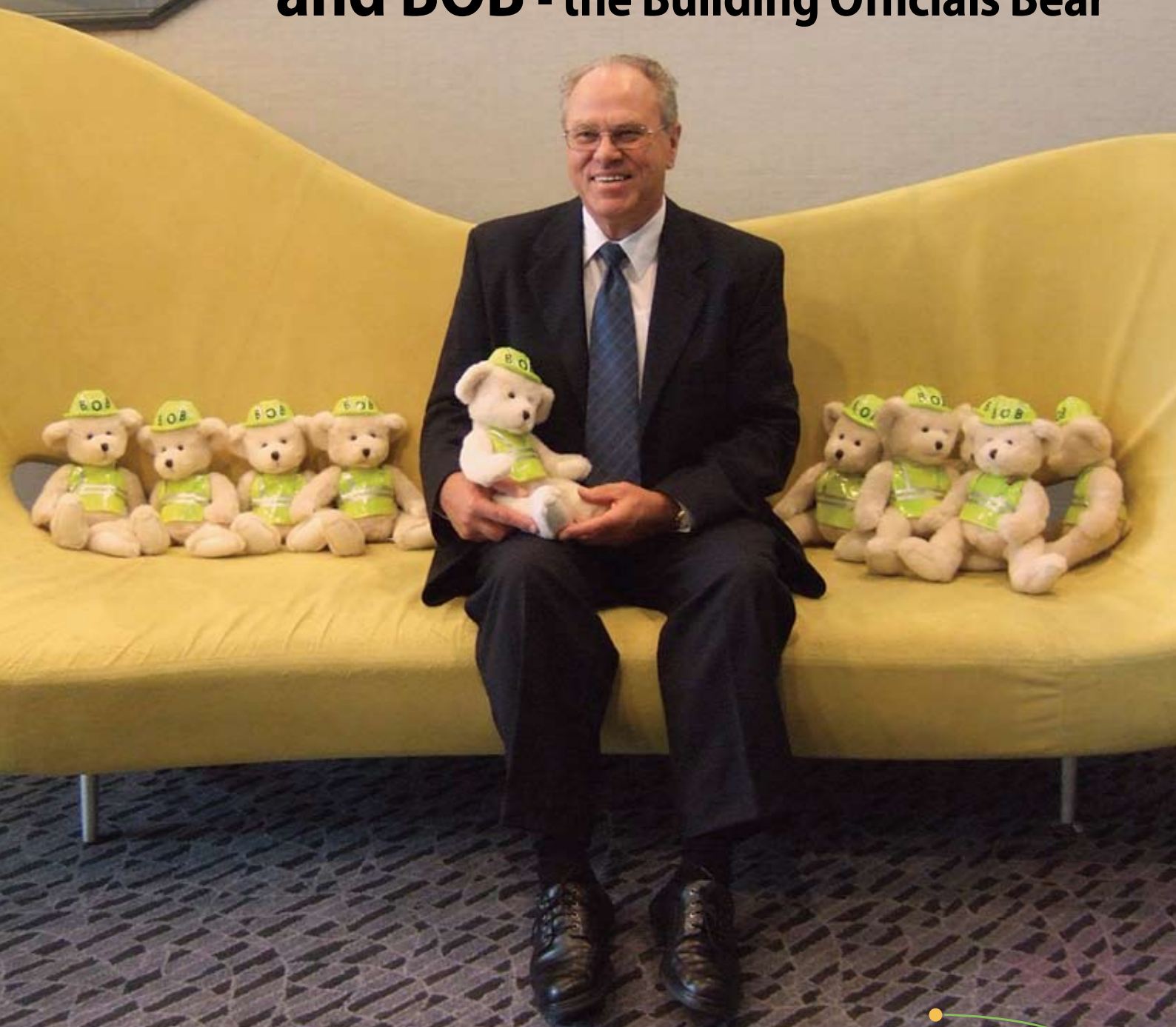


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THE MAGAZINE OF THE BUILDING OFFICIALS' INSTITUTE OF NEW ZEALAND

JUNE 2008

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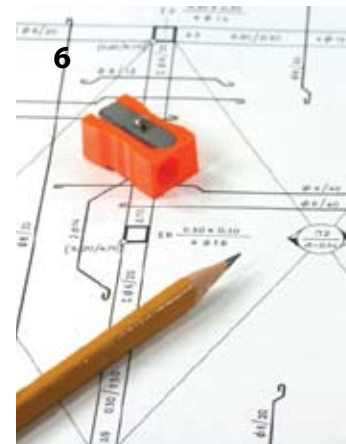
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Annual Conference and Expo

20-23 April 2008 in Auckland

There were many highlights this year including high quality speakers and presentations that provided a wealth of knowledge and information for those who attended. We believe that this was one of the best technically balanced conferences the Institute has held to date and the National Office has received many positive comments from delegates, speakers and expo staff regarding the high quality of the technical programme and the overall success of the event.

The 2008 Annual General Meeting recorded 108 members in attendance and this was an excellent turnout. Outgoing President Tim Weight spoke briefly of his two years as President expressing his gratitude to the Board for their contribution. He stated that he had enjoyed the opportunities he received from being President and felt it was very encouraging to meet and see so many excellent members coming into the industry as they are the future of the Institute. It was difficult for him to pick out single highlights over his two-year Presidency as there had been a multitude of them however he felt the best example would have to be the project management and ultimate achievement of the National Diploma for Building control Surveying.

Congratulations are extended to four members nominated and approved for Life Membership of the Institute - Richard Toner, Bob De Leur, Allen Vickress and Morrie Blumenthal.

The following two remits were approved at the AGM.

Amendment To Constitution And Rules

1st Notice of Motion

“That it be suggested to the Annual General Meeting that the new name be The Building and Construction Surveyors Institute of New Zealand”

Moved W. Irvine
Seconded F. Lucas

Bill Irvine was asked to speak to the motion put forward to the board and membership. He stated that the motion was considered over a period of time at his branch. Although they felt that the change did not need to be immediate, it should be starting to be considered by members. The Waikato Bay of Plenty branch is aware of the cost of rebranding and the administration complications and that the rebrand needed to be done seamlessly because the current brand is well known in the marketplace. Bill called on the meeting to debate the issue and while there was a motion put forward by the branch, the branch was aware that a decision might not be made at the AGM.

Paul Vernon agreed with Richard Toner that the Institute needed a name change given the forthcoming education that was going to be made available to all members. Blair Wilmshurst supported where the branch was coming from. The membership breakdown does not show the

type of members in the Institute and he agreed that the motion should be put out for a year and undergoes appropriate discussion by the membership.

Maurice Hinton from Auckland branch asked for stability in the industry although he also believed it was moving faster than ever. He felt that the current name had not been around for long and was just getting recognized. He felt it should be left that way for a year or two and then consideration could be given to rebranding.

Rangi Johnston agreed with Maurice and felt that one forum could be via questionnaire where members could put their thoughts forward and it could be a good gauge for the office to look at. Perhaps realigning the branches might be an additional option.

The following amendment to the motion was moved –

That the members are extensively canvassed throughout the year on an appropriate name change to replace the current one and that the membership's consensus is returned at the next AGM for voting on.

Moved Paul Vernon
Seconded: Maurice Hinton
Carried

2nd Notice of Motion

That the following change to the constitution be made concerning the nomination process for Life Membership of the Building Officials Institute of NZ

• Life Member

Any member of the Institute who has given the Institute outstanding service may be nominated for Life membership by another member through a Branch and subject to Life member status being subject to full agreement of the Board, for election as a Life Member at an Annual General Meeting.

Moved T Weight
Seconded E Higham
Carried

RATIFICATION OF BOARD MEMBERS for 2008...2009

The President asked for ratification of the 2008 Board Members as they had been presented at the board. The following people will represent their branches on the 2008/09 board.

Auckland (President)	Ewan Higham
Waikato/Bay of Plenty (Vice President)	Norm Barton
Auckland	Maurice Murfitt
Central	Chris Henry
East Coast	Michael Skelton
Wellington	Derek Staines
Nelson/Marlborough	Keith Langham
Canterbury/Westland	Kelvin Newman
Southern	Stewart Geddes

Two new initiatives were launched at the Annual Conference - Sector Advisors and HR Division. The Sector Advisors are designed to enhance the knowledge of products and services provided by the Institute, primarily for its members, but also can extend out into the sector.

Three Sector Advisors will be available for providing enhancement of the Institute's services to its members. They will attend branch meetings and will be available to provide information on various issues as well as answer questions from the members. They will be based in and around the country and will also be available to Territorial Authorities and Building Consent Authorities, They can provide advice on issues such as training, HR Resourcing, Building Law and processes etc.

HR Division - What is HR Division?

A building industry recruitment management division created by the Institute to assist those in the building controls sector to find employers or employees. Roles can be Temporary Permanent, Fixed Term Contract, or whatever we can do to assist in the resourcing. We know and understand the issues facing the industry and the challenges of its members in sourcing competent staff and we are well placed to assist our members in the recruitment process to secure the staff required. The Institute will be able to offer recruitment services for a fee that will be less than the traditional recruitment companies.

In addition the HR Division will offer the employer the opportunity for clients to utilise the services of the Institute's Training Academy suite of training products to assist with induction of the employee (Training academy charges to be in addition to the 10% placement fee).

Utilising the Institutes Sector Advisor's, the HR Division will be able to closely align itself to the critical employment HR managers within the various Local Government bodies. This would enable capture of the recruiting and contracting opportunities at source, promotion of the HR Division services, qualification of vacancies (absolutely necessary to ensure higher success rate in fulfilling the assignment). Involvement of the Sector Advisor's in screening of the preferred candidates would also enhance the success rate for fulfilling assignments.

We will continue to provide updates and information regarding the Sector Advisors and HR Division to keep our members fully involved and informed.

Annual Conference & Expo 2009 Christchurch

Planning is now underway for the 2009 conference which will be held in Christchurch

Important Dates

Call for Papers - end of May 2008

Submission of Abstracts – before 1st August 2008

Acceptance of Abstracts – before 8th September 2008

Abstract Author Confirmation – before 8th October 2008

**PROFILE: MAURICE MURFITT
TECHNICAL ADVISOR - BUILDING CONTROL
RODNEY DISTRICT COUNCIL**

My introduction to the building industry commenced when my parents influenced the direction I should travel, career-wise. My grandfather was certainly one of the "old school" carpenter/tradesmen. My father settled into the world of products and their technical attributes. This was in the vast area of building and plumbing supplies. I say a "vast area" because one becomes aware of the range when a stocktake takes place.

Thousands of items become intimately recognisable to allow a reconciliation of the "parts" that make up the "whole", for supply purposes. I say this, for, on leaving school at School Certificate level and having shown an interest in the building industry, the opportunity to follow in both my father's and my uncle's careers of supply introduced me to the vastness of products and my future was then formulated.

A Trade Certificate associated with this activity was attainable and ultimately was. Pursuing this trade direction and promotion within the company to company representation, site exposure and marketing became a long-term occupation. It was during the following 10-year period that I built my first new house and numerous renovation works followed.

Additional to working as Technical Representative for an overseas manufacturing company, which encompassed both residential and commercial projects, I pursued further tertiary education in Quantity Surveying and Building Law, Building Science and Construction which ultimately resulted in achievement of what is today the Diploma of Building.

For the following period, in excess of 15 years, administrative duties became an integral part of the private sector and in Auckland Branch management for my company, Private Building Consultants. It was during this period that recognition of additional qualifications would always be beneficial and was accepted as a Member of both the NZ Institute of Management and the Institute of Marketing.

Sporting involvement with the family and as many would appreciate, voluntary duties, expanded into general committee roles. Presiding over meetings became an ongoing experience up to National level.

These activities augered extremely well for my career and most directions were covered for my company which involved the successful preparation and expenditure of sales budgets for the major centres throughout New Zealand.

Up until this point, continual upgrading of trade subjects was undertaken both in specific areas and certificate achievements for the past 12 years during my employment

with North Shore City Council, Private Building Consultants and Rodney District Council.

At North Shore City Council as Senior Building Consents Officer and after 9 years CPD, I maintained the necessary level and upgrading of knowledge. The ensuing 3 years encompassed a concentrated effort on primarily residential consents at all levels with consultants and contributing to the experience level for accreditation as a Building Consents Authority.

Accreditation was achieved in very quick time and it was very satisfying to be part of such a comprehensive and professional presentation.

Joining Rodney District Council as Technical Advisor, Building Control, my responsibility is for a team involved in major residential projects. To achieve statutory time frames this level of service will be a constant goal both for the Council and their external clients.

Complementing activities within Council and with associated members, I have been an active member of BOINZ for over 10 years and regularly attend monthly meetings for the Auckland Branch and for the past 2 years I have served as Vice President.



Maurice Murfitt

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Is your builder trade qualified?

Certified Builders Association of New Zealand (CBANZ) is an association of trade qualified builders. All members must have completed a formal qualification in construction. It will come as no surprise to readers of this magazine that over two-thirds of builders have no formal qualification.

CBANZ was formed in 1998 by Craig Wilkinson in Tauranga out of concern about issues going on in the industry and, in particular, a lack of recognition of trade qualifications.

Today CBANZ has over 1500 companies that operate mostly in the residential and light commercial parts of the construction industry. We also have another 500 trade qualified individual members who work for wages or as labour only contractors.

CBANZ members are reinvesting in the future of their industry and employ over 1000 apprentices between them. CBANZ operates in conjunction with 10 polytechnics around the country a training scheme based on a traditional apprenticeship, with the employer teaching the craft skills and Tech based theory training. This style of training begins to develop the relationships that most builders continue throughout their careers.

It is estimated that CBANZ members have a combined turnover of over \$2 billion. All CBANZ members are required to offer the Homefirst Builders Guarantee on new residential



construction. This 10-year guarantee covers loss of deposit, guaranteed completion and structural warranties. Other guarantees are available for additions and alterations, and labour only construction.

CBANZ is very supportive of the builder licensing scheme concept, however we did have some major concerns around a lack of clarity over Restricted Building Work, and loopholes that would allow unlicensed builders continue to operate. Recent announcements by Shane Jones have been welcomed to work through these issues.

CBANZ understands why the government could not link licensing to qualifications initially. But we are very frustrated that there hasn't yet been an announcement for when new entrants to the industry will require a qualification to get a licence (unlike the timeframe outlined for building officials).

Building and Construction is a relationship based industry and actually very personal. CBANZ encourages its members to build those relationships at regional level. BOINZ members are welcome to most CBANZ meetings and with CPD points coming in to maintain your builder's licence there are probably some things we can all learn together.

I enjoy working with senior BOINZ officials in a variety of forums and would look forward to seeing this occur at regional levels as well.

Derek Baxter
CEO
Certified Builders Association.

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Ambassador Scheme

The Ambassadors scheme was launched at the 2007 conference. There are thirteen Ambassadors at the present time with up to twenty provided for in the protocols.

Selecting an Ambassador is a matter for any member of the Institute to consider and action. Any candidate will need to be able to meet the criteria outlined and move through the processes contained in the Protocols.

Basically, any financial member can nominate any other financial member to be an Ambassador. A nomination is forwarded to the Chief Executive who confirms the proposal is appropriately completed and it is then forwarded to the Chairperson of the Ambassadors group.

The Ambassadors recommend to the Board and the proposal is adopted or declined. However, the person nominating will need to profile the candidate with regard to the stated criteria. It could be done privately as the candidate will be invited to participate before being recommended to the Board.

The role of the Ambassador may take many forms. It may be prominent and visible or private mentoring type activities or as a sounding board on a plethora of issues.

If you think any of the Ambassadors can help you don't hesitate to approach any of those listed below. If the matter is confidential that confidence will be respected.

Unlike a Life member, the Ambassador is expected to resign the role if he / she ceases to be active for a period of time. As senior members of the Institute it is expected that the individual's integrity will depict the time to resign in order to protect the credibility of the scheme and to allow new blood into the role and to keep the Ambassadorial structure vital.

Criteria For Ambassadorial Status

Contribution - may include service on National or Branch executive or just ongoing contribution to the well being of the Institute through attendance at meetings or similar.

Academic achievement – May hold Advanced Trade Certificate or other relevant qualification that enhances their ability to carry out their duties. Such qualification should be in excess of the minimum necessary to current demands of the job.

Social Acceptability - Conducts themselves in a professional manner and with decorum when representing the Institute.

Time Served – That the recipient has demonstrated ongoing loyalty and contributed to the well being of the Institute over an extended period of time.

Leadership Qualities – That the recipient has demonstrated some form of leadership as a team player within the membership yet individual enough to stand alone for conviction when a concept is under consideration at an Institute forum.

Current Ambassadors are:

Bill Irvine Chair, Bob de Leur, Derek Stains, Richard Toner, George Little, Des Barnes, George Skimming, Kevin Healey, Kelson Diffey, Pat Lawrence, Errol Thompson, Simon Tonkin, Neil Eade



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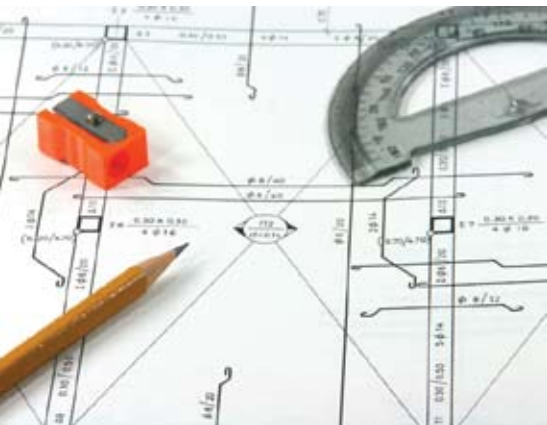
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Partnership arrangement allows National Inspector certification scheme to continue

Heightened awareness of the importance of competency certification for inspection personnel came to the fore in April following two major and related concurrent events; one here in New Zealand and the other in New York.

Astonishingly, though not surprisingly in our free market economy, the viability of the Certification Board for Inspection Personnel has for some time been threatened by lack of Government funding.

CBIP provides competency examination and assessments of equipment inspectors under the Health and Safety in Employment Regulations. Its inspectors are responsible for a wide range of critical equipment such as cranes, boilers lifts and passenger ropeways. Yet this organisation has been run mainly by volunteers for the last 27 years. This for an export industry believed to be worth about \$630 million a year and a home based industry of many more millions that are reliant on independent competency assessments of inspectors, according to the Department of Labour.



Last year CBIP announced it would have to wind up but has since been saved by a part contribution injection of funds from the Department of Labour. This intervention has come at a crucial time, and, when six construction workers and a visitor to New York died when a huge crane collapsed and destroyed a four-storey Manhattan house, it was a reminder of the perils of equipment failure.

The meetings with the Department of Labour in May last year have proved to be a turning point for CBIP and New Zealand industry.

Despite its significant contribution to the export earning potential and the safety of industrial equipment it has been run on the

goodwill of volunteers. So that now, one of the problems it has to address is reliance on voluntary work to run its affairs. CBIP is being required to establish the true cost of running its business to gain international recognition to the latest ISO accreditation standards without the legislative structure to impose the true cost of this type of service to industry.

The amount of voluntary work and the costs borne by individuals on which it has historically relied can no longer be guaranteed due to the pressures of volunteer's full time employment. A structured approach is in progress to assess the amount of resources currently spent in carrying out essential duties by volunteers. The general objective is to identify the total input by those who do essential work, Board members, the various exam panels, committees and other activities such as secretariat and accounting. Also regular resources are used each year maintaining the systems up to date and in performing internal audits.

Like Building Consent Authorities, CBIP is undergoing similar internal auditing processes and has offered their mature system to the DBH to prevent duplication.

This auditing process is necessary to reposition the organisation as a service provider which for reasons of international recognition and acceptance will be based on accreditation by JASANZ to the International Standard ISO-ICE 17024, currently available in New Zealand as AS-ISO/IEC 17024. That international standard has the title, "Conformity Assessment - General Requirements for Bodies Operating Certification of Persons."

This will have positive benefits for CBIP and will put it on a firmer footing as a provider of certification services. The May meeting discussed a number of examples where there would be more demands placed on CBIP once it became accredited. There could be expectations of developing examinations in new sectors of certification.

Where new examinations were required to be developed assurances would be needed that the associated costs of developing the competency standards and writing a substantial block of examination questions would be underwritten by the organisation requiring that work to be carried out.

Additionally where the number of potential candidates was of a small order only two

options appeared realistic. The first was that the total cost of running that exam be borne by those candidates and the second was that the sponsoring organisation agreed to make up any shortfall in the examination costs.

CBIP's present scope is to focus at the technician level for certification rather than the trades' level. It was pointed out that future developments of CBIP needed to ensure that competencies were established at appropriate level when becoming involved in accepting new competency sectors. Currently CBIP required applicants to be at level 6 or higher on the NZCE scale.

The Department's Group Manager of Workplace Services, Maarten Quivooy, says the Department has recognised the important independent role of CBIP and agreed to provide funding to CBIP to enable it to continue to carry out its functions.

"The safety inspectors that CBIP certificate are a vital factor in ensuring that safety critical equipment like cranes, industrial boilers, pressure equipment or ski lifts are safe to use," says Mr Quivooy.

"If equipment like this fails it can put many lives at risk. The Department of Labour has taken this interim step so that certification of equipment will continue as normal until we identify a long-term solution to the issue of certification of inspection personnel. This will involve working with interested parties to establish a clearer process for selecting a longer term provider. Taking these steps will also ensure that equipment operators continue to be clear about their regulatory duties."

Mr Quivooy says the Department has provided CBIP with a contribution towards the costs of services they provide. These services include providing examinations; certificates of competence; standards of proficiency; the meetings of CBIP's application and approval committee; assessment of overseas applicants; and running of their disciplinary and appeals procedures.

CBIP Chairperson John Wilson says he was delighted that agreement had been reached with the Department for the continuation of these critical services: "This will allow us to continue in the short term as we talk with interested parties about ensuring a viable long-term future for CBIP, and in particular gaining international accreditation in accordance with ISO 17024."

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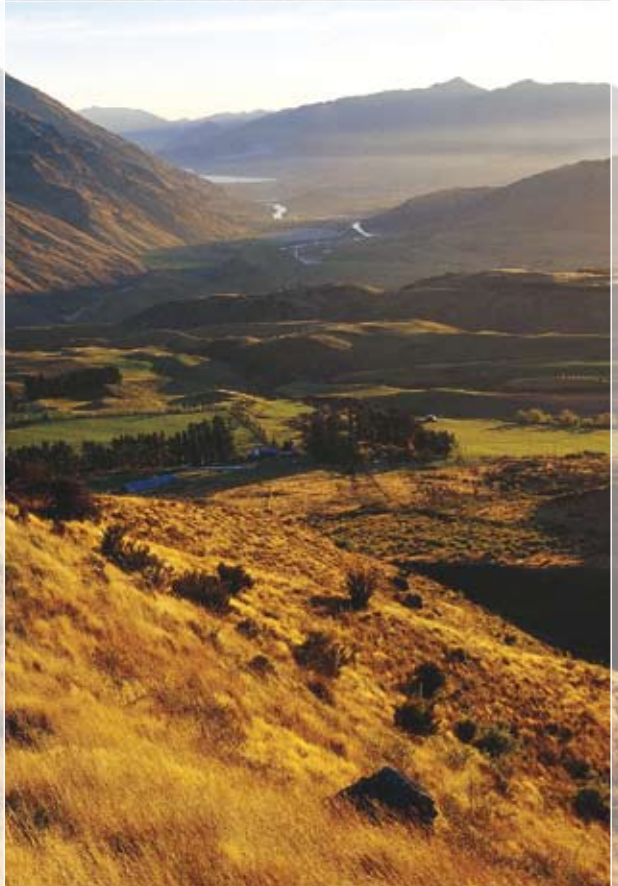
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By the left, quick, about face... point of difference between LBPs and DIYers

Aren't wars crazy? You'd think that civilised countries would have figured out that since the days of maces, bows and arrows, but that's human nature. We spend generations and countless ways lamenting lives lost. Does looking into the past just help to avoid the here and now or do we learn from it – recognise and repair bad mistakes rather than just move on? Economics has dictated the outcome of a battle between LBPs and DIYers with both sides now locked into talks over who can build what.

In April, the Minister of Building and Construction, Shane Jones announced new guidelines for Do-It-Yourself home owner builders in an address to the annual Registered Master Builders Federation Conference in Wellington. The move is one in a series of announcements so far this year about new policies under consideration since Prime Minister Helen Clark called for increasing flexibility in February to ease industry frustration with the regulatory and compliance process.

It is a stalemate though because no one has yet agreed on how owners will be compensated for bad workmanship, because, while there are proposals to enforce accountability there are none to compensate for liability.

On the matter of accountability, the Minister is saying that the point of difference between DIYers and LBPs will be that the LBP board will be empowered to investigate complaints, take action against an LBP – including direction for further training,

the imposition of a fine or the cancelling of a licence. An online register will also include details of disciplinary action against the offending LBP.

But here's where the point of difference becomes a bit shady. The Minister has said that DIYers who choose not to use a licensed builder for restricted or specified work would face the same "liability" as licensed builders by making it compulsory for vendors to inform that an unlicensed person did the restricted work through notification on the LIM or title, but again, this is a question of accountability, rather than liability.

To be "accountable" DIYers who want to qualify for an owner-builder exemption will need to meet the following criteria:

The DIYer must be an individual and the owner of the land on which the building work is to be carried out

The DIYer will have to sign a statutory declaration stating that the new building is to be their home

The implied warranties in the Building Act will be extended to apply to DIYers

Council records will show that the work was done by a DIYer.

It's unclear though whether this will apply after 2010 when it will be compulsory to be licensed to do certain specified or restricted work. The proposal in the meantime it seems is that restricted work will not apply to all building work, but rather elements of a building that are critical for the building's integrity such as:

Managing moisture content - ensuring that designs keep rain or ground water from getting into a building and waterproof barriers in showers.

Building structure – ensuring that the structural framework and bracing of a house is safe and robust and lasts for a long time

Fire rating – use materials that will stop fire spreading and maintain the structural framework even in a fire.

The Department of Building and Housing is to prepare a paper for consultation in September with regulations to be ready later this year.

The Minister said that "ultimately the integrity of our building and construction industry will be upheld by the quality of work and the assurance that we can give to consumers and professionals alike". These are laudable goals and ones that this beleaguered industry needs to strive for but to succeed this time the parties need to grasp that the true point of difference rests with the consumer.

There must finally be a means of protection for a specified period within which consumers can claim compensation so that they are not out of pocket where liability is proven and they incur extra costs to remedy bad workmanship whether it is carried out by an LBP or a DIYer. A Master Builder Guarantee should be enforceable and insurance cover to protect home owners against product failure or workmanship should be available, just like any other form of insurance.

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What is the use of an apartment building?

Housing or Communal Residential, SR or SA?

Brian Cashin

Introduction

This article discusses when an apartment building must be accessible and must include certain fire safety provisions. The discussion is confined to unit-titled buildings in which either all the units are used for either long-term accommodation or some (but not necessarily all) are used for short-term accommodation.

Terminology

Unless otherwise stated, references to the Act are to the Building Act 2004, references to sections are to sections of the Act, and references to clauses are to clauses of the building code (the First Schedule to the Building Regulations 1992). The article is written in terms of "territorial authorities" although "building consent authorities" would sometimes be more correct.

General

For building control purposes, the use purpose of a building affects almost everything from accessibility to ventilation (but not wind loadings). The Act and

the various Regulations and compliance documents therefore contain numerous classifications of building uses (sometimes expressed as "purposes" or as types of building). Relevant provisions include:

- Section 7, which defines "intended use".
- Section 16, which says that the building code prescribes the performance criteria with which buildings must comply in their intended use.
- Schedule 2 of the Act, which lists, in terms of their uses or purposes, the types of buildings that must be accessible.
- Clause A1, which specifies the various Classified Uses referred to in the "limits on application" column of the building code.
- Schedule 2 of the Building (Specified Systems, Change the Use, and Earthquake-prone Buildings) Regulations 2005, which specifies a series of uses for the purposes of sections 114 and 115.
- Acceptable solution C/AS1, which specifies the Purpose Groups that govern various fire safety requirements. (Other acceptable solutions and verification methods include different lists relevant to the functional requirements concerned)

Accessibility

Schedule 2(j) of the Act says in effect that "premises providing accommodation for the public" must be accessible (which means in practice that a certain number of the apartments must have ramp or lift access and include features such as bench heights and manoeuvring spaces to permit use by people with disabilities).

I take it that an apartment is not available to the public if it is occupied as a dwelling by its owner (the unit title holder) or a long-term lessee. On the other hand, if an apartment is available for short-term use then it provides accommodation for the public and must be accessible.

Under the building code, one question is whether the building comes within the Classified Use Housing (not required to be accessible) or Communal Residential (required to be accessible).

Clause A1 specifically provides that "time share accommodation" is Communal Residential, but in other situations it is not always clear whether an apartment building is Housing or Communal Residential.

Housing applies when there is "self care and service (internal management)", whereas Communal Residential applies when "assistance and care" is provided. Fortunately, because the Act overrides the building code, the critical test is whether the building provides "accommodation for the public", so that there is no need to consider what is meant by "internal management" and "assistance and care" in the context of an apartment building.

Applying the "provides accommodation for the public" test, an apartment used for short-term accommodation is required to be accessible, but an apartment used for long-term accommodation is not.

Fire

As to fire safety, the question is whether, in terms of C/AS1, the building comes within Purpose Group SR or SA. Fire safety requirements are less onerous for SR than for SA. The difference is relevant to fire safety requirements because of various factors such as occupants' familiarity with the building.

Purpose Group SR applies to "multi-unit residential dwellings" and mentions as examples, "flats, apartments".

Purpose Group SA applies to "transient accommodation" and mentions as examples, "motels, hotels, hostels, boarding houses". I take "transient" to have the



meaning of "a temporary visitor, worker, etc" (*Concise Oxford Dictionary*).

At first sight it might seem that all apartment buildings come within SR because "apartment" is given as an example. However, it is no more than an example, and "apartment" itself is not defined, so that the real question is whether any particular apartment is used for "transient accommodation".

Furthermore, under paragraph 2.2.9 of C/AS1, in certain cases a space coming within SA may be treated as SR, but not when it is used for "transient occupancy". In fire safety terms, an apartment used on a short-term basis (by holiday-makers for example) seems to be indistinguishable from a motel unit.

Applying the "transient occupancy" test, an apartment used for temporary or short-term accommodation comes within SA but an apartment used for long-term accommodation comes within SR.

The applications for building consent

Whether a new apartment building is intended to be used for short-term or long-term occupancy must be stated by the owner in the plans and specifications accompanying the application for building consent, see section 45(1) and the definition of "plans and specifications" in section 7.

Sometimes, a territorial authority will doubt the statement that a building is intended for long-term occupancy, for example when it has a resource consent as "holiday accommodation" or the like. The territorial authority will rarely be able to refuse building consent on the basis of such doubts, but would be well advised to warn the owner of the legal consequences of using any of the apartments for short-term occupancy and suggest that it should be prohibited in the rules of the body corporate.

Change of use

An owner must notify the territorial authority of any intended change of use, see section 114. The owner must not change the use unless notified that the territorial authority is satisfied that in its new use the building will meet certain requirements, which could well involve mandatory upgrading, see section 115.

Under the Building (Specified Systems, Change the Use, and Earthquake-prone Buildings) Regulations 2005, a change of use for the purposes of sections 114 and 115 is a change from one to another of the uses defined in Schedule 2 of those Regulations.

For an apartment building, the question is whether there is a change from Use SR

(Sleeping Residential) to Use SA (Sleeping Accommodation).

The definitions and examples of those Uses in the Regulations are identical to those for Purpose Groups SR and SA respectively in C/AS1 (except that in the Regulations, the word "people" replaces "principal users").

Accordingly, the "transitory occupancy" test applies also to whether there has been a change of use from Use SR (Sleeping Residential) to Use SA (Sleeping Accommodation) so that a change from long-term to short-term occupancy is a change of use.

Short-term or long-term?

Both the "accommodation for the public" test and the "transitory occupancy" test relate to whether the apartment concerned is used for short-term or long-term accommodation. There is no legislative definition of those tests in terms of time periods. A territorial authority might adopt a guideline such as "other things being equal, a month or less is short-term", but that can be no more than a guideline because territorial authorities have no power to make binding rules that override the Act and Regulations.

A territorial authority must decide each case individually in accordance with the legislation and the particular circumstances.

I suggest that some examples of short-term occupancy may generally be ignored, for example:

- When long-term residents occasionally make their apartments available to friends under a non-commercial arrangement.
- When circumstances change so that an owner or a long-term lessee has to move out earlier than expected.

Otherwise, the following questions might help a territorial authority to decide whether apartments are available for short-term use:

- Does the building have a reception counter or the like at which people can book an apartment?
- Is there any public notification, such as a sign, a website, advertisement, or the like to the effect that units in the building are available for anything other than purchase or long-term lease?
- Are rates quoted per day", per week, per month, or per year?

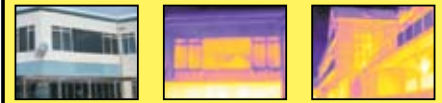
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This article contains the personal opinions of the author. It expresses the law in very general terms and is not to be taken as legal advice in respect of any particular building.

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Leaky building legacy resulted in total risk aversion – new policies announced

The Government has announced more changes affecting building consents and construction in a move to bring logic and commonsense back into building standards following a period of risk aversion created by the leaky building crisis.

For many years house purchase affordability has been beyond the reach of average wage earners because of booming property prices and high interest rates. Compliance costs for building consents have also been identified as a significant issue and part of the affordability problem, Northland mayors told the Minister last February in the first of a series of forums he has planned with local authorities. Hon Shane Jones is to report back to the Prime Minister by 30 May 2008 with a range of options to address what he has described as “national concerns over regulatory and compliance costs”.

The mayors suggested:

- Scrapping funding for Building Research Association New Zealand (BRANZ) in favour of creating an insurance fund to compensate homeowners for building and construction failures
- Allow a single nationwide permit for large scale group house builders
- Allow flexibility in building permits to accommodate for minor changes to building plans.
- Focus on building houses, not on excessive paper documentation which increases bureaucracy and time costs.
- Greater flexibility in the DIY construction area.

“Nationally about 56,000 residential building permits are issued each year and 14% of them are regarded as alterations”, said the Minister, “so why not explore using some of those fees to establish an insurance scheme?” he said.

Then, coinciding with the first licence issued in February under the LBP scheme came the

news that a more flexible consents process will effectively make it easier for people to build their own homes. The proposal is that “competent persons” will be able to certify aspects of their work as being code compliant and that this could reduce building inspections to the “critical few” for recognised professionals. “This will give local government authorities the ability to focus their resources where it is really needed; at high risk or complex construction and building work”, the Minister said.

To that end the Minister is proposing:

- Simplifying the design and approval of simple starter homes through a code of compliance which will improve flexibility of the regulatory framework and reduce costs of building a modest home. This will work provided the proposed design is low risk and on sites that lack high risk features.
- ‘Multiple-use’ consents for building work that is to be replicated on a large scale with potentially huge efficiencies if developers (Group homes, volume builders) were able to apply for a building consent for a project/dwelling which can be replicated elsewhere within a development/district, region or possibly nationwide. Automatic consent will be given for each replication once the original design is consented.
- Reducing the number of building projects that need a mandatory Project Information Memoranda (PIM) by making a PIM optional for internal renovations that do not alter the building envelope of non-historic buildings. For example, shop fit-outs or removing internal walls to create an open-plan home.
- Reducing the number of building activities that require a building consent based on the level of risk involved, primarily where work is minor.

“Local consent from a BCA would still be needed for any site-specific works such as

drainage, and foundations would still require separate consideration, as well as any significant variation to the design. District Plan and resource consent issues would need to be addressed separately”, the Minister said.

He also proposes to work with local governments to:

- 1 Investigate the feasibility of a national online consenting facility so people can apply for a consent and pay online and be able to submit all their supporting documentation online and track where their consent and decision-making process is at.
- 2 Explore setting up regional consent processing units to pool expertise and process complex building consents.
- 3 Look at ways to improve collection and sharing of information on building products and product performance.

These moves are timely considering the present review of the building code. One local government authority, the Wellington City Council announced (Dominion Post 25 April) plans to notify District Plan changes by the end of the year to allow high-density housing that will provide 17,000 extra homes. Infill housing is well suited to a modular style of construction being simple, cost effective and environmentally efficient compared with site built homes. The starter home concept could lead to more companies offering modular built homes and increase construction activity in that sector as more consumers opt to deal with companies rather than individual LBPs who, by virtue of their licenses can be deemed to be guarantors of their work. In either case consumers would be well advised to ensure they are protected by rigorously investigating liability and insurance arrangements for the work they commission. A recent report in the Dominion Post about an experience a couple had with the Master Builder Guarantee is testimony to the need for diligence here.



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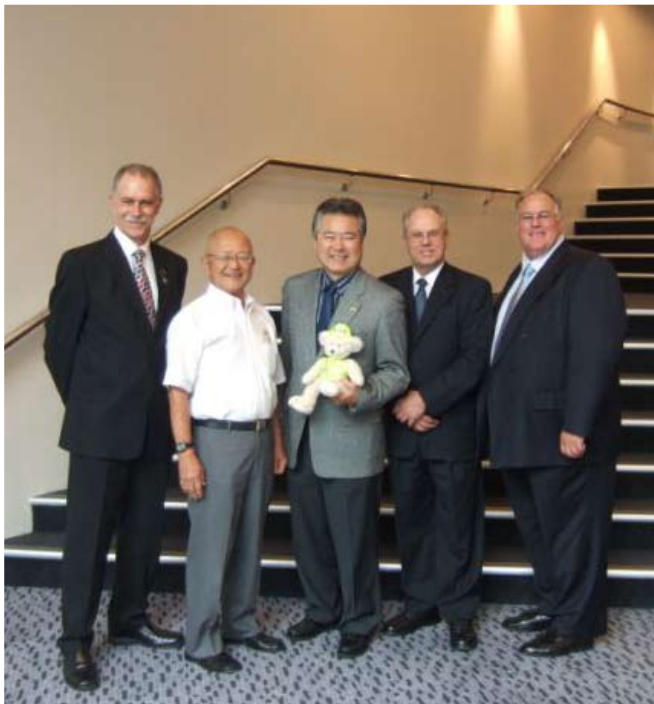
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The Building Officials Institute's

The Building Officials Institute's 41st Annual Conference and Expo was held recently at the Aotea Centre, Auckland. With a diverse and interesting technical programme combined with networking and social opportunities, delegates who attended agreed that this was another successful Institute occasion.



Immediate Past President Tim Weight, President Ewan Higham, Chief Executive Len Clapham along with John Nosse and Rick Okawa from the International Code Council, USA



Vice President of International Relations for the International Code Council, USA Rick Okawa addresses delegates on the differences and similarities between the Institute and ICC



Hi-jinks with the delegates as James and the Arch Villain seek replacements for themselves from amongst Institute members at the conference dinner



The main plenary room at conference with keynote speaker David Hay, Deputy Mayor of Auckland City.



Action at the casino tables during Tuesday night's dinner.

41st Annual Conference and Expo



Bond – James Bond



Len Clapham, Chief Executive of the Institute, with the hardworking Auckland branch volunteers: Paul Ranson, Alastair Couper, Peter King, Paul Vernon, Clive Megson and Maurice Murfitt (with satchel packing/build in assistance from Darryl Kemp and Peter Fourie)



A new concept for the Institute, two sessions of “conversation tables” covering building and plumbing topics proved extremely popular.



The room just wasn't big enough to hold delegates interested in learning more from the Roofing Association, Master Plumbers and Fire Association during their Tuesday session.



Immediate Past President Tim Weight with Wednesday keynote speaker Mike McCullogh of Washoe County, Nevada, USA



Quickflash – winners of the Expo Stand Award receive a complimentary stand at the Annual Conference and Expo, Christchurch 2009.

Annual Conference participation

We enjoyed our first visit to the National Conference this year and we are looking forward to next year and have already started thinking what we can do differently!

For those of you who attended the conference you would have noticed that the Training Academy is looking fresh and new and we will continue to develop our brand and services.

We would like to congratulate Trevor Burlace, from Tararua District Council who won our business card draw. His prize is one training course up to the value of \$2,200. So well done!

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June sees the launch of our Blueprint 4 Success™ Leadership Programme in Rotorua. It's a two day forum where there will be interactive workshops where people will discover and understand their leadership style.

We are pleased to have on board Marcia Guest from Guest & Associates who will facilitate the forum. Marcia has extensive experience in developing leadership programmes in New Zealand and offshore.

She is a very passionate facilitator and we are sure that everyone who attends will gain a lot of knowledge and understanding from the forum.

The purpose of the programme is to provide an introduction to strong and effective leadership, enhancing participants' skills to lead and motivate themselves and others.

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- Enhanced skills and confidence in the "Leader as Coach" role
- Awareness of strategies to achieve a work – life balance
- Ability to identify and manage priorities and time more effectively
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If you would like to receive an invitation or further information, please contact Fiona Street directly at training@boinz.org.nz or go to the Events calendar on www.trainingacademy.org.nz

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LETTER



14 May 2008

Dear Len,

Re: Terry Bell - Early Retirement

Two years ago, we were privileged to celebrate Terry's 40 years of dedicated service to Winstone Wallboards, our customers and the industry. After all these years of service, Terry has now decided to step down and take well deserved early retirement. Having literally started on the shop floor when he joined the Wellington manufacturing team in April 1966, he has certainly developed a great understanding of our business and our customers.

More recently as our National Industry Liaison & Training Manager, he's been an outstanding supporter of and contributor to the Building & Construction Industry Training Organisation (BCITO) through the Interior Systems National Advisory Group.

He's also well known for being a longstanding executive member of the Association of Wall & Ceiling Industries (AWCI) in NZ and in Australia and co-ordinator for our 'House of the Year' activities with the Register Master Builders Federation.

Terry's last day at the office will be Friday the 16th May after which he will take leave until his formal departure in late July. At this stage it is Terry's wish that we do not hold a formal farewell for him.

I'm sure you will therefore all join me in extending a sincere thank you and our very best wishes to Terry, Anita and their family. We would very much appreciate your passing this note to other relevant members of your organisation.

If I can assist further with any matters relating to our activities with your organisation, then please do not hesitate to contact me.

Yours sincerely,

Kevin Sceats
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Green building

Last year New Zealand hosted a regional Sustainable Building Conference leading up to the World SB08 to be held in Melbourne from 21 to 25 September.

Sessions in SB07 NZ separated the different stages of a building's life to highlight the unique issues of each stage. The stages explored ranged from policy, planning and design through to construction then maintenance and the re-use, refurbishment or de-construction.

Dr Greg Foliente, Co-Chair of World SB08 Melbourne, has announced some of the line-up of international expert speakers on sustainable building coming to the Conference. Dr Foliente, one of the world's leading experts in high-performance buildings, and a keynote speaker, said the calibre and breadth of the international experts, including sustainable building leaders from India and China, will make SB08 a unique conference. "The World Sustainable Building Conference series has its foundation strength on sustainable building research and development, and SB08 will build on this strength through its inclusion of special forum sessions that will provide valuable opportunities for interaction between the research community, government and industry professionals and practitioners," Dr Foliente said.

Beddington Zero Energy Development (BedZED): Britain's first carbon neutral housing development. Source: SB08 Newsletter Issue 4 Feb 08.

HOW "GREEN BUILDING" DEVELOPED

One of the committee members of WSB08, Lindsay Bevege, Managing Director of Business Outlook & Evaluation (BOE), Victoria, Australia in an article entitled "Solving Big Technical Problems: Recognising and Using Your Best Assets" (AQ Jan-Feb 2005) wrote about what he described as "huge issues facing Australia in health and the environment".

The following is an excerpt from the article on one of these issues "Energy and Greenhouse".

ENERGY AND GREENHOUSE

Greenhouse Effect is another seemingly intractable issue confronting us. The increasing frequency of weather disasters is now at the point where many insurers have withdrawn from areas such as Northern Australia because of what they perceive as an unacceptable risk of cyclones.

There is still an argument about whether individual events are natural climate variations or attributable to the Greenhouse Effect. But even mainstream business and the anti-Kyoto Governments of George Bush and John Howard do not deny that scientific evidence demands a response to manage the risk of serious impacts from Greenhouse. As Lord Browne, the then

Chairman of BP said over eight years ago, "the time to consider the policy dimension of climate change is not when the link between greenhouse gases and climate change is conclusively proven, but when the possibility cannot be discounted and is taken seriously by the Society of which we are part. We at BP have reached that point."²

The extreme sensitivity about reducing Greenhouse emissions comes from the traditional link between energy use and economic growth. This link has persisted because there has been little technical change in the efficiency of power generation over the past century. The emergence of new technologies such as ceramic fuel cells over the coming decades may radically alter this balance and usher in the much vaunted hydrogen economy as the successor to the fossil fuel based industrial age.

But while we wait for this possible revolution there are now many steps that could be taken to dramatically reduce energy consumption and hence reduce emissions. As with water, many of these are economically feasible.

An energy audit on a typical business will usually achieve a 15-20% reduction in energy use and the cost of the audit and new equipment will pay for itself in 3 years. BP, for example, achieved an absolute reduction in its greenhouse emissions worldwide of 18% between 1998 and 2001, reaching its target nine years ahead of schedule, and saving \$650 million from estimated outlay of \$20 millions. Du Pont achieved a 67% reduction in greenhouse gas emissions since 1990, including a 9% reduction in energy use below 1990 levels, despite a 35% increase in production, saving \$2 billion⁴.

Our built environment, which is responsible for up to 50% of electricity usage, can also be made significantly more efficient. A Californian State Government study of buildings designed for superior environmental performance found that an average 2% increase in design costs yields life cycle savings of 20% of total construction costs -- more than ten times the initial investment. Indeed, the State of California estimates that it has achieved energy savings of 200 MW per year through stricter building codes.

In Australia, the potential to achieve both environmental and economic gains in the built environment was demonstrated by a seminal study commissioned by the Building Commission of Victoria and which underpinned the introduction of Victoria's 5 star minimum energy performance in new housing developments.

Detailed economic modelling showed reductions of up to 40% in greenhouse emissions from new homes, and a boost to Gross State Product of \$600 million would flow from the introduction of 5 star regulation.

Moreover, the new regulations will shift resources out of the capital intensive power sector and into the labour intensive building industry to fund the better design and operation of homes. Even greater economic and environmental gains are expected from the commercial building sector.

Governments world-wide have targeted energy efficiency because it is, in the parlance, 'low hanging fruit' for greenhouse reduction. But despite the impressive and demonstrable gains achieved by market leaders, generally these programs struggle to maintain momentum.

As with water, part of the reason is that energy is still a relatively cheap resource. Its impact on business profitability or household accounts is relatively low -- a typical CBD office spends less than one per cent of its budget on power.⁵ With management time stretched in modern enterprises, these opportunities simply fall-off the agenda.

The other reason often has to do with the design of the programs aimed at accelerating uptake of energy efficient technologies and practices. Too little attention is paid to the 'people issues': for example, a Californian energy utility spent a vast amount on an information campaign to encourage installation of insulation in low income houses, but had very little success. The Utility focused on the potential long run savings households could make in heating and cooling costs as well as comfort, but few took up their offer. In the end, it was estimated that it would have been much cheaper to have installed the insulation for free⁶.

The reason the information campaign failed was that the low income people distrusted information provided by large organisations -- the campaign should have targeted some trusted local leaders and allowed the community itself to spread the word.

In Australia, State and Federal Governments have also provided little leadership by example. While one arm of Government advocates energy efficiency to private industry, other Government Departments are allowed to pay little more than lip service to energy efficient or environmentally sound practices in their own facilities.

There have been some individual projects by Government that demonstrate sound economic and environmental practices, but no Government has yet used its full power in the marketplace to demand that all of its own activities and, equally importantly, those of suppliers, be based on practices that optimise environmental and economic outcomes. In the property sector alone, the public sector accounts for 15%⁷ of the market and could play a decisive leadership role. If Governments do not implement these measures themselves, how credible will be their exhortations to others.

AND ON GREEN STAR RATING DEVELOPMENT...

This process of accelerating better economic and environmental outcomes on national issues may not involve consensus building. It may in fact require the unleashing of competitive forces.

A good example of this is in the US building sector, where 'green' building technologies had struggled to penetrate mainstream building.

Exhortations of the economic and environmental benefits of these technologies to builders and consumers had been falling on largely deaf ears since the 1980s. A stronger regulatory approach was politically unacceptable in the US and efforts to introduce one were stalled.

The US Green Building Council took a different approach. It invested significant resources in developing a system that rated buildings in terms of environmental performance, known as LEED¹².

This tapped into the naturally competitive behaviours of both consumers and builders. No-one forced the builders to start building greener buildings, but the LEED system was marketed actively to consumers and builders as a simple means of comparing environmental performance of different buildings.

Consumer demand found an easy outlet and builders began to compete against each other. Market uptake accelerated dramatically, capturing as much as 7% of the market in only 3-4 years.

As LEED uptake grows, the compelling business case has become ever more apparent and the market appears to be in the early stages of a dramatic transformation. In three years, LEED has achieved more than the political campaign for a regulatory approach achieved in 20 years.



The success, ironically is also making regulatory action more politically acceptable, as governments are increasingly impressed by the demonstrations of market success.

In Australia, the success of LEED has led to the formation of an Australian Green Building Council and the development of a local building ESD rating scheme, known as Green Star.

² As quoted in *Less is More*, the Climate Group, Surrey, UK. 2003

³ *Ibid*

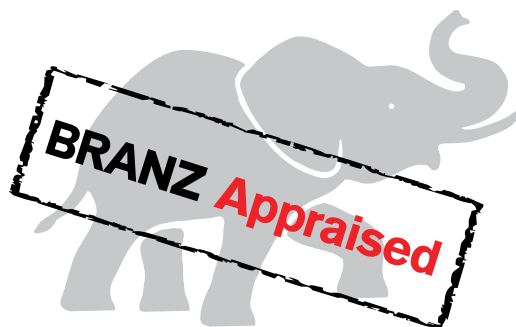
⁴ *Ibid*

⁵ See figures in *City of Melbourne, Toward Zero Net Emissions Plan. Melbourne 2002*

⁶ Doug McKenzie-Moore and William Smith, *Fostering Sustainable Behaviour*. New Society Publishers, Canada, 1999.

¹² *Leadership in Energy and Environmental Design*, US Green Building Council. www.usgbc.org

Source: http://www.businessoutlook.com.au/solving_technical_problems.php



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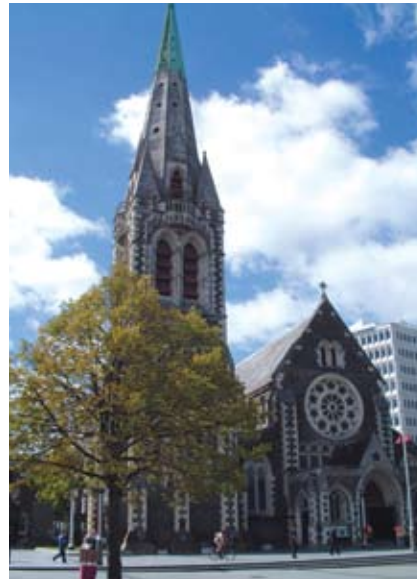
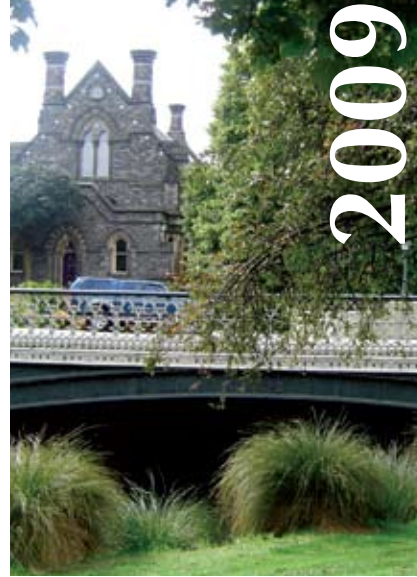
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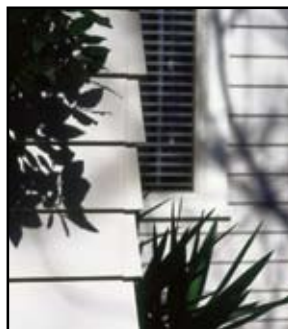
To Register:

- Register online **OR**
- Print the registration form available from the website and post it to the freepost address noted at the bottom of the form or fax it to 09 361 1414. **OR**
- Freephone 0800 10 60 60 and speak to one of our customer service representatives or contact Annette Vao at Annette.vao@thomsonreuters.com

CONFERENCE SUMMARY

- 9:00AM Welcome from the Chairperson
- 9:05AM Present and Future - Construction and Building Law in Election Year-what does the future hold?
- 11:00AM Smarter Homes: The Building Code and Sustainable Housing – effects in practice
- 11:45AM Building Consent Authority Accreditation – What's happening in practice?
- 12.30PM NETWORKING LUNCH
- 1.30PM A sub-contractor perspective
- 2.15PM UPDATE: Weathertight Homes Resolution Services Act 2006
- 3.15pm SPOTLIGHT ON CONSTRUCTION CONTRACTS ACT 2002 CASE LAW: Significant cases from 2007/2008: INTERACTIVE Q&A
- 4.00 PM Expert determinations & appraisals
- 4.45 PM Closing remarks from the Chairperson
- 5.00PM NETWORKING DRINKS

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Work building controls traineeship pilot

Last issue we gave you an introduction into the Straight 2 Work – Building Controls pilot programme. This programme was aimed at getting people who have been unemployed into work with a focus on Building Controls.

This was the first time a programme like this had been held and it was a learning experience for all. Eventually 12 participants were selected into the programme. This was after a presentation and, assessment and selection process. The participant backgrounds ranged from engineer, ex-city councillor, labourers, administration, allied construction industry workers and return-to-workers.

Over four weeks, the participants were put through their paces in terms of training modules which included introduction to Local Government, terminology, building law, building consent processes, communication skills, conflict resolution skills, interview techniques, Site Safe commercial passport and working at heights training to name a few.

They spent a week visiting different councils in the greater Wellington Region where they saw first-hand front office procedures and back office undertakings and site inspection visits.

We are pleased to report that one participant has been placed into permanent employment with one of the councils and one other has secured a part-time role in a industry related organisation. The others are still actively seeking employment.

Feedback from the participants included, "The course was a great opportunity that fell in my lap. I wasn't really after a job but a career. The course provided me with the inspirational kick up the backside that I needed to get out there and source a career in building controls," and "I appreciate the time taken to fill us with this knowledge. It felt good to be a part of something that is trying to help not only us or the building sector but the general public".

The Institute would like to thank the following councils for their support: Wellington City Council, Hutt City Council, Upper Hutt City Council, Masterton City Council, South Wairarapa District Council and Kapiti Coast District Council.

The participants gained a lot of understanding about what's involved in building controls, be it in administration, plan processing or site inspection. After the four weeks, they were still enthused and looking at gaining employment with our sector.

The Institute is looking at running similar programmes in the main centres.

If you would like to know more information or become involved with the programme then please contact Fiona Street, Training Academy Manager at training@boinz.org.nz or call 04 473 6003.

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All about appraisals (of building products)

– by **Colin Prouse, Building**
Scientist from BEAL

2. THE APPRAISAL PROCESS

In part 1 of All About Appraisals, the management of risks – or something not performing as it was intended, relevant to the construction and performance of a building – as the basic reason for having an appraisal is described.

In part 2 we look at the method by which future risks can be managed using the appraisal process, with some examples.

Generally the types of risks that need to be assessed and then managed are –

- a) design risk.
- b) manufacturing (or assembly) risk.
- c) installation risk.
- d) on-site performance risk.

Generally an appraisal will cover either a product or a process. The appraisal process must consider each type of risk associated with the product or process and determine how they will be minimized to prevent poor performance or at worse a failure of a building product or a whole system.

The 1991 Building Act, describing the use of

performance-based Objectives, Functional Requirements and Performances in the Building Regulations we refer to as the Building Code, was novel in that it provided the designer and manufacturer with endless options by which to construct a building. It was essential however, that it could be shown that certain performance requirements, such as durability, were met. This was a significant departure from having a building code full of prescriptive solutions on how a building ought to be built.

The 1991 Building Act was developed to manage all of the types of risk described earlier. The Building Code was designed to cover some 35 practical areas of risk, starting with Clause B1 Structure and ending with Clause H1 Energy Efficiency. Looking back, the writers of the code were most wise in the allocation of so many areas of building practice that needed risk management.

These 35 areas of risk are the starting point for the appraisal process, for they define specific issues that an appraisal should consider. Look at a modern appraisal document written for New Zealand and the reader will see that a

list of each relevant Clause of the Building Code is described. Note that if the appraisal covers a product then durability under clause B2 will always be included as a performance requirement. If the appraisal covers a process then the list will simply reflect the relevant clauses. Therefore the first step in the appraisal process is to consider which clauses of the Building Code are relevant to the product or process under consideration.

In theory it could be said that for some building products (or systems) as many as 8 clauses could be relevant. For example for a cladding system it could be said that clauses B1 Structure, B2 Durability, Clause C3 Spread of fire, E2 External Moisture, E3 Internal Moisture, F2 Hazardous Building Materials, G4 Ventilation, G5 Interior Environment and H1 Energy Efficiency could be relevant. In practice it is necessary to consider where are the risks of a significant failure likely to be, based on evidence and or in-service history. To properly assess these risks, the appraisal process requires a reliable risk assessment process to sort the highest to lowest potential risks. From this it will be possible to say that some areas of

continued on page 24



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risk (clauses of the Building Code) are worthy of including in the appraisal process while others are not. The ones that are to be included now need to be listed as being a necessary part of the appraisal process.

Since the Building Code rarely includes a practical performance requirement, reference is made in the Building Acts including the 2004 version, to Compliance Documents and Guides provided by the Department of Building and Housing as to what are considered appropriate criteria for each clause. These documents where possible describe the means of demonstrating compliance, typically through the use of a relevant 'Standard'. Use of Standards are part of the second step in the process of determining what needs to be considered in the appraisal process.

Standards usually contain two types of information: firstly, a 'method' for the assessment or testing of a product and secondly, a performance 'criteria' (i.e. a specific measurement figure). For example, to assess the durability of unplasticised PVC extrusions used in PVC-u windows and doors, use is made of a Standard that assesses the likely durability of the material when subjected to an accelerated weathering test method using Xenon Arc apparatus, such as EN 12608-2002, since there is no relevant New Zealand Standard.

Listing a relevant Standard for each clause of the Building code is the second step to the

appraisal process. Deciding what criteria to use in the event that there is no relevant Standard is the subject of a separate article which will need to consider the expertise of the appraisal organization.

Deciding whether a particular Standard and its associated criteria described within the Standard is appropriate for the assessment of the risks associated with a particular Building Code clause, is the third step in the appraisal process.

It may be found that the method described in a Standard is relevant but because of the New Zealand environment, the criteria is not. A good example of this is typical criteria for an accelerated weathering test for use in Europe. Typical criteria is often stated as the "minimal effect after 1000 hours of exposure using the Xenon Arc apparatus". Experts in Australia (from CSIRO) however believe the figure that should be used in Australia and New Zealand ought to be 3000 hours of exposure, owing to the extra UV radiation that we receive. Clearly the decision as to which criteria are appropriate needs to be made by those with experience and or expertise relevant to the potential risks involved.

Once the relevant criteria has been agreed upon, the fourth step is simply ensuring that appropriate data has been provided. The reader of an appraisal needs to be confident that the data supplied is reliable, as far as reasonably possible. Often there is little or no data to assess a new or novel product against. In this situation consideration of the potential risks based on

the previously described processes and the data supplied must be made.

The final and fifth step in the appraisal process is deciding if the data supplied, (tests or calculations or other), are appropriate. Again, this step needs to be carried out by those with experience and or expertise relevant to the potential risks involved. For those reading an appraisal this means looking at the potential risks associated with a particular clause of the Building Code and deciding whether or not the results of the assessments, or calculations or test results have met the criteria and are sufficiently clear enough to verify compliance.

In order for readers to be able to make this decision, all relevant assessment data, calculations and or test results need to be published in the appraisal document, even if in summary form. In other words, the appraisal should demonstrate a transparent relationship between the clause of the Building Code, the Standard used to decide compliance, the criteria chosen and the assessment/ calculation/test data provided. From this the decision of appropriateness is made straightforward.

This five step process is known as the 'Compliance Verification Procedure' produced by BEAL and forms have been developed by BEAL to assist those either carrying out or reviewing a building product or method appraisal.

For copies of the Compliance Verification Procedure contact the writer.

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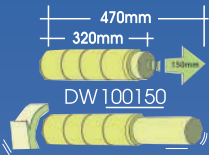
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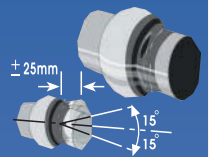


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Healthy buildings first

Houses in a booming construction cycle are like accessories; they can be designed to suit the changing aesthetics of what is fashionable in building design. But the fundamental human need that a house must satisfy has not changed: it needs to provide shelter first and foremost.



Studies by the Wellington School of Medicine and BRANZ continue to press this home with the result that financial assistance for installing insulation is now available. The more environmentally aware can obtain financial assistance to install solar initiatives.

These are sensible approaches afforded by advances in technology and better understanding. There is less obvious benefit from some other initiatives that have led to criticisms that the industry is too regulated. For example, last February, the Minister of Building and Construction, Shane Jones said "that the Building Code is not a "gold plated standard but a set of practical standards designed to ensure New Zealanders live in good, well built houses without compromising their safety or health", in response to Whangarei Mayor Stan Seneoff's reported comments that "The building code says you must have an extractor fan in the kitchen [for a new house]. No one ever died when we were kids from the smell of bacon and eggs being cooked" said the Mayor.

The "extractor fan" comment arose in relation

to what constitutes adequate ventilation following a recent review of the Building Code which identified that "the expression 'adequate' was not specific and could lead to problems with interpretation" said the Minister. He said that "The Building Code has performance requirements, which is that spaces within buildings have a means of ventilation with outdoor air that will provide an adequate number of air changes to maintain air purity, and that buildings have a means of collecting, or otherwise removing (among other things) cooking fumes and odours from the space in which they are generated"

These requirements date from 1992 when the Building Code was first issued as a regulation. "Acceptable Solution G4/AS1 provides an approved means of complying with the ventilation requirements of the Building Code. For most houses natural ventilation through windows is the obvious and most practicable solution and can be achieved where the area of openable windows and other openings is no less than 5% of the floor area. Acceptable Solution G4/AS1 also provides a solution for mechanical ventilation (such as an extractor fan) where natural ventilation is not possible. A designer has the flexibility to choose to provide natural ventilation (as above) or mechanical ventilation, or a combination. The designer also has the flexibility to specifically design for ventilation, provided the performance meets the Building Code requirement to maintain air purity", Mr Jones said.

However, there is no clear statement yet as to what air purity is other than that "adequate" should be clarified based on "health criteria". The Minister said that "Proper ventilation

is essential to minimise the health risks to people from mould because of moisture from respiration or cooking. There is also the risk of a lack of oxygen without adequate ventilation". No building code, Act or regulation can predetermine how much ventilation people allow into their homes. The "no less than 5% of floor area" requirement provides the means but does not allow for the fact that people can and do decide whether to open their windows or turn on a fan and even if they do so it doesn't necessarily mean that the building itself is ventilated appropriately.

The emphasis in building legislation must surely be on the structural health of a building. If the building is healthy there will be no adverse affect on the people inhabiting it. Rather than clarify and redefine terms, houses need to be designed with ventilating mechanisms that provide for ventilation to be built into their structure to eliminate structural moisture 24/7. Homes can not be deemed to be ventilated just when people remember to turn on a fan. Extraction fans and other solutions dependent on electricity to run them are outmoded and are not sustainable. They do not address problems of moisture between cavities.

Management of internal air quality is necessarily a subjective consideration that should be based on consumer choice and education. Meaningful changes in relation to design and in-built ventilation that protects the structure of a building industry need to be driven by more scientific scholarship and investment in research for new technology so that buildings are constructed to be structurally healthy. This could become even more crucial where outside air is more polluted than that inside and the need to find alternative means of ventilating the structure of buildings in that situation is required.

Letter

A builder installing kitchen units in a renovated century-old villa lamented that the floors were "out" by 20 mm. He was not happy because by having to adjust the units to make them fit the job was taking longer as a result [time = money].

This came as a shock to the owners who replied that the builder who had done the renovation work had assured them that his work was "straight" so this should not be a problem they said [trust = peace of mind].

The owners were stunned by the kitchen installer's reply. He said that might be the

case but the walls had not been plumbed and that this is something that builders would not necessarily do unless they are specifically instructed to do it as it would cost more [trade practice versus terminology = confusion].

A cautionary tale for homeowners but not an isolated one. It's difficult to see how this could have been avoided as in this case terminology and their knowledge let the owners down.

Should more be done to educate people's perceptions about good trade practice and terminology to ensure they get what they pay for?

An online dictionary and glossary of terms (perhaps hosted by smarterhomes.co.nz) relevant to the different trades, i.e., builders, plumbers/gasfitters, and electricians and authorised and updated by their representative bodies might help the public become more familiar with trade jargon, which in this case resulted in a kitchen installation that left the owners with a sinking feeling that their expectations had been let down and their money misspent.

T. Scott
Wellington



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BRANZ Appraisals are detailed and reasoned independent opinions on the fitness for purpose of building products and systems in relation to Building Codes. They are designed to give confidence to BCA's, Architects, Builders and Specifiers.

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EVENT CALENDAR - 2008

JUNE 2008

3-5 June	Getting Started in Plumbing Inspection – Complex Water Supply/Sanitary Plumbing (Category 3 and above), Christchurch
6 June	Pool Compliance workshop, Auckland
9-11 June	Getting Started in Building Controls – Building Controls, Rotorua
12-13 June	Getting Started in Building Controls – Plan Processing, Rotorua
13 June	Pool Compliance workshop, Wellington
16-17 June	Getting Started in Building Controls – Plan Processing, Wellington
18-19 June	Getting Started in Building Controls – Site Inspection, Rotorua
18 June	Underlay and Insulation of Commercial and Industrial Buildings workshop, Palmerston North
19 June	Underlay and Insulation of Commercial and Industrial Buildings workshop, Wellington
20 June	Pool Compliance workshop, Christchurch
23-24 June	Getting Started in Building Controls, New Plymouth
23 June	NZS3604, Auckland (postponed from 16 May 2008)
25 June	Frontline training, Christchurch (postponed from 7 April 2008)
26 June	Assessing Alternative Solutions, Dunedin
26 June	Skeleton of the House, Christchurch
27 June	NZS3604, Dunedin
30 June-4 July	Getting Started in Water Supply and Sanitary Drainage (up to category 3 buildings), Napier

JULY 2008

1 July	Frontline training, Auckland
2 July	E2 Weathertightness, Auckland
7 July	Communication Skills, Hamilton
8 July	Conflict Resolution and Mediation, Hamilton
9 July	Communication Skills, Palmerston North (postponed from 10 April 2008)
14 July	Assessing Alternative Solutions, Whangarei
15 July	NZS 3604, Whangarei

21-22 July	Getting Started in Building Controls – Site Inspection, Auckland
23 July	Building Consent Vetting Training, West Coast
23 July	Skeleton of the House, Tauranga
24 July	Communication Skills, Wellington
24 July	Skeleton of the House, Hamilton
25 July	Conflict Resolution and Mediation, Wellington
28 July - 1 August	Getting Started in Water Supply and Sanitary Drainage (up to category 3 buildings), Auckland
31 July	NZS3604, New Plymouth (postponed from 17 April 2008)

AUGUST 2008

1 August	Assessing Alternative Solutions, New Plymouth (postponed from 18 April 2008)
4-6 August	Getting Started in Building Controls – Building Controls, Christchurch
7-8 August	Getting Started in Building Controls – Plan Processing, Christchurch
8 August	Surviving the Changing Workplace, Palmerston North
11-12 August	Senior BCO Forum, Wellington
18-20 August	Complex Water Supply/Sanitary Plumbing (category 3 buildings and over), Hamilton
20 August	Skeleton of the House, Hawke's Bay
21 August	Skeleton of the House, Wanganui
21-22 August	Getting Started in Building Controls – Plan Processing, Dunedin

SEPTEMBER 2008

8 September	Frontline training, Dunedin
9 September	E2 Weathertightness, Dunedin
16 September	Building Consent Vetting, Hawke's Bay
22-24 September	Complex Water Supply/Sanitary Plumbing (category 3 buildings and over), Auckland
25-26 September	Getting Started in Building Controls – Site Inspection, Christchurch
25 September	Skeleton of the House, Nelson

For programme flyers and further information please contact the Institute's office on 04 473 6002 or visit the website - www.boinz.org.nz

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Refresher Dates

Wellington	3 July 2008
Manukau	20 November 2008

Module 5 (providing there are the numbers)

Auckland/Wellington	8 August 2008
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Seminar Costs

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Requests for further information should be directed to:

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