

## Editorial

Hello and welcome to Wairoa District Council's December edition of the Building Sector News.

In this issue we focus on:

- Fencing of Swimming Pools
- Torch-on Membranes
- Pre-lodgement meetings for building consent applications
- Amendments to Building Consents
- Seasons Greetings

## Fencing of Swimming Pools

The recent drowning of a 21-month old child in Levin serves as a timely reminder of the importance of ensuring private swimming pools and spa pools are properly fenced.

Often with our work, we go onto a property where there is a swimming pool fence which over time has become non-compliant.

Council has an important statutory responsibility to help ensure that existing and new swimming pools and spa pools in the district are properly fenced. These responsibilities are contained in two key pieces of legislation: the Fencing of Swimming Pools (FSP) Act 1987 and the Building Act 2004.

Between 1980 and 2006, 193 children drowned in swimming and spa pools in New Zealand. Of this total, 162 drownings were in private pools – 74 in the seven years prior to the FSP Act coming into force, and 88 in the 20 years following its introduction. The FSP Act requires swimming pools and spa pools to be fenced, except where an exemption applies (e.g. public swimming pools, pools less than 400mm deep, indoor residential pools and pools with sides higher than 1.2m.)

Council is currently locating existing pools in the district and compiling a database.

Inspections will be undertaken on these to:

- Inspect fences on existing pools constructed prior to the former Building Act 1991 for compliance
- Inspect new pools during the building process to ensure compliance with both the FSP Act and the Building Act
- Make subsequent inspections on all pools to ensure ongoing compliance with the FSP Act and the Building Act. This is important to ensure fences do not fall into disrepair over time.

If you are on site and are unsure if a fence is compliant, you or the home owner are welcome to contact the Building Control Department and we will undertake the first inspection at no cost and advise what is required to be done to make it compliant.

## Torch-on membranes – New Code of Practice

Torch-on membranes are an alternative solution to Department's weathertightness Acceptable Solution E2/As1.

Since 2004, a group of companies called the Membrane Group New Zealand has been drafting a generic code of practice that focuses on double layered or multiple layered torch-on membrane systems for New Zealand conditions.

The newly-published document entitled "Code of Practice for Torch-on Membrane Systems for Roofs and Decks" provides valuable guidance to the construction industry on the group's recommended best practice for the selection and weathertight detailing of torch-on membrane cladding to roofs, decks and gutters etc.

It is noted that this code of practice is not part of the compliance documents but it is a useful resource for the industry to assist with selecting, designing, installing and assessing torch-on membrane systems.

The code of practice is available from the Membrane Group's website: [www.membrane.org.nz](http://www.membrane.org.nz)



## Pre-lodgement Meetings for Building Consent Applications

Often we receive building consent applications that have insufficient information and are of an inadequate quality. When this occurs the whole process is stopped and all parties become frustrated at the delay and there are often additional costs incurred for the applicant.

To reduce these problems, building owners and builders are now able to call and make an appointment to discuss your building project before you actually lodge the application.

These pre-lodgement meetings will not be appropriate or necessary for every building consent but may be particularly beneficial on larger commercial type projects or where the applicant does not know the process. The choice is yours.

This service is been offered to ensure applications have sufficient information of adequate quality at the time of lodgement. Some benefits are:

- Building officials can explain their information

requirements for assessing building consent applications, the process by which they assess applications, and how they make decisions on whether to grant and issue a building consent or reject the application.

- Applicants can then do a quick status check to ensure they are on the right track and have covered off all material issues.
- They can help smooth the consenting process.

Give this a go if you think it may be helpful with your project.

## Amendments to Building Consents

Changes to consented work are commonly proposed during a building project.

Making changes to consented building work without getting the right approvals first can have potentially serious consequences. An obvious risk is that a building work may not comply with the Building Code. This could mean that building is constructed in a way that is unsafe or insanitary. Council needs to assess proposed changes to building work for which a building consent has previously been issued. It then decides the best way to approve the change, depending on how significant the change is.

In June 2008, the Minister for Building and Construction announced plans to amend the Building Act to provide greater clarity on the requirements for considering and approving amendments to building consents.

A **change** (sometimes called a **variation**) refers to any proposed change to the building work that was approved in the original building consent.

An **amendment** means any change that is subsequently made to a building consent after being assessed and approved by the BCA.

There are **informal amendments** – simple alteration like a handwritten note on the consented plans or an inspection record and consent file note.

A **formal amendment** which is done on a prescribed form.

**Minor changes** do not usually affect compliance with the Building Code, but often achieve the same outcome in a different way. E.g. altering the type of taps used, substituting one internal lining for another similar lining where bracing is not affected, altering the positioning of kitchen joinery, internal non-load bearing wall partition being moved from one place to another, changing a room's layout, changing brand of insulation or plaster board etc

Council will usually manage these by requesting that sufficient detail is written/drawn on the building consent plans and specifications, and/or sent in to them as-built drawings so an accurate record of what is built is maintained.

**Major changes** are where planned building work is quite different from that approved by the original building consent. Such changes often impact upon a number of Building Code clauses. E.g. A change to the building envelope, or footprint, any structural change, changes to cladding systems, a change that affects a producer statement.

This type of amendment is to be applied for on the prescribed form and revised plans submitted. This application is to be processed within 20 working days but we often give these priority because we are aware there can be trades people awaiting their approval.

## Key Points

- **Applicants/designers** should try to finalise details about what is to be built before applying for a building consent. Clearly show on the plans how the work will comply with the Building Code.
- Builders should build from the approved consent plans and specifications. These are to be kept on site. If you are thinking about any variance that differs from the consented plans advise the owner/project manager/designer first before proceeding.
- **Applicants/designers** should provide all relevant changes to other parties involved as soon as possible in the form that Council requires. Work on the affected area often can't start until the BCA has made its decision on the type of amendment application.
- **Council (BCA)** assesses each application on its facts, determines whether the change is minor or major, and assess the applicant's arguments about how the change meets the requirements of the Building Code. There may also be other requirements under the District Plan, local bylaws etc to consider. Minor changes will be dealt with in a more informal manner where appropriate. Major changes require a formal amendment to the building consent using the correct form.
- **Note:** There should be a written record of any amendments agreed to by the BCA. This might be a formal amendment to the building consent or just a notation on the already approved building consent plans or a field note. Build to this record.

If you are uncertain just ask us.

## Seasons Greetings

It has been a busy year for us compiling all the documentation required to enable Wairoa to become a Building Consent Authority. We look forward to our break as no doubt you will be also.

The Building Control Team at Wairoa DC wishes you a happy festive season, a relaxing break, and a successful year ahead.

**Please note the Building Control Department will be closed from 12pm - 24 December 2008 and will reopen at 9am on Monday 12 January 2009.**

***If you know of anyone who would like to receive these Newsletters please ring WDC Building Control Dept 838 7309 and give us your details. Or similarly if you would like to be removed from our list please advise.***

