

straight up

THE MAGAZINE OF THE BUILDING OFFICIALS' INSTITUTE OF NEW ZEALAND

DECEMBER 2008

When is a building not a building?



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As members read this issue of Straight Up, the Institute's office staff will be settling into new office premises. A couple of weeks ago we moved from Level 11 of the Grand Arcade to Level 12 of the Grand Annexe (literally a two-minute walk from our previous address). The move was prompted when the owners of the Grand Arcade wished to lease their whole building to a large multi-national and was seen as an opportune time for the Institute to move into larger premises.

Our PO Box, Phone and Fax numbers remain the same.

The new physical address for the national office is Level 12, Grand Annexe, 84 Boulcott Street, Wellington, however members can still access the office through the Grand Arcade's foyer or via Lambton Quay.

ANNUAL MEMBERSHIP SURVEY

The results of the Institute's 2008 membership survey are now available giving us a comparison with results obtained in earlier surveys done in 2006 and 2007.

NAME CHANGE

Results show that 83% of members who returned the survey do not want the Institute to have a name change and this result has been conveyed to the Board for their consideration.

PUBLICATIONS

The Institute's publications are continuing to deliver what the members need, and members are using them as a reference tool, according to the survey. Straight Up, in particular, is passed around members' offices to other colleagues and has the highest popularity rating of all information services provided by the office.

EVENTS

When asked if they had attended an Institute annual conference, 25% of members indicated they had not whereas previous surveys showed indicated that 50% of members had not. Members also indicated that they have a preference for technical presentations at conference.

CHATTERBOX

The survey shows a drop in the number of members using Chatterbox from previous years but Chatterbox was still ranked as a popular benefit/service by members. With the advent of the Forum this year (replacing Chatterbox) it will be interesting to see how members have reacted to this medium in next year's survey.

TRAINING

A continuing trend since 2006 shows a large decrease in the number of members wanting to be licensed. This is expected to reverse as the new qualifications regime takes effect. Meanwhile participation in Training Academy programmes has risen by 60% for 2008.

MEMBERSHIP

Members appreciate receiving up to date information as a first priority, with networking among their fellow members coming in at second place. This is reflected in the increase in numbers attending the Institute's annual conference. The survey also shows that members are still very satisfied with the products and services being provided by the Institute and, in general, the outcome confirms that the Institute is delivering its promise to the membership.

CHRISTMAS GREETINGS!

On a more personal note, and in conjunction with the President, board and staff of the Institute, I would like to wish you and your family a very safe, happy and Merry Christmas and a wonderful new year.

Len Clapham
Chief Executive

NOTICE OF ANNUAL GENERAL MEETING

Christchurch Convention Centre, Christchurch
Monday 6 April 2009 commencing at 4.30 pm

NOTICES OF MOTION

These must be received by the Chief Executive at the Institute's office at least 48 days prior to the Annual General Meeting. The last date for receipt of Notices of Motion is 16 February 2009.

A copy of all Notices of Motion and the order paper for the AGM will be sent to members no later than 6 March 2009.

NORM BARTON

I started my carpentry and joinery apprenticeship in 1963 with a local construction company in Matamata, specialising in commercial buildings, housing, shop fit outs and kitchens.

In those days an apprenticeship was 10,000 hours and involved attending a 4 week block course each year at Waikato Polytechnic, as well as Open Polytechnic assignments and sitting written exams at the end of the year.

I stayed with the company for 25 years and for another company doing residential work for 3 years after that. During those years I gained a Trade Certificate in Carpentry and Joinery, Advanced Trade Certificate in Carpentry, hold an Advanced Scaffolding Certificate and am a Gold Card Site Safe Supervisor. I have just completed a Diploma in Construction Management and am a registered local government training assessor.

In 1996, when Ron Roberts, Senior Building Inspector for South Waikato District Council retired, I filled the position vacated by his successor and then in 2004 won the senior job. I've been Building Control Manager at Matamata Piako District Council since 2006.


Born in Matamata, and raised on the family farm, I live on a 4000 sq m property and while Pat and I spend a lot of time on the large gardens I still find time to continue an interest started in my school days, of playing music with a number of bands.

A member of the Building Officials Institute for the past 11 years, I was Vice President for 2 years and President for 2 years of the Waikato/Bay of Plenty Branch.



Norm Barton

"I've been Building Control Manager at Matamata Piako District Council since 2006."




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Empowering the leader within to inspire others

These were the words agreed upon as the Vision of the Blueprint 4 Success™ Leadership Development Programme that was delivered over two days in Rotorua September 2008. The Training Academy were lucky to secure Marcia Guest from Guest & Associates to develop and facilitate this programme. Marcia has had extensive experience in working with Chief Executives and medium-large organisations in New Zealand and Australia over many years and has vast experience in the leadership domain.

In all 28 participants attended and all of them expressed 'excellent' satisfaction as to the content and delivery of the course.

Participants would have seen a lot of work had gone into making the programme a success. Course materials and tools were themed accordingly. Exercises and coaching sessions were tailored to meet the needs of the building control sector. As many of the participants commented, this was aimed at them specifically and wasn't based on the usual American manufacturing based training that they had been subjected to earlier on in their careers! They felt that they had been respected and were appreciative of Marcia's delivery and style.

Some of the topics covered over the two days:

- Roles of leader and the Leadership Journal
- Understanding Self and others
- Leader as influencer
- Work/life balance
- Communicating with clarity
- Leader as coach
- Coaching for high performance.

Due to the success of the inaugural programme it is planned to deliver the programme again in 2009 in Christchurch. Also participants were asked what other training they would like to help them advance their leadership career. Therefore, Advanced Coaching sessions will be delivered in the first quarter of 2009. These intensive sessions will be for smaller groups and for those who have attended the two-day Blueprint 4 Success™ forum.

For more information on these programmes please contact: training@boinz.org.nz.



2009 PROGRAMME

We put a lot of time and effort into developing the Public Schedule for 2009 and taken into account all the feedback and queries we have received over the year. We would like to stress that we are very conscious that the smaller regions don't always get the training they need in their area. On review of 2008, we had to cancel or postpone a number of training sessions in the smaller regions and this has prompted us to focus on the larger centres in the first instance.

However, we are more than happy to deliver 'in house training' which will suit BCAs/TAs, either individual organisations or cluster groups, who would like training delivered at a time more convenient in terms of location and timing, especially those in areas that aren't close to the main centres and have difficulty with travelling and accommodation expenses.

In order for us to facilitate delivering 'in house training' we have put a new cost structure in place that will allow us to train smaller groups of people. We would also be keen to work with Councils in tailoring our existing programmes to meet their needs in terms of using policies and procedures that they use under the BCA scheme.

Our focus for 2009 is to develop training programmes for the 'Performing' and 'Specialist Topics' categories. We are again very conscious for the need to up skill those who have been working in the sector for some time. We spent the last

year developing the foundation courses, of which were well received and well attended.

Visit our website: trainingacademy.org.nz to get the up-to-date list of training events coming to you.

We are also pleased to advise that the "Money Back Guarantee" is back for another year!

CPD

Thanks to those who responded to the consultation document. Recommendations have now been approved. The important changes that you need to know about are:

- Allocation of CPD points for the successful completion of Unit Standards for the new National Qualifications in Building Surveying (Small Buildings) and (Medium-Large Buildings).
- Increase of allocation points for Professional Reading
- Inclusion of 'on the job' training which is to be delivered by a qualified/competent employee of the Council and who is a licensed Building Officials' member under the competency framework, which will then need to be signed off by a Senior Manager. Conditions do apply.

We believe these changes will allow all members to successfully attain the CPD requirement.

To view the updated CPD Policy and Procedures please visit the website: www.boinz.org.nz.

Blueprint 4 Success™ - leadership and management

Angie Leckey - Senior Building Control Officer, Waimata District Council

Feeling more than a little disillusioned with local government I was looking for a positive step forward. As a Senior Building Control Officer I felt my career was stagnating and I needed a new challenge. If you have ever worked in Local Government you will appreciate that problems can come at you from all angles and from people of all walks of life. I wanted to improve my ability to interact with others and I knew that it was time to take a long hard look at myself and make some changes.

My attention was drawn to the Institute's Training Academy training courses and in particular Blueprint 4 Success™ Leadership Development Programme in Rotorua. The information that Fiona Street, Training Academy Manager, provided confirmed that the course was just what I was looking for.

Suddenly I was winging my way to the The Heritage Hotel in Rotorua. There was a large group of us all sitting in a horseshoe around the speakers Marcia Guest of Guest and Associates, Len Clapham, Institute CEO and Fiona Street. There was an air of apprehension as we began but this was quickly forgotten as Marcia worked her magic and we all became a part of the learning experience.

We began by learning the four roles of a leader. This made me stop and think about all the aspects of leadership, and how others perceive you even at first glance. About the consideration and planning you need to be a good leader for your own sake and those whose lives you impact upon. In addition, Marcia stressed that a leader needs to be a thinker as well as a strategist.

Then we moved into understanding ourselves and others where we learned that there are four personality types:

TALKER	DOER
PROCESSOR	CONTROLLER

These personalities each have their own unique personality traits. We broke into groups at this stage and it was incredible to talk to others in your own personality type. Each of us was having similar issues especially the "talkers" as we are very

"empathetic" to the needs of others. I began to realise why the differing personalities would clash.

Communication with clarity and confidence was a very interesting lesson. Asking "open" questions to allow greater clarification takes a conscious change in approach and the results to obtain the end result. Use assertive communication, erase "I guess" from your vocabulary and replace it with "I think".

Priority and time management was one of my big weak spots. My desk piled high with paperwork and a calendar that had me rushing from pillar to post. I had already been working hard in this area through a lecture I attended prior to the course. I have really moved forward on this one and the priority management "cube" that Marcia gave us detailing URGENT vs. IMPORTANT works a real treat. I'd encourage you to give it a go too, even if it is the only thing you do for yourself, it can save your sanity!

The interaction of the group atmosphere played a large part of the success of the course. Examples of our everyday frustrations were discussed in the sessions then Marcia gave us a way forward. It wasn't a text book situation, these were actual situations that we all face day in day out. Marcia had no building background and yet, with the input from the Institute's

management, she adapted her teachings so that the techniques would be applicable in our building world. I found the whole experience thought provoking.

Since returning to little Waimate I have introduced a number of the strategies learned. It is really amazing to see the difference in people when you approach them using Marcia's techniques. I can't say that it has all been plain sailing because there have still been those sleepless nights. However, the situations have turned out in my favour and I believe it is due to the change in myself as a result in part of the invaluable lessons learned on this course.

Not long after the course, a small package arrives in your office with a nice certificate to say you passed but most importantly a tiny "perhaps journal" for you to dream your dreams. It took a few weeks for me to think about it as I love writing and have two books and hundreds of poems I have written. So in my "perhaps journal" I wrote, "my writings are published" only a week later Fiona rang me and asked if I would do this article!! I'm going straight back to that little book!

Thank you to Fiona, Marcia, Len and the teams who back them all up and to the others who attended the course with me who helped make it a very positive worthwhile experience.



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Council building consenting makes headlines

The *Dominion Post* (Monday 27 October 2008) reported that the DBH has requested "information from technology companies [with the capability to build a nationwide] system that would allow builders to lodge and track their building consent applications online".

According to the newspaper article, "11 different software packages are used by councils nationwide to manage consents"; an exception is North Shore City Council which has had an online system in place since last August (see article in this issue).

In the *Dominion Post* article, Deputy Chief Executive of the DBH, Nigel Bickle is quoted as saying that "5 years after the UK embarked on a similar initiative, 35% of planning approvals are submitted online". Master Builders Federation Chief Executive Chris Preston stated in the report that "in New Zealand 113 000 consents were requested for building work costing \$13 billion". Time and money could be saved from photocopying the "5 cm wad thick of paper that typically comprise applications setting out the material and specifications to be used".

Presumably though, councils would still need to spend the same amount of time checking the online applications as they do now with paper based ones and there would be costs in training.

The productivity savings and cost effectiveness of the system would also depend on whether builders had "access to broadband" and the size and "value" of the applications.

THE NSCC ONLINE CONSENT APPLICATION PROCESSING SYSTEM

Kelvin Goode (Group Manager Building and Environmental Services) and Shamendra Hurbuns (Business Analyst) gave a presentation on the system at North Shore City Council. He explained how they have a pilot project underway and after some trial and error they have it up and running. In mid 2007 they got their staff involved after a lot of meetings, showing them the process and what could be done.

Meetings were held with key developers to present this new service. After they were trained, these developers were then setup with secure login rights to access and use the facility.

There have been approximately 20 applications lodged using this new service. All documents are sent in electronically; they are processed electronically by the various building disciplines, the customer is invoiced electronically and after paying online using Internet Banking the approved application is sent back to the customer electronically. This new service removes the time delays associated with paper based applications as all correspondence is done via an electronic gateway.

Full training and onsite support is provided for all officers who process electronic applications.

The overall system process was described by Shamendra Hurbuns in response to questions asked at the recent Senior Building Officials Conference in Wellington. Asked what sized attachments can be received at North Shore, Shamendra said they can accept attachments that total 50 megabytes through their online application service.

With electronic invoicing

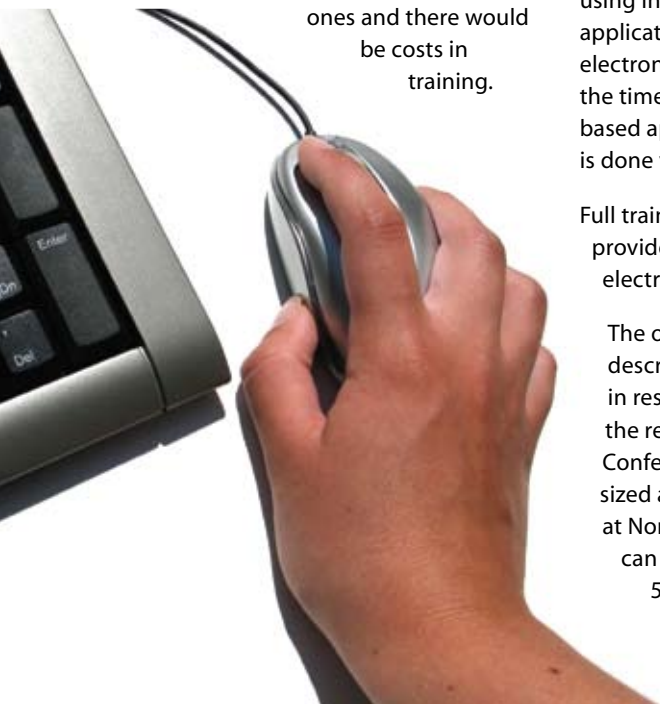
what guarantee do you have that you will receive payment? "As the service is only available to our key customers who are working with us on this initiative, we have not experienced any issues at present. In the future we are looking at asking customers to pay a fee at the time of lodging the application". When you started on this project did you consider the probability of a private organization globally – did you consider tendering it out. For example, Queensland has a system. Kelvin replied that they hadn't. "This project goes back 8 years and the manager at the time could see the possibility of having consents processed online". Does software have to be compatible? "Not necessarily, as all CAD systems are capable of converting files to the required file format". How does the applicant sign the application form? "Customers log in to use this service and by logging in their customer profile is assigned to the application, similar to Internet Banking". Are all plans required to be A3? "A3 is preferable. Sometimes there is a need to supply plans in A1 depending on the complexity of the project, e.g. commercial applications".

They then proceeded to show examples of:

- An approved plan in PDF signed using digital signature software CoSign
- Work in process plans that are processed electronically and how they can be moved around the system and how you can insert notations, measurements, stamps and templates on a plan.

The completed plan must be printed in colour together with the specifications and calculations and made available on site. If any alterations have been made to the signed and approved plan the electronic signature displays as invalid on the plan.

The next step of this electronic service is to work closely with the customer and the Department of Building and Housing to develop an end to end electronic service that covers lodgment, processing, inspections and issuing of the certificate of code of compliance.





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As members are no doubt aware, the Building Act 2004 (the Act) provides for a new scheme of certification for building products as a means of certifying that building products or methods, when used in buildings, comply with the New Zealand Building Code.

For many years, local authorities and the industry as a whole has been waiting for a robust product certification scheme or some other process that allows a product’s manufacturer/supplier to demonstrate that the product meets the performance requirements of the Building Code.

The proposed Building Code Review Service project aligns with the Government’s objectives under the Quality Regulation Review being led by the Minister of Commerce. As part of that review the Sector has identified a need for greater consistency in decision-making under the Building Act, and the development and sharing of best practice processes.

Following consultation and discussion within the building sector, it was proposed that there should be further development and implementation of a national process.

KEY PRINCIPLES REQUIRED BY KEY STAKEHOLDERS:

BCAs:

- A simple, robust and effective way of being satisfied a proposed product or system meets the Building Code requirements.

Manufacturers, Importers, Installers and Designers:

- A clear understanding of the information required in order for a BCA or TA to approve the use of a product or system as part of a building consent.
- That product approval processes should be open and transparent.
- That costs associated with product approval processes should be kept at minimum levels consistent with a robust system applied nation-wide and that, first and foremost, has a public good objective.
- Consistency in the way products/systems are assessed for compliance with the Code, in order for the product/system to be accepted as part of a building consent application.
- Flexibility in the way products can confirm compliance in order not to stifle innovation.

The Department of Building and Housing:

Supports collaborative initiatives from within the sector to complement the product certification scheme being developed under the Building Act 2004 and to build sector capability that will contribute to the people of New Zealand having access to quality homes and buildings that meet their needs, reflect our environment and contribute towards a sustainable New Zealand.

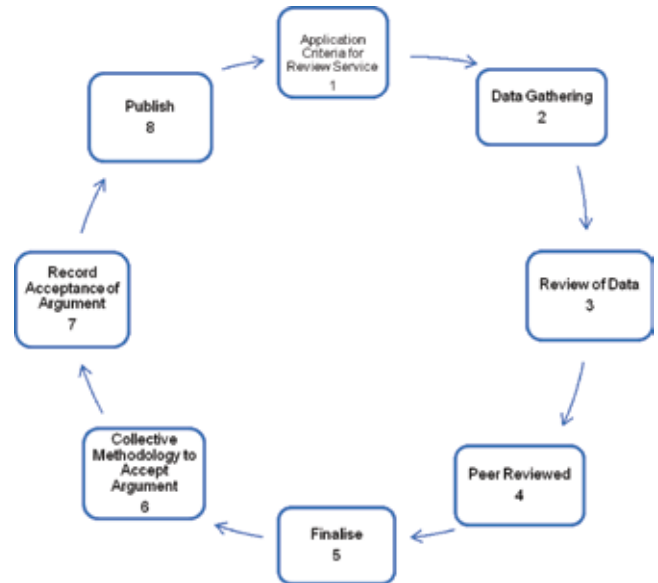
Since June 2006 the Building Officials Institute of New Zealand has taken the lead in formulating a strategy and action plan on this issue and now proposes a way forward for the sector to embrace and support through the Building Code Review Service.

The Building Code Review Services (BCRS) is a non-profit, public-benefit organisation that proposes to carry out a review of the technical material on building products, components, methods, and materials from manufacturers, suppliers and importers.

The review process culminates with the issuance of technical reports that, because they directly address the issue of code compliance, are extremely useful to both regulatory agencies, designers, consumers, building-product manufacturers and the whole building and construction sector.

Agencies will use these review reports to help determine code compliance, schematic of the process and enforce building regulations; manufacturers will use the reports as evidence that their products (and

this is especially important if the products are new and innovative) meet code requirements and warrant regulatory approval. The review reports are public documents, available free of charge on the Internet, not only to building regulators and manufacturers, but also to contractors, specifiers, architects, engineers, and anyone else with an interest in the building industry. The proposed outcome of the scheme is that the sector will review the reports for evidence that products and systems are code-compliant.



WHAT WE DO FOR YOU

- If you are a building control department, the review service can assist you by reviewing the technical assertions made about products and systems. The process will provide a methodology for products and systems to show New Zealand Building Code compliance, on all reasonable grounds.
- If you are a manufacturer, a review report from the service will make it easier to market your building-related product as you will have solid evidence that your product meets New Zealand Building Code requirements.
- The report on your product would be available for reference by building control departments, as well as other construction-industry professionals, free of charge, through the internet. For a small investment, manufacturers, suppliers and importers will reach huge numbers of regulators and end users.
- If you are a specifier, designer, architect or contractor and you want evidence for the local building official that you are using code-compliant materials you will be able to access the review reports!
- If you are a member of the general public, you will also benefit from the work of this service because the service will actively promote public safety in the built environment. Additionally, review reports can be used by the public to help in the selection of building products for their home or other property.

TECHNICAL STAFF

In the first instance it is proposed that the review service will contract highly experienced subject matter specialists, and professional engineers with expertise in such specialised fields as civil, structural, fire protection, and mechanical engineering to undertake reviews. Collectively, the contracted subject matter experts will have proven experience in reviewing construction products and technology.

For further information on BCRS please contact the Institute’s chief executive, Len Clapham, email lenc@boinz.org.nz or call him at the office on (04) 473 6006.

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When is a building not a building?

Brian Cashin, Consultant on Building Act matters

This is one of a series of articles on legal topics related to the Building Act 2004. Readers' queries are welcome (it saves me from having to think of something to write about).

However, these articles discuss the law only in general and simplified terms; they are not to be taken as legal advice, and will not necessarily apply to any particular case.

I am available for professional consultation at:

Brian Cashin

13 Lomita Road, Wellington 6037. Email: cashin@xtra.co.nz. Phone: (04) 478 1368

BUILDINGS AND BUILDING WORK NOT THE SAME AS BUILDINGS AND BUILDING WORK

I really don't like it when the way a word is printed alters its meaning. It makes it difficult to talk about. Until 1992, with the pre-building code bylaws, we used to speak of "the big E Engineer", meaning the responsible territorial authority building official. However, since 1992, with the building code, I have not heard anyone say "the italic-type *building*", but perhaps they should.

Actually, the Act and most of its Regulations do not use italic type for defined terms, but the building code does. This column uses italics to indicate that the terms *building* and *building work* are used in their defined meanings, but does not italicise other defined terms.

Ordinarily, a word in an Act or Regulations is given its ordinary and natural meaning in context. However, if the word is specifically defined then it must be given the defined meaning however extraordinary or unnatural that might be.

In the Building Act, *building* means and includes the things listed in section 8, but does not include the things listed in section 9 (which was significantly amended from 15 March 2008).

SO WHAT?

The Act does not apply to a building that is not a building. That means, amongst other things, that:

A building consent is not required for work associated with such a building.

The building code does not apply to such a building.

If such a building is dangerous, earthquake-prone, or insanitary, there is nothing a territorial authority can do about it under the Building Act.

However, all of the provisions of the Act apply to a *building*, and even if a particular *building* is constructed or altered without a building consent, section 17 says that it must still "comply with the building code to the extent required by the Act".

BUILDINGS THAT ARE NOT BUILDINGS

Under section 8, any structure is a *building* (unless excluded by section 9), and so are several things that would not usually be called structures, such as:

Certain systems attached to a structure. However, certain other systems are excluded by section 9, see "Which systems are *buildings*?" below.

The moving and non-moving parts of a cable car attached to or serving a *building*.

Certain other vehicles. In Determination 2006/72 the chief executive took the view that a building with wheels, such as a caravan, was a *building* while it was being used as a building on a permanent or long-term basis but at other times it was a vehicle.

Masts and aerials exceeding certain dimensions and attached to a *building*.

Swimming pool fences. Presumably this is included to make it clear that the Fencing of Swimming Pools Act does not override the Building Act.

BUILDINGS THAT ARE NOT BUILDINGS

Under section 9, various things are not *buildings*, such as:

Certain systems attached to a structure, see "Which systems are *buildings*?" below.

NUO pylons, free-standing communication towers, power poles, and telephone poles. That specific list of NUO structures means that any other NUO structure is a *building*.

Various structures that are subject to other control systems, such as cranes and hazardous substances containers.

Ski tows and "other similar stand-alone machinery systems". Those words clearly apply to cable cars, which section 8 says are *buildings*. Section 8 is subject to section 9, but in this case common sense (and section 8) must surely prevail so that a cable car attached to or serving a *building* must be treated as a *building*.

WHICH SYSTEMS ARE BUILDINGS?

The word "system" is not defined in the Building Act.

Section 8(1)(b) says that certain "mechanical, electrical, or other" systems attached to a *building* are themselves *buildings*, which means in practice that they must be treated as part of the building to which they are attached.

However, section 9 says that a NUO system attached to a *building* is not itself a *building*. That means that section 8(1)(b) covers only non-NUO systems, such as septic tanks and other on-site disposal systems.

An NUO structure is a *building* unless it is a pylon etc as listed in section 9. That is a significant change from the previous Building Act 1991, when no NUO

structure was a *building* (in the *Logan* case, the Court of Appeal held that under the 1991 Act a concrete block wall owned by a drainage NUO was not a *building*; that case does not apply under the 2004 Act).

BUILDING WORK THAT IS EXEMPTED FROM THE NEED FOR BUILDING CONSENT UNDER SCHEDULE 1

The exemptions listed in Schedule 1 (as amended from 15 March 2008) do not apply to work associated with a building that is not a *building* because such work is not *building work* and therefore does not need a building consent in any case.

Schedule 1(ab) says that a building consent is not required for *building work* consisting of the opening and reinstatement of any purpose-made access point within a drainage system that is not a NUO system (if it is a NUO system, it is not a *building* so that a building consent not required in any case).

Schedule 1(b) says that a building consent is not required for the construction of a simple structure owned or controlled by a NUO or other similar organization. Points to note are:

Strictly speaking, the exemption applies only to construction and not to alteration or removal (but see below re Schedule 1(k)).

The exemption covers NUO simple structures other than the pylons and so on listed in section 9.

The exemption covers a simple structure owned or controlled by an organisation that is similar to a NUO such as the operator of a rail or road network (which is not a NUO under the Building Act, see section 7, although it is under the Resource Management Act).

Schedule 1(k) gives territorial authorities the wide power to waive the requirement for a building consent. However, as a matter of law, a territorial authority cannot adopt a list of types of building work that it will exempt as a matter of course but must make a specific decision in each case, and that decision must be reasonable.

However, a territorial authority could lawfully adopt a list of types of building work that are to be exempted provided that, after considering the particular work concerned, the responsible officer decides that it would not be reasonable to grant an exemption. I would expect any such list to include, for example, the alteration or removal of any of the simple structures covered by Schedule 1(b).

B D Cashin, BE(Civil), LLB, FIPENZ, barrister and solicitor. Brian recently retired as Chief Legal Adviser, Determinations, Department of Building and Housing; and was previously Principal Legal Adviser, Building Industry Authority. He is the author of Deconstructing the Building Act and co-author of Building Law in New Zealand. He is now practicing as a consultant on Building Act matters and may be contacted at: <mailto:cashin@xtra.co.nz> Phone: (04) 478 1368



Hazardous substances – background and present situation for building officials

by Blair Wilmshurst, Opotiki District Council

The control of hazardous substances has been managed under the Hazardous Substances & New Organisms (HSNO) Act 1996 since about 2003 when hazardous substances were transferred from previous legislation as part of a staged implementation. One of the first transfers was that of explosives from the Explosives Act in 2003 followed by dangerous goods (DG Act) in 2004. Other transfers have occurred since (timber treatment chemicals etc).

Whilst the HSNO Act and legislation is administered by the Ministry for the Environment, the controls are the responsibility of a body known as the Environmental Risk Management Authority commonly called ERMA. ERMA's job is to establish the controls which mitigate/manage the risk of hazardous substances and administer the controls via the legislation and transfer of substances through Gazette notices etc.

So what do the changes mean to a building official? Firstly, there are 6 categories of substances, Explosive, Flammable, Oxidiser, Toxic, Corrosive and Ecotoxic. Ecotoxics (Class 9) cause environmental damage and are new under HSNO. Very few substances have only one classification. Most have their primary risk and sub classes. For example, petrol is now classified as 3.1A, 6.1E, 6.3B, 6.7B and 9.1B. The first classification is as a 3.1 it is flammable. The A signifies that it is highly flammable (flash point < 23 degrees) so can burn under normal circumstances. The class 6 group confirm that it is poisonous and class 9.1B recognises the risk to waterways. Another significant change is that TA's no longer issue dangerous goods licences, instead test certifiers (private enterprise) issue test certificates where compliance with HSNO has been achieved

What does this then mean for the BCO? If you are processing an application for a building consent, then it would be wise to check if any hazardous substances are involved. Is there a test certificate for the site? For example, a service station will have (or should have) a location test certificate (former dangerous goods licence) and stationary container test certificate/s (were called tanks) for fuel containment. Any building work on a service station must take account of HSNO issues and likely sources of information could be ERMA, Department of Labour and the test certifier via the owner. If there is more than 100kg of LPG (service stations may have tonnes in bulk pressure vessels on site) then there should be a location test certificate, so be careful with any restaurant/house alterations with things like closeness to drains/doorways/electrical equipment etc. Most users have 45kg cylinders on site and more than two will require a location test certificate. Many houses now have a 9kg bottle or two running a gas hob. If stored inside it must be on an external wall with low ventilation. Don't allow them for an island unit as there is nowhere to vent LPG in case of a leak. A house/building full of LPG is a bomb waiting to go off and an electrical appliance (fridge) is an ideal source of ignition to get vapours burning. Don't allow a garbage grinder in the same cupboard as LPG as again it is a source of ignition. Encouraging LPG on the outside of a building is by far the safest option. These are only a couple of examples and others will include industrial complexes, hospitals, motels, units etc

So a new job comes over your desk. Part of the processing should include, are there any hazardous substances on site? If so do they exceed HSNO triggers? Get the owner

or supervisor to give you a statement and/or show you around. Your local DoL enforcement officer may be able to help. If the plans show hazardous substances on site, then the HSNO controls will apply and special precautions will need to be taken/applied. For example, extending a canopy of a service station involves both HSNO and BA04. The petrol pumps under the canopy are in what is referred to as a hazardous atmosphere zone (HAZ) and electrical equipment must be intrinsically safe to prevent un-intended ignition. The installation of a domestic free standing oil burner (now gaining in popularity) is in my opinion much the same as a solid fuel burner. ERMA has approved some of them and I would only consent to and sign off (CCC) an installation that has the ERMA approval and is installed correctly. For example, secured against seismic movement and flue correct etc and the fuel (diesel) stored outside with a tap at the tank. Diesel does not require a location test certificate by the way.

A test certificate for the site will confirm that HSNO controls are in place. So that's your lead of the need to be aware.

In my opinion, I don't think that your consent can stipulate the need to obtain a test certificate as a condition, but perhaps a legal opinion would be prudent. Perhaps to apply an endorsement that the building owner complies with HSNO may suffice. However your predicament of course is to "marry" the BA requirements' with HSNO and each situation will need to be assessed individually.

For more information Blair can be contacted at blairw@odc.govt.nz

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Annual Senior Building Consent Officers Forum – August '08

Questions were put to four representatives in attendance from the Department of Building and Housing on the following items: **Electronic building consent applications, Survey of increased compliance costs, and Revision of the building code.**

BUILDING OFFICIALS QUALIFICATIONS

The Institute's facilitator for the next stage in the development of these qualifications (Mark Williams, of Williams Unlimited) and Len Clapham had travelled around the country consulting with sector groups on the coverage for unit standards and elements for the proposed medium to large buildings diploma (MLD), leading to achievement of a National Diploma.

The MLD is in the early stages of development – 7 providers offer some theory elements only and while no practical elements have been determined yet it is expected that work on these will be driven by Williams Unlimited and the Institute's Training Academy under the umbrella of the lead education provider.

Marks' presentation included a case study measuring competency against requirements for unit standards. This presentation is on the www.unltd.co.nz website. Contact details are given there should you have any problems accessing this information. A one minute feedback form is available from the Institute.

IANZ (not represented at the forum) supports a nationally recognised qualification for BCOs; they see it as providing certainty for them and the BCA programme. However, neither IANZ or the DBH have been involved in the process; they are waiting for final unit standards. As an example of the processes being worked through for the MLD, there was discussion about "Regulation 18" and "19420". The forum heard that the MLD will meet the requirements of Regulation 18 but opinion was evenly divided over whether to include 19420 in the unit standards. It will depend on the submissions to the consultation process as to whether it is included or not.

The timing for implementing MLD will depend on providers taking it up and whether they have course material in place; a number of unit standards are registered now so courses could be available from 2009 depending on that.

The small building diploma (SBD) that is already in place, and the MLD, will share common elements with a schedule for cross credits to be produced by NZQA. It is not necessary to complete the SMB first and at this stage there is no time limit on completion of the SBD or the MLD once started. To deliver the diplomas, the practical and theory, face to face training and continuation of programmes it is estimated that \$200,000-500,000 will need to be spent.

ACCREDITATION

Auckland region is now BCA accredited. Franklin was assisted by Andrew Minturn of DBH, Waikato Cluster group made up of 5 local councils, Hamilton City, Waipai, Waikato, Otorohanga and Matamata, have a group manager, and Elizabeth Goodwin facilitated their accreditation process. Of the five, Otorohanga is yet to be accredited.

The forum heard some very positive benefits of accreditation for the building officials, namely, "having a certificate on the wall is just great morale for the team", there was a lot of work and a lot of stress but it was worth it", "procedures have been put in place which should have been done years earlier", "qualifications can be attributed to accreditation", "the benefits of accreditation should not be lost", "there is more attention to detail with building controls", "accreditation requires keeping better notes, this helps with court cases and could be the difference between going to court or not", "there is still the odd aggressive customer who won't cooperate", "cluster groups enhance nationwide consistency".

Comments and suggestions on improvements for the aligning the process of accreditation with what actually happens were as follows: "Waikato Dams required working with DBH, ECANZ and Otago Regional Council – the assessment of staff was very different – outsourcing staff and using consultants was the only option", "universal comprehensive assessments would have helped – guidelines produced by DBH need to be clearer not just a guide; for example competency is difficult to interpret and BCAs have had to design their own [evaluations for] competency", "if there were a consistent competency evaluation process then any contractor could transfer from one council to another more readily than at present".



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A BRANZ Appraisal assesses the product or system's specification, physical performance (tests), technical literature, in-use performance and manufacturing quality control. All Appraisals are also subjected to an Annual validation process to maintain their integrity.

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What does this mean for building officials from now on?

DBH now want to formulate a national process for assessing competency and want to work with the sector on this and on national consistency for producer statements. The Waikato Cluster used one inter-council audit process and those doing it treated it as a learning programme and found it very valuable. Audit education classes "Learning how to audit" Day 1 and "Then go and audit" Day 2 are available developed by Dr Greg Williams (NZQ College) and have a building officials flavour.

More benefits from accreditation useful for building officials were noted. For example, there was agreement that "consent documentation coming over the counter is improving and the quality of inspections has too with inspections taking longer as a result, for example it can take an average 1-2 hours to carry out a comprehensive inspection of 2-storey house. There is a higher standard overall than 5 years ago. The paperwork coming in is better, if it's not then it is given back to the applicant. Checklists are now in place and BCOs are no longer required to rely on Senior Officers and their knowledge to be the only process".

This last comment is surely the hallmark of a change for the best. To be faced with more controls on this and that but to finally hear it acknowledged that the real benefits come from empowerment: that is giving people responsibility, but with the appropriate tools and controls that will help them do their jobs and find solutions through shared experiences, rather than by government decree surely is a model to be proud of.

Senior officers audit inspections and before consents are issued, and most BCAs have a final check in place, as part of fulfilling their accreditation endorsement, to make sure consents have been reviewed correctly. However, a cautionary message was put forward. The forum was told that while "builders are taking more notice of what is required there is more inconsistency now than ever before within the trades and construction design sectors as there are still a lot of leaky buildings out there, and they are still being built". As a result, "preventing increased costs and stopping insurance premiums going up each year will be an ongoing battle".

DBH has no proposals to introduce insurance or to tackle inefficiencies in the trades and design sectors as has been done for building officials.

ELECTRONIC BUILDING CONSENT APPLICATIONS

Between March and July 2008 the DBH looked at ways to simplify and streamline the building consent process. This included the feasibility of establishing a national online building consent lodgment and tracking system to make better use of smart technology and reduce costs for builders, developers, homeowners and building consent authorities and improve productivity in the sector.

The feasibility study looked at the proposal to establish a web-based online building consent application and tracking system to be accessible to all BCAs and all building consent applicants, including building professionals and the general public.

Most stakeholders consulted were of the view that the building consent application process would benefit significantly from such a system that would reduce time involved in both direct and indirect costs.

The study report noted that North Shore City Council is currently the only BCA using an online system and that a national online system could be designed to be compatible with this and other BCA

IT infrastructures, as well as various internal IT and paper based systems currently in use.

Key technical details to be considered in the business case include:

- Data security, access control and privacy
- Data and disaster recovery procedures
- Integration with existing BCA consent processing systems both electronic and paper based
- BCA staff training requirements.

Kelvin Goode, North Shore City mentioned NSC already have the capability for electronic processing. Details of the NHSC scheme are given in this issue.

Regional processing centres could be the next step but because it is a large project it could be some time before it is started. Subject to government agreement and funding a proposal for a national online building consent system would be developed in consultation with the sector. A pilot scheme could be run to show pitfalls and bugs; DBH would look for volunteers.

SURVEY ON INCREASED COMPLIANCE COSTS

The analysis of the survey, due for completion in September 2008 was not available at the time of going to press.

The survey was undertaken to clarify whether and how implementation of the Act has led to increased costs and if so to identify the significance of these costs as a component of the overall cost of building projects.

Early findings indicate that the building industry's main concern is the increased incidence of delays to building projects due to extended consent and approval timeframes; they are much less concerned with the quantum or increases in building consent fees.

However, from a recent examination of a small sample of councils' draft annual plans, information on council fees indicates that approaches to fee-setting and current proposals for changes to fees varies widely.

Could it be that inconsistent charging and high compliance costs are not helpful to the public image of frontline staff or building officials?

PROGRESS ON REVISION OF THE BUILDING CODE

A report on the review of the building code was being prepared at the time of going to press.

Changes are proposed to be phased in over two stages, firstly affecting sector education, fire safety, and protection against noise carbon emissions and secondly, on structure, plumbing and drainage, signs, accessibility, interior environment for natural light and ventilation.

Detailed proposals for change are planned to be presented for consultation by June 2009.

Although BCAs have had to step up their game there are no plans to change the building code to make a requirement for building practitioners to be insured.

COMPETENCY MATRICES

New sub-categories have been created in the matrix design to better measure staff competency to take effect from 1 January 2009. For further information on the changes and to comment on the discussion document contact beryl.oldham@northshorecity.govt.nz or use the feedback form posted on the BOINZ website.

PRODUCT

Should BCAs evaluate products if the manufacturer's statements do not show conformity of their products with the Building Code? Peter Snape and Kelvin Goode stated that time is wasted by BCAs evaluating products that have not been proven in manufacturers' statements as being fit for purpose under the Building Code.

The Auckland area cluster group has regular meetings to discuss products and have a technical advisor. This was a method of proving, on reasonable grounds, compliance with the Building Code.

Their system works like this: manufacturers that have a new product provide information about it, the group reviews this and makes an assessment seeking clarification as required. The group then decides whether the product complies with the Building Code, and if approved by the group it is minuted and goes on a list of approved products. This system works well but it is not perfect as:

- There is no ongoing checking
- If the product is changed or if the manufacturer changes the group has no resources to continually check this
- Building a catalogue of people who are able to help with these assessments and peer reviewing is a challenge

Some groups charge for this service others do not. Again, this is an area where the lack of any infrastructure in place on pricing for services in building controls could cause a backlash against the sector, with frontline people in the firing line.

The Institute is taking up an initiative on infrastructure to develop a possible product evaluation process nationwide. The aim is to gain consensus on a workable strategy from the building and construction sector towards the implementation of a structured process that the sector can use to support decision making around building products and system compliance in relation to the Building Code. The Institute proposes to run a Building Code Review Service which could be in place by the end of the year. There would be no legal liability attached to advisors providing this service. The forum group voted to proceed with this scheme.

HAZARDOUS SUBSTANCES AND SOLAR WATER HEATING

Presenters Geoff Hayes (ERMA) and Eddie Thomson (EECA) and Blair Wilmshurst provided information for this issue on their respective presentations at the forum.

DBH COMPLIANCE DOCUMENT FOR SIMPLE HOUSING

There was no positive feedback on or agreement with this document.

Views expressed: "simplicity is self-contradictory in the light of accreditation and all the processes that BCAs have to go through as a result of that and the Building Act", "BCAs already do what is being proposed. They have standard plans for re-use", "if cost was the reasoning behind the document then it has little or no benefit". Some facts and figures were presented by Ewan Higham: "in his BCA processing costs only 0.225% of the value of a modest dwelling so there would be a saving of \$20.00, if anything".

CHARTERED BUILDING OFFICIALS?

A useful title to identify those building officials who qualify as LBPs and now work as BCOs.

To remain registered with the DBH as a LBP BCOs need to maintain all training and CPD points.

New Distributor for Plasterboard Products

Element NZ Limited has acquired the exclusive licence to distribute the St Gobain range of BPB plasterboard and ceiling products in the New Zealand and Pacific Island markets.

Element NZ Limited's General Manager John Journee outlines the opportunity.

"We are pleased to be able to offer the New Zealand building industry a genuine choice in where they can go for quality plasterboard products and systems," says Journee. "We supply the complete range of BPB smart lining systems including drywall, wet area, impact resistant, bracing, fire and noise control boards and ceiling tiles and are committed to ensuring that there is a viable, competitive alternative in the linings market, long-term."

With the acquisition of British Plasterboard Group (BPB) and British Gypsum in 2006 Saint-Gobain is now the world leader in interior lining solutions and the world's number one manufacturer of superior plasterboard products and systems.

BPB plasterboard is manufactured to AS/NZS 2588:1998 and meets the requirements of the New Zealand Building Code, complying with NZS 3604. Systems are fully tested for New

Zealand conditions and can be specified using Masterspec section 5113B.

The licence for BPB products was previously owned by BML (NZ) Limited. Over the past ten years they have been responsible for developing a range of BPB lining systems that meet New Zealand requirements, obtaining the required testing and approvals, meeting legal requirements for regional authorities and councils, and educating the design and building industry in the systems and products uses. Journee says Element will build on this foundation.

"We are currently working closely with stockists and distributors throughout the

country to ensure we have a comprehensive nationwide distribution network with ready access to the full range of products. We want to continue to ensure that our product and system range is easily accessible and clearly understood by designers, specifiers, builders and fixers."

"We are working with BPB's parent company, Saint-Gobain to develop and test new product and system applications for the New Zealand market," said Journee.

*For further information contact
John Journee
Element NZ Limited, 021 998 885*

Element NZ Limited is 100% owned by McConnell Group, one of New Zealand's largest privately owned construction, property and infrastructure groups.

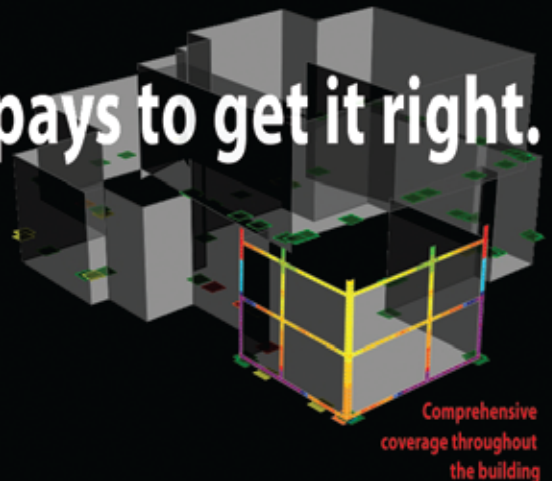
Element has the exclusive licence to distribute the St Gobain range of BPB plasterboard and ceiling products in the New Zealand and Pacific markets. This includes drywall, wet area, impact resistant, bracing, fire and noise control boards and systems. (visit: www.bpb.co.nz)

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EVENT CALENDAR - 2009

FEBRUARY

- 16-18 February Getting Started in Plumbing Inspections – Complex Water Supply & Sanitary Drainage (Category 3 buildings and above) – **Auckland**
- 23-25 February Getting Started in Building Controls – **Christchurch**
- 26-27 February Getting Started in Building Controls (Plan Processing) – **Christchurch**

MARCH

- 2-6 March Getting Started in Plumbing Inspection – Water Supply & Sanitary Drainage (up to Category 3 buildings) – **Christchurch**
- 5 March NZS3604 – **Auckland**
- 6 March Assessing Alternative Solutions – **Auckland**
- 17 March Building Consent Vetting – **Auckland**
- 19 March Frontline – **Rotorua**
- 20 March E2 Weathertightness – **Rotorua**
- 23-25 March Getting Started in Building Controls – **Hamilton**
- 26-27 March Getting Started in Building Controls (Site Inspection) – **Hamilton**

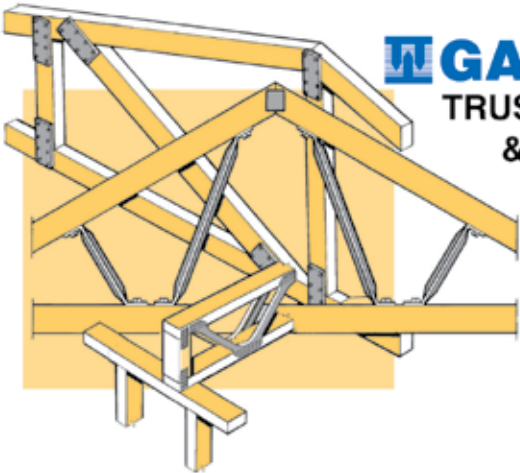
APRIL

- 5-8 April ANNUAL CONFERENCE AND EXPO – **Christchurch**
- 21 April Introduction to Compliance Schedule Writing and Building Warrant of Fitness Auditing – **Wellington**
- 22 April Compliance Schedule Writing – **Wellington**
- 23 April Building Warrant of Fitness Auditing – **Wellington**
- 27-28 April Getting Started in Building Controls (Site Inspection) – **Christchurch**
- 30 April NZS3604 – **Christchurch**



MAY

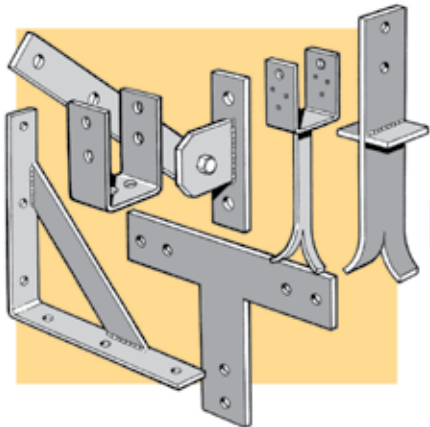
- 1 May Assessing Alternative Solutions – **Christchurch**
- 4-8 May Getting Started in Plumbing Inspection – Water Supply & Sanitary Drainage (up to Category 3 buildings) – **Auckland**
- 12 May Building Consent Vetting – **Christchurch**
- 14-15 May Blueprint 4 Success: Leadership Development Programme – **Christchurch**
- 18-20 May Getting Started in Building Controls – **Auckland**
- 21-22 May Getting Started in Building Controls (Plan Processing) – **Auckland**

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Bracing Ratings

BPB PlasterBoard bracing ratings have been obtained from product tested in accordance with P21 racking test procedure
Bracing System NZS3604:1999 BUs per metre

BPB Standard Plasterboard Bracing Ratings - Concrete or Timber Foundations

System Reference	Lining Requirements	Bracing System			BUs per metre	
		Hold Downs	Minimum Length (m)	Diagonal Brace	Wind	Earthquake
BP1S	10mm BPB Standard Plasterboard one face fixed vertical or horizontal	No	1.2	Yes	55	50
			1.8		65	55
			2.4		75	65
BP2S	10mm BPB Standard Plasterboard both sides fixed vertical or horizontal	No	1.2	No	70	60
			1.8		80	70
			2.4		90	75

The above schedule covers BPB Standard, Firestop and MR/Aquastop Plasterboards of 10mm and 13mm thicknesses.

BPB Braceboard Bracing Ratings - Concrete or Timber Foundations

System Reference	Lining Requirements	Bracing System			BUs per metre	
		Hold Downs	Minimum Length (m)	Diagonal Brace	Wind	Earthquake
BP1B	BPB Braceboard one face fixed vertical or horizontal	Yes	0.4	No	90	100
			0.6		125	115
			1.8	Yes	150	120
BP1BP	BPB Braceboard one face fixed vertical or horizontal 7mm D-D plywood on the other	Yes	0.6	Yes	150	150
			0.9		150	150
BP1BS	BPB Braceboard one face fixed vertical or horizontal BPB Standard 10mm on the other	Yes	0.6	Yes	145	145
			1.2		150	140

The above schedule covers BPB 10mm Braceboard and 13mm DuraLine.

To comply with the above ratings, wall-bracing elements must be constructed in accordance with the following specification:

- Timber frame minimum 90 x 35mm with studs at 600mm centres.
- Sheets lined vertically or horizontally. Vertical joints taped and stopped in accordance with British PlasterBoard "Fixing and Finishing Instructions" May 1999.
- Sheets fixed with 32mm x 6g screws at 150mm centres to perimeter of the bracing element. Fixings to intermediate studs are at 300mm centres but may be omitted if sheets are glued.
- Bracing ratings in table are based on wall height of 2.4m. Ratings may be adjusted for wall heights other than 2.4m as follows:

$$\frac{2.4m}{\text{Actual wall height (max 4.8m)}} \times \text{value from above table} = \text{Adjusted Rating}$$

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