- (c) in any other case, the Registrar-General of Land.

Part (2) The notification under subsection (1)(a) or (b) must be accompanied by a copy of any project information memorandum that has been issued and that relates to the building consent in question.

Part (3) The notification under subsection (1)(c) must identify the natural hazard concerned.

Comment: The hazard still exists, but the design will prevent the building from being affected by the hazard and the building will not have a negative effect on the existing hazard, the surrounding land and/or the neighbouring land, however all interested parties will be advised of the conditions via the condition on the properties title.

As councils learn more about rising sea levels and climate change they are becoming more aware that some properties that did not have a hazard criteria, now do. This is a subject that needs to be considered very early in the design stages to avoid frustrations and expense for the property owner.

Licensed Building Practitioners (LBPs)

I have taken this snippet from a recent MBIE publication. I think it is worthwhile reminding all LBPs about supervision and the importance of doing it right. Building Control does come across situations where the supervisor role is not being carried out properly and, in a couple of rare cases, supervision is non-existent. This creates issues for everyone connected with a consented project.

What can we learn from these decisions

Supervising is not “renting” out your LBP number. It is an activity that needs to be taken seriously because the supervising LBP is responsible for making sure those doing the work have the right support to do it correctly.

Defects in the construction process can happen, but it is crucial that they are noted and fixed as part of the onsite quality assurance. Lack of supervision or relying on the building consent authority to catch issues is not an acceptable way of making sure building work is completed properly.

Supervision resources are easy to access. In the last year the Board has issued detailed decisions on supervision, and MBIE produced a supervision practice note, which you should read if you are unfamiliar with supervising or want to refresh your knowledge.

You can read these decisions (and other past decisions) in full on the LBP website.

Supervision practice note is available on the LBP website.

*Certain
Conditions*

*Supervision
Do it Right*

What About the Person With a Disability?

As Near as Reasonably Practicable (ANARP)

Yes, Building Control endeavours to recognise and implement ANARP methodology. Some of you may not agree. However Building Control and building control groups around New Zealand endeavour to find this middle ground, and I recently sent two of my staff off to a training event in Waimakariri. The focus of the training was on ANARP for Access and Facilities and Escape from Fire. These two Code requirements are, and have always been very contentious issues when dealing with Section 112 (Alterations and Additions) and Section 114 (Change Use) applications. The contentious part is “Just how far do you go with the requirements”? In thinking about this the Council is looking for reasonable compliance. The designer is often looking to make changes to the building to create the least impact on the overall design and, of course, the cost to his or her client. The client usually, and forgive me if I’m generalising here, wants the job at the least expense possible and is usually unwilling to pay for anything that he or she does not believe is beneficial to them.

The recent training event confirmed to my attendees that this Council’s Building Control Group is pretty generous to the designer and building owner when going down the ANARP process. We all probably think that’s okay, but what about the person with a disability?

Statistics show that there are around 24% of the population that have some form of disability. Disability is not just a person in a wheelchair. Disabilities include vision, hearing, all forms of mobility, health, arthritis, etc, and even mental disabilities. Mental disability is becoming more widely recognised, especially overseas. We in the building industry need to up our game. The way that the population is living much longer, there is a damn good chance that you will end up with some sort of disability further down the track, and possibly suffering from the fact that we all didn’t do our job well enough earlier on in our working career. By not addressing the disability issue properly we are subjecting 24% of the population to buildings they can’t use properly.



When considering access and facilities we need to look at the big picture (what is the building for) and then dig down into the small stuff. The small stuff, now I’m getting pedantic. Well, not really. Simple things can render a design useless. An example of this is: I often go caravanning and in doing so stay at a lot of different camping grounds. One particular camping ground I go to has fantastic sanitary facilities. Well from the first look you would think so, but when you start thinking about things you realise that a huge amount of effort has gone into the design, layout and physical fixtures, but then all that effort is wasted because a person with mobility disabilities wouldn’t even be able to open the door because there’s a tiny little door latch on the main door. If you have arthritis or have ever seen a person with mobility issues you will straight

away realise that their hands would not be able to operate the door mechanism. What is the use of all the other compliant details if a person can’t even get into the facility? You would be amazed to see how many facilities have this issue. I recently stayed in a motel and I was given an accessible unit. I couldn’t even operate the lock on the bathroom and I don’t have any impairment. These simple things have a huge impact on a person with disabilities. I’m sure that after a while people with disabilities stop using buildings that are too difficult to use. Is a building owner really keen on removing 24% of the population from their customer list?

Another area where I see regular non-compliance with the Building Code is glazing manifestation. And this has been widespread across the country. G2 of the New Zealand Building Code calls up NZS4223 Part 3 “human impact safety requirements” as a means of compliance. Manifestation is “the marking of glazing to make it visible” and is required under the standard. Manifestation is a marking system on glazing components that provide a visual warning that can prevent someone from walking into a large sheet of glass. The Code requirement is designed for the safety of everyone, but it is essential for people who are sight impaired. A sight impaired person can easily mistake a full sheet of glass for an open exit route and, by doing so, walk straight into a solid piece of glass. Best scenario they end up with a bloody nose or broken teeth. Worst scenario is life threatening cuts or even death. It costs very little to address this requirement of the Code. Yes the manifestation might ruin the view, but that is a lot better than the alternative of walking into a solid piece of glass.

As Near as Reasonably Practicable (ANARP) *continued...*

Anyway, the purpose of this article is to advise you that the Building Control Team will be looking for improved compliance as far as access and facilities go. And it is to ask you to put yourself in the position of someone with a disability and design and build buildings, or undertake alterations or additions, with those people in mind. Please stop aiming for the minimum Code requirement and start imagining you might need these facilities in a few years.

For good design and/or build check NZS4121:2001 “Design for access and mobility: Buildings and associated facilities”. You should also refer to the New Zealand Building Code D1. For the Code just go to the MBIE website.

Visual Warning



With Manifestation



Without

Now that I am into glazing, here’s another issue that is occurring up on site.

Many designers are identifying safety glass requirements that are outside of the Building Code requirements. When glazing specifications on applications surpass the Building Code requirements Council must accept the specification. Building Control won’t be contacting you and advising that the specifications are greater than the Code requirements and therefore you should lessen the requirements. Who knows, your client might want it. But what is happening on site is that the manufacturer is quite often only installing the Code requirements. This means when we inspect the job, usually at the final inspection, we find that the installed glazing does not meet the requirements of the consented documents. This starts up a whole process of confirming compliance and working through a minor amendment. All that work is unnecessary if the correct consideration is provided at the planning stage and then the supplier provides what is consented (and meets the Code). I have attached the link below so you can check compliance before designing and installing. Let’s save everyone from unnecessary work and stress. <http://www.ganz.net.nz/>



Safety glazing standards

The Decision Tree (NZS4223) has been developed to assist you in identifying the appropriate glass to use based on HUMAN IMPACT SAFETY GLAZING NZS4223.3:2006 effective from 30 May 2017.

As the standard is a copyright document belonging to MBIE we are unable to provide you with a free copy. You can purchase a copy of the standard from www.standards.co.nz.

Next Step
-
Digital Processing

Charging for Hard Copy Consent Applications

A quick reminder, as from 1 July 2018 we are charging \$50.00 to lodge hard copy consent applications.

Why are we doing this?

The online application system has steadily increased in popularity to a stage now where only about 10 to 15% of applications are submitted in hard copy form. Building Control until now has been wearing the cost of loading these hard copy applications into our digital system. Entering all applications into the online system will allow us to go to the next step in digital processing. The end result will increase our productivity and will also allow the customer to have up to date information through the processing stages to issuing. It should also help us with our accreditation process, but I won't bore you with that.

Incomplete Applications

Our vetting process was audited by IANZ during our reaccreditation process. The audit revealed that Building Control still accepted incomplete applications and that our vetting process needed to get tougher. Gemma, our Vetting Officer, has provided the reminder below for you to action when applying for a building consent.

- When completing the 'Description of the Building Work' section of the application form, please provide a detailed description of the proposed work. This is key when the works are alterations to an existing building. Please list what the alterations are. If the building consent is for a new dwelling, but a wastewater system, fire, retaining walls, standalone shed/garage etc. is also to be included in the building consent, please state this.
- When completing an application form, please ensure the owners' details (mailing address, email address and phone number/s) are provided in the 'Owners' section on the form. If you are acting as the agent, your details go into the 'Agent' section. (You will remain the first point of call for any queries.)
- When submitting an amendment to an existing building consent, ensure the 'Description of the Building Work' explains in detail what the amendment is for. Make sure the changes on the plans are clearly shown (highlighted or clouded) and provide an 'Estimated Value of the Building Work' for the works covered by the amendment only (occasionally this may be a decrease in value).



Smile
Christmas is Coming



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