



Building consent authority update

June 2010



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BUILDING NETWORKS AT THE BOINZ CONFERENCE

The Building Officials Institute of New Zealand (BOINZ) held their annual national training conference in Rotorua in mid-April. The conference is a key event for building officials, with approximately 300 delegates from around the country including representatives from the Department of Building and Housing attending.

The BOINZ conference is an important opportunity for the Department to meet people from the sector, strengthen existing relationships and building new ones. These partnerships with building officials and training opportunities can help the sector to lift its performance and help enable the Government to achieve its priorities.

The Department was pleased to support the BOINZ conference by presenting on the following topics:

- A Report Card from the Department, our priorities, what work's currently on the go and coming up – presented by Katrina Bach, Chief Executive
- Recent Regulatory Reforms – presented by Malcolm MacMillan, Manager Consent Authority Performance, DBH
- Best Practice Learnings for BWOFF and compliance schedules – presented by Peter Sparrow, Senior Advisory Performance Monitoring and Review, DBH
- Licensed Building Practitioners Scheme Update – presented by Mark Scully, Manager Building Practitioners Licensing Group, DBH
- Fire Safety 21st Century: A new age of consent – presented by Nick Saunders, Senior Advisor Building Standards, DBH

- National Competency Assessment System for BCAs – presented by Steve Garner, Project Manager, DBH
- Altering views of S112 – presented by Peter Sparrow, Senior Advisory Performance and Nick Saunders, Senior Advisor Building Standards, DBH
- Compliance Schedule issues and requirements: presented by Nick Saunders, Senior Advisor Building Standards, DBH

Copies of these presentations are available from the Department.



Left to right: Ewan Higham – past president BOINZ, Phil Saunders – president BOINZ, Craig Hill – DCE DBH, Steve Bramish – President Australian Institute Building Surveyors, Peter Gomm – CE Mainzeal construction, Kevin Winters – Mayor Rotorua, Len Clapham – CE BOINZ.

PROGRESS UPDATE: BUILDING CONSENT AUTHORITY ACCREDITATION

PROGRESS WITH 'PHASE 2' ACCREDITATION ASSESSMENTS

By early June 2010, IANZ had undertaken Phase 2 assessments for 69 BCAs. Feedback from the BCAs which have so far been assessed against Phase 2 standards is that there has been:

- a change in culture for them away from just compliance (ie, tick box exercises) to quality
- efforts to streamline Phase 1 systems and processes, which has significantly reduced the size and complexity of their documented system (ie, as part of implementing the Phase 2 quality assurance requirements)
- more robust decision-making by BCAs
- increased staff support for improvements and a more positive staff response to change proposals

- a shift in thinking whereby complaints to BCAs are now starting to be viewed as opportunities for improvement rather than needing to defend the status quo
- an increase in BCAs working together and sharing Phase 2 implementation ideas and activities

An example of greater collaboration:

- the Waikato cluster of 5 BCAs has one Building Control and Accreditation Manager across the 5 BCAs and operates a number of consistent and standardised systems, forms, and processes.

BCAs that have already been assessed to Phase 2 standards have advised that the cost of developing quality assurance systems is significantly lower than the costs of developing systems to comply with Phase 1 and that the Phase 2 standards are not overly difficult to achieve. Most BCAs now consider that the accreditation standards simply reflect what ought to be seen as good business practice. For example, setting and monitoring achievement of goals (management review and internal auditing), improving performance and service delivery (a continuous improvement system), managing documentation and records, and managing conflicts of interest.

COMPLIANCE ISSUES THAT COMMONLY ARISE IN THE COURSE OF ACCREDITATION ASSESSMENTS

COMPETENCY ASSESSMENTS: Annual competence assessments are not always completed for all building officials.

Competence assessment records should demonstrate assessment of both knowledge and capability and should reflect the work normally undertaken by the BCA.

With time, individual's competency levels may change, as skills are gained or lost, or remain the same. BCA's must regularly review individual's competence to assure themselves that work is appropriately allocated to persons competent to perform it.

With respect to Regulation 10(2), the term 'regular assessment' is currently being applied as requiring annual assessments by BCAs. This is because there are currently significant and frequent changes to both the legislative requirements and building compliance/science requirements not to mention the many different building products and systems being introduced to the market or frequently changing.

Competence may be assessed utilising a variety of means including self assessment, tests or exams, interviews, witnessing work performance, evaluation of training etc. No one method on its own, especially self assessment (even with peer review) is considered to provide adequate information on which to base an assessment. Witnessing personnel performing work, processing or inspections, provides the highest quality evidence of capability to perform tasks.

All competence assessments must include more than one assessment methodology and must include witnessing/observation of individuals performing relevant work. If regular internal audits include assessment of technical capability as well as process compliance then these records may be able to be used as observation evidence in a competency assessment process.

When assessing a person's competence to perform building control work, an understanding of the assessment history of the individual is an appropriate consideration when determining the extent of the assessment. Initial assessments need to be extensive and comprehensive, subsequent, on-going, assessment may comprise a recap of previous activities together with a 'top up' involving some work witnessing.

The methods used and the extent of the evidence gathered will, therefore, depend on the assessment history of an individual. Candidates can usually be classified into one of three types:

- a. New employees with no previous assessment history
- b. New employees with a previous assessment history, e.g. assessment by another BCA
- c. Existing employees who have previously been assessed by or for the BCA

Full comprehensive assessments must be undertaken for type (a) persons in all cases and for type (b) where records from the previous assessment are unavailable or inadequate.

Review processes, involving recap and top up, may be applied to type (c) persons and to type (b) where records from the previous assessment are provided and are adequate. Note however, all of this relies on the robustness of previous competency assessments undertaken. IANZ and the Department are aware of the varying degree of quality of competency assessments in BCAs.

Competence decisions must be based on recorded evidence.

An appropriate level of recording will have been demonstrated if a second reviewer can review the evidence recorded and reach the same or similar conclusions with respect to competence decisions and outcomes.

INTERNAL AUDITS: More work is required by some BCAs on the understanding of internal audit, the types of questions that should be asked and the required records.

Internal audits can be an efficient and effective means of determining that a BCAs systems and processes are being effectively implemented and that the outcomes are appropriate. While the activities covered by Regulation 7 are the 'bread and butter' of a BCA's activities, their effectiveness is underpinned by the activities undertaken in respect of all the other regulations. Auditing of these activities can be an important part of an effectively implemented system.

A BCA's programme of internal auditing must ensure that all regulations to which it is required to be accredited are audited, on an annual basis, at a minimum.

Internal auditing should not be confused with peer witnessing (peer review). The two serve different functions. The first is to identify compliance or non compliance and institute corrective action, as appropriate. The second is to establish validity of technical outcomes and establishment of competence.

COMPLIANCE SCHEDULES: These are often still not site specific, especially performance and maintenance requirements. It is strongly recommended that a plan or description of the location of the specified systems be provided for complex buildings, especially in multi storied projects or where several buildings are involved (eg, hospitals or university grounds). Performance and maintenance requirements should be sought from the applicant at time of consent application. (Refer to the Department's Compliance Schedule Handbook).

CONSUMER INFORMATION: There are a number of BCAs whose public information does not yet fully or accurately describe how to apply for a building consent.

SUFFICIENT CAPACITY: Some BCAs are not demonstrating adequate compliance with Regulation 8. BCAs must issue Building Consents and CCCs within 20 working days and have sufficient staff to carry out inspections within a reasonable time of booking (as soon as possible, but at least within 2 working days is considered reasonable and appropriate).

APPROPRIATENESS OF FORMS: The Forms Regulations require all statutory forms to include specific, defined, information. A number of BCAs utilise abbreviated forms for less complex projects, e.g. a simplified application form for a solid fuel heater (SFH), where a significant number of Code Clauses, or matters relating to Compliance Schedules, will have no relevance. Allowance may be made for this to simplify processes for

applicants. However, abbreviated forms must maintain the fundamental structure and information outline in the Forms Regulations. An application form for a SFH must provide for recording the means of code compliance for the relevant code clauses and provide for recording that a Compliance Schedule is/is not required.

CONSENT APPLICATIONS: Regulations require that BCAs verify that applications are complete and compliant with legislative and regulatory requirements prior to acceptance and lodgment. The required outcome of this process is that the BCA has a clear, unambiguous, understanding of what it is being asked to be consented and that all the relevant information to support the application is provided.

Across BCAs, these activities, commonly referred to as 'vetting', are often undertaken by different people; from customer service personnel to dedicated building control officers. Some BCAs are ineffectively operating a vetting system that is only based on quantity (eg, site plan, floor plan, elevations etc supplied) rather than a technical vet of the quality and technical adequacy of the application documentation. (eg, has evidence of consideration of section 112 requirements been included in the application?). It is important to ensure that whoever is undertaking the vetting has the necessary technical competence to perform the task. It is considered appropriate that a technical vet of the quality and technical adequacy be undertaken as part of the vetting process. This is not to be confused with fully processing the documentation.

By having a vetting system that checks the quality and technical adequacy of the application this will help reduce real time delays including requests for further information.

GRANTING AND ISSUING CONSENTS: In deciding to grant consent a BCA has made a decision (on reasonable grounds) that the project, if constructed in accordance with the consented plans, would comply with the Building Code. In order to do this the documentation must provide all the necessary information.

Periodically BCA personnel will either add a note to the plans or add a condition to the consent document to substitute for the lack of information. In general this is inappropriate, however, minor notations on plans etc. can be acceptable provided consultation with the applicant or their agent (usually the designer) has occurred, and their agreement obtained.

Minor notes on plans etc. are acceptable provided the application's file includes a record of the discussion held and the agreement to make the notation. This might not need to be more than a sentence.

TRAINING: Training is undertaken for a variety of reasons; the needs of the organisation or those of an individual being the most common. In recording training needs assessment BCAs have commonly relied on what training is available by way of formal courses rather than what is required to satisfy the organisation, or its employees actual needs.

Training needs assessments must reflect the organisation's assessment of the gaps, in terms of both the skill type and the number of individuals with it required to perform BCA tasks. Note: Fulfillment of this will also contribute to compliance with the requirements Regulation 8.

In recording its training needs in accordance with the requirement above BCAs may find that formal training is not available for a number of the needs identified. BCAs are expected to seek alternative, informal, ways of providing training eg, internal/cluster regional self-developed training activities.

ASSESSMENT PREPARATION: BCAs need to ensure timely provision of pre-assessment information and confirmation of assessment dates to IANZ.

IANZ encourages BCAs to confirm assessment dates as early as possible to aid planning and ensure all required personnel will be available.

All BCAs are reminded that IANZ can do a better job on assessments where all required information has been supplied in time for the assessment team to review the information and fully prepare themselves for the assessment. The "Application for Reassessment" and "Accreditation Questionnaire" should be completed and supplied to IANZ at least one month before the planned assessment date but sooner if possible. This allows sufficient time for copying, distribution and review of the information by the assessment team and technical experts.

Where the information requested would involve the BCA producing large volumes of paperwork the BCA is encouraged to send several examples only (e.g. examples of competence assessment for each group of employees rather than a competence assessment record for each and every employee).

Where systems or procedures are in a state of change the current system/procedures should be submitted to IANZ. Notification should be given later (either before the assessment or at the entry meeting) of any changes made since the documentation has been submitted. This avoids the assessment team reviewing or assessing against an earlier version of the documentation.

ENSURING CONSISTENT INTERPRETATION OF ACCREDITATION REQUIREMENTS:

IANZ assessors meet regularly to improve consistency of interpretation of accreditation requirements. Each report is peer reviewed before it is finalised. IANZ also meets regularly with technical experts and the Department representatives to discuss assessment issues and interpretation of regulations. Where a specific item of interpretation is required (usually as the result of a question arising during an assessment) IANZ formally requests an interpretation of the requirements from the Department. This is circulated to relevant parties.

BUILDING ACT REVIEW: IMPLICATIONS FOR BCA ACCREDITATION

The Building Act review is examining, among other things, moving to a more risk-based consenting and inspection process, reallocation of responsibility between BCAs, building practitioners and consumers, and the role, and number, of BCAs under a new regulatory environment. Accordingly, the Review could lead to fewer BCAs specialising in a narrower set of higher risk building work. The Review will also likely impact on BCAs in terms of the knowledge and skills that building officials must have to be effective regulators.

Options for streamlining and refining the BCA accreditation scheme were also already being examined before the Building Act Review commenced. The Department has looked at options for simplifying and rationalising accreditation standards and has reviewed the phase 3 qualification requirements.

Decisions on any future changes to the accreditation scheme will certainly be made in light of Building Act Review outcomes, probably sometime in 2011. For the interim, however, the Department is very pleased with the excellent progress being made by BCAs and with the improvements in BCAs' performance arising from accreditation requirements.

MINOR VARIATIONS TO BUILDING CONSENTS

It has come to the attention of the Department that the odd BCA is applying an approach that is inconsistent with the intent of this law change regarding minor variations to building consents.

As such the Department would like to clarify the policy intent and legal requirements of the Act in relation to minor variations to building consents.

One of the main reasons for amending the Building Act 2004 (the Act) through the introduction of the Building Amendment Act 2009 was to enable BCAs to lawfully distinguish between minor and other more significant changes to building consents and treat them differently. That is to deliberately allow for more

informal processes for minor changes to consented building work during construction. In addition, section 45A of the Act was introduced to enable a BCA to approve a minor variation prior to or during construction without having to go through the formal process of processing and issuing a formal amendment to the building consent for minor changes.

However, it would appear that one BCA at least requires the completion of a minor variations application form for all minor changes to consented building work. We consider that this approach to handling minor variations is contrary to what the law is trying to achieve and to the policy intent of the Building (Minor Variations) Regulations 2009. Each minor variation should be determined on its own merits. The Department believes requiring the completion of an application form should be reserved for more significant and formal amendments. Often, just an inspection note by the inspector will be sufficient to consider and approve a minor change. We consider a mandatory minor variations application form in every case and situation is taking a more bureaucratic approach than is necessary as it is not much different from a formal amendment process provided for under section 45 (5) of the Act.

Another reason for this new Act provision is to provide time and cost savings, especially for designers, builders, and project managers during construction. Introducing mandatory application forms for the approval of minor variations and having to submit these and wait for approval will invariably lead to time delays and extra costs.

The Department recently published a guidance document titled 'Minor variations to building consents', which provides a recommended process for minor variation applications. Whether on site or at the BCA's office the Department considers that applying for a minor variation should not require a formal application process. It may be as simple as a conversation between the builder and the inspector (documented afterwards by the inspector) or a covering letter or e-mail from the designer or builder to the BCA accompanying revised architectural plans or construction details advising of the proposed minor change ('as-built' approach) if those are considered necessary by the BCA.

For further information and a copy of this Guide see www.dbh.govt.nz/minor-variations-to-building-consents.

THE LICENSED BUILDING PRACTITIONER (LBP) SCHEME, FREQUENTLY ASKED QUESTIONS

WHAT IS THE LBP SCHEME?

The licensed building practitioners (LBP) scheme promotes, recognises and supports professional skills and behaviour in the building construction industry. The Department of Building and Housing (the Department) administers the LBP scheme.

Licensing is an opportunity for competent building practitioners to have their skills and experience formally recognised.

WHY WAS LICENSING INTRODUCED?

Many changes occurred in the building industry in the 1980s and 90s, resulting in significant building failures, notably, leaky buildings.

The LBP scheme aims to improve building quality and increase consumer protection by:

- setting national standards of competence for people carrying out certain design and building work
- helping consumers choose competent building practitioners
- ensuring design and building practitioners are accountable for their work.

WHO ADMINISTERS LICENSING?

The Department administers the licensing of building practitioners, including:

- developing licence standards
- managing assessment
- issuing licence ID cards for those who meet the relevant standards
- managing the public register of licensed building practitioners.

A government-appointed independent Building Practitioners Board hears complaints about licensed building practitioners' work and hears appeals about licensing decisions.

A Registrar (Mark Scully) appointed by the Department decides on licence applications, based on assessors' recommendations, and administers the online register of practitioners.

The Registrar also helps the Building Practitioners Board receive and investigate complaints, and records any disciplinary action taken against licensed building practitioners in the online register.

WHAT ARE THE LICENCE CLASSES?

There are seven licence classes in the LBP scheme:

- Design
- Site
- Bricklaying and Blocklaying
- Carpentry
- External plastering
- Foundations
- Roofing

Practitioners can apply to be licensed in more than one licence class but must be able to demonstrate that they are competent in each class they apply for.

The competencies for the licence classes were developed by industry working groups. They represent the skills and knowledge that a competent person with sound experience in the building construction industry should be able to demonstrate.

DO PRACTITIONERS HAVE TO BE LICENSED?

The LBP scheme is voluntary. Being licensed is a personal and business choice for people with the skills and experience that meet the relevant licence class competencies.

However, from March 2012, the Government has announced that restricted building work must be supervised or carried out by an LBP.

The LBP scheme is for competent individuals. Companies and commercial entities cannot be licensed, but the people they employ or subcontract can apply to be licensed.

WHAT ARE THE BUILDING CATEGORIES?

The LBP scheme uses three building categories to identify how applicants should be assessed and provide scope for the licence classes.

The building categories are complexity based, ranging from simple low risk dwellings in category 1 to complex multi-storey commercial buildings in category 3.

Building category	Description
Category 1	Single household dwellings with low or medium-risk envelope design
Category 2	Single household dwellings with high-risk envelope design, or any

	other buildings with a building height* less than 10m
Category 3	All buildings 10 m or greater in building height*, except single household dwellings

*Building height is the vertical distance between the floors of the building's lowest and highest storeys.

WHAT ARE AREAS OF PRACTICE?

Areas of practice relate to an LBP's knowledge and skills. For example, Roofing includes metal-tile roofing and torch-on membrane roofing as areas of practice, and Design includes three areas of practice based on the building categories.

WHAT IS RESTRICTED BUILDING WORK?

Certain work that is critical to the integrity of a building is expected to be defined as restricted building work from March 2012. From that date, restricted building work must be supervised or carried out by an LBP.

The Government will detail restricted building work before 2012, but it is likely to include the:

- design and construction of a house or small-medium sized apartment's primary structure (eg, foundations and framing) – to ensure the building can withstand vertical and horizontal loads
- design and construction of a house or small-medium sized apartment's external envelope (eg, roofing and cladding) – to ensure the building is weathertight
- design of fire safety systems (eg, sprinklers, fire alarms) for small-medium sized apartments – to ensure people are adequately protected from the dangers of smoke and fire.

HOW DO PRACTITIONERS BENEFIT FROM BEING LICENSED?

LBPs receive many personal and business benefits. LBPs are:

- formally recognised as competent and experienced in their chosen field. This is similar to the recognition that plumbers, electrical workers, architects and chartered engineers already have through their registration systems
- able to use their LBP status as a personal 'mark of quality' in their work
- listed on a public register so clients or employers can see their licence status - see www.dbh.govt.nz/lbp-register
- supported by an active advertising and promotional programme to consumers.

Only LBPs will be able to carry out or supervise restricted building work after March 2012.

DO PRACTITIONERS HAVE TO BE QUALIFIED?

Practitioners do not have to be qualified to be licensed, but if they hold a qualification recognised under the LBP scheme, they can use the streamlined application process.

Applicants with a recognised qualification must be able to demonstrate the same competencies as people without recognised qualifications.

OTHER OCCUPATIONAL LICENSING SCHEMES

Some building practitioners, such as engineers, may already be licensed under an existing occupational licensing scheme. From April 2010, people registered to carry out building work under other statutory registration systems, are automatically treated as licensed under the corresponding class in the LBP scheme for the purpose of carrying out restricted building work.

For example:

A Chartered Professional Engineer is already treated as if licensed in Site and Design area of practice 3. They cannot be licensed in Site or Design because they cannot duplicate their registration. They can be licensed in other classes.

Licensed or certifying plumbers or gasfitters are already treated as if licensed in Bricklaying and Blocklaying, External Plastering and Roofing when carrying out restricted building work. They cannot apply to be licensed in these licence classes because they cannot duplicate their registration. They can be licensed in other classes.

Being treated as if licensed in Bricklaying and Blocklaying, External Plastering, and Roofing recognises that licensed or certifying plumbers and gasfitters have the skills and knowledge to carry out and supervise fitting and sealing or flashing of pipework through exterior walls, and certain roofing and cladding work.

WHAT IS THE TIMETABLE FOR THE SCHEME?

The timing for the LBP scheme follows:

- November 2007: Design, Site and Carpentry licence classes began
- November 2008: Bricklaying and Blocklaying, Roofing and External Plastering licence classes began
- February 2010: Licensing for qualified practitioners began
- April 2010: The Foundations licence classes began

- March 2012: It is expected that requirements that restricted building work must be carried out or supervised by LBP's will take effect.

HOW MANY PEOPLE WILL BE LICENSED?

About 20,000 building practitioners are expected to be licensed by 2012. This number is sufficient to enable restricted building work requirements to be implemented.

It is estimated that 20,000 people will apply to be licensed. This represents around 19 percent of the total current construction workforce. These people will have to be assessed to see if they meet the standards.

It takes time to set up assessment processes, develop the business systems and process enough practitioners to keep the industry running. Phasing in the classes helped ensure a systematic approach to allow time for these processes to be implemented.

WHY IS LICENSING TAKING SO LONG TO IMPLEMENT?

The licensing scheme has been operating as a voluntary 'quality-mark' scheme since November 2007.

It took longer to complete the policy detail for restricted building work and an exemption for owner-builders than was first anticipated when the Building Act 2004 was being developed.

However, the policy framework for the scheme is now complete, which provides certainty for the building and construction sector. March 2012 is a realistic timeframe to ensure sufficient practitioners are licensed.

HOW DOES LICENSING BENEFIT CONSUMERS?

Licensing helps to ensure building work is designed and carried out or supervised by competent people. This will give property owners and property buyers more confidence that design and building work has been done properly.

WILL CONSUMERS HAVE OPTIONS FOR RESOLVING DISPUTES?

The current review of the Building Act will look at a range of options for resolving disputes, including what other countries do. For example, Victoria, Australia has a disputes resolution service that sorts out disputes between builders and consumers relatively informally. It also has a dedicated tribunal that rules on serious building disputes.

WILL LICENSING ADD TO BUILDING COSTS AND, IF SO, TO WHAT EXTENT?

Restricted building work requirements will affect about \$4 billion of building work each year, a third of the \$12 billion spent annually in the building and construction sector as a whole.

The cost to the sector of licensing 20,000 people is estimated at \$9 million, with an ongoing annual renewal cost of just under \$4 million. There will also be indirect costs associated with the time required to maintain skills and to complete licensing and licensing renewal forms. The direct cost to the sector is estimated at less than 0.02 percent of the \$4 billion of building work affected by restricted building work. This might add \$300, or about 0.1 percent to the average cost of building a house.

In the long term, licensing is expected to lower costs from reduced re-work and repairs. Quality gains will also benefit occupants.

Inevitably there are costs associated with introducing a new occupational licensing scheme. The costs of licensing, however, are very small compared with the value of building work in New Zealand and the substantial cost of buildings not being designed and built right the first time.

The costs of licensing are outweighed by the benefits of licensing because:

- only people who have been assessed as competent will carry out critical work. The need for costly re-work will be reduced
- building and construction practitioners will have to keep their skills and knowledge up to date, which will raise skills and contribute to increased productivity over time
- consumers and employers will be easily able to identify competent people
- council-related consent and inspection costs can be reduced, because councils will be able to place increased reliance on building practitioners being competent and accountable.

DO LICENSED BUILDING PRACTITIONERS NEED PROFESSIONAL INDEMNITY INSURANCE?

No. The scheme does not require practitioners to carry professional indemnity insurance.

WHY WOULD A PRACTITIONER APPLY NOW – WHY DON'T THEY WAIT UNTIL 2012 WHEN RESTRICTED BUILDING WORK COMES IN?

Being licensed now is a wise choice with a definite marketing and commercial advantage. Consumers are already choosing formally recognised professionals to do work. And now that the LBP scheme framework is complete, active promotion of the scheme is set for later this year.

This promotion will give further momentum to the scheme. We expect increasing numbers of practitioners to apply and more consumers to actively seek an LBP for their building work.

Getting licensed now means practitioners can get immediate benefits and not miss out on any work where a client wants an LBP.

As the economy picks up, the building sector needs to be prepared – now is the time to get licensed.

WILL PRACTITIONERS HAVE TO REAPPLY EACH YEAR?

LBPs will need to demonstrate their 'current competence' annually to ensure they continue to meet the licensing standards. This will involve:

- continuing to practice in a role relevant to their licence class
- completing a skills maintenance (continued professional development) programme.

When people first become licensed they will be sent information about the skills maintenance programme relating to their licence class. The various skills maintenance programmes includes activities such as reading information, attending short courses, on-the-job training, trade sessions or conferences, formal study or supervising an apprentice or trainee.

DOES A MEMBER OF MASTER BUILDERS OR CERTIFIED BUILDERS STILL NEED TO APPLY TO BE LICENSED?

The LBP Scheme is based on national standards, and being licensed is an independent government recognition of a person's competence. This is different from being a member of an industry organisation. In addition, a practitioner will need to be licensed if they wish to carry out or supervise restricted building work from March 2012.

DOES A PRACTITIONER HAVE TO BE QUALIFIED TO BECOME LICENSED?

No. The LBP scheme is competency based, and many people without formal qualifications have

already been assessed as competent and been granted licensing.

The assessment process means that competent builders and tradespeople with a good track record can have their skills and knowledge formally recognised, whether they are trade-qualified or not.

Applicants must provide examples of projects they have worked on. They are required to answer questions about these projects and provide referees who can confirm what they did and how they performed. An industry-trained assessor makes a recommendation to grant a license, based on the evidence provided with the application and their discussions with the referees and the applicant.

A streamlined application process is available for qualified practitioners.

HOW DOES A PRACTITIONER BECOME LICENSED?

Application packs for are available by calling the Department on 0800 60 60 50 or online at www.dbh.govt.nz/lbp-forms-publications

Applicants need to specify which class(es) they are applying for so that they get the right application pack. A booklet "*Is licensing for me*" is also available to help applicants select the most appropriate class(es) to apply for.

HOW WILL LICENSED BUILDING PRACTITIONERS SIGN OFF ON THEIR JOBS?

A memorandum issued by Design LBPs will state that the building consent plans and specifications will comply with the Building Code. A memorandum issued by Trade LBPs will record the restricted building work that they carried out or supervised.

The memoranda will be held on council consent files.

DON'T COUNCILS ALREADY CHECK THAT BUILDING WORK IS BEING DONE PROPERLY?

Yes, and the LBP scheme does not change this. Council building consent authority (BCA) inspectors will still inspect all building work captured by building consents.

However, relying on inspections alone is not enough. Good quality buildings are built when competent LBPs do the right thing from the start, rather than relying on the building inspector to tell them what to do or waiting to see if they get caught out having built it wrong.

An expected outcome of the Building Act Review announced in August 2009 is that the building consent and inspection process will be cheaper and faster for licensed building practitioners. For example, when licensing is fully implemented, the number of inspections for a standard house is expected to reduce. This will cut inspection costs. It will also cut building time, with potential savings of thousands of dollars in finance and holding costs.

Over time licensing will raise the quality of building work.

DO COUNCILS HAVE A ROLE IN LICENSING?

Council BCAs issue building consents and inspect for Building Code compliance. The LBP scheme itself does not diminish or change the importance of this role and BCAs will continue to do this work.

When restricted building work takes effect in March 2012, BCAs will also ensure that:

- plans and specifications relating to restricted building work have been submitted by licensed designers
- the names of the LBPs involved in restricted building work on a project (if known) have been recorded on their file.

NEW FOUNDATIONS LICENCE

For those who construct or alter foundations, the new Foundations licence may be appropriate.

THERE ARE TWO AREAS OF PRACTICE FOR THE FOUNDATIONS LICENCE:

- Foundations 1: Concrete foundation walls and concrete slab-on-ground
- Foundations 2: Concrete or timber pile foundations.

You can apply to be assessed for a Foundations licence in one or both areas of practice if you have the required competencies.

You do not need to apply to be assessed in both areas of practice, but LBPs must only undertake work they are competent to do, and recognise when other skills are required.

Construction and alteration of category 3 buildings falls under carpentry.

WHAT DOES A PRACTITIONER NEED TO SHOW TO GET A FOUNDATIONS LICENCE?

The Foundations licence class has four competencies that reflect the skills and knowledge required by a competent person to be licensed in this class.

Your assessor will look for broad evidence of your competence. It is not a tick-the-box exercise – they want to see whether, overall, you can demonstrate the practical experience, skills and knowledge needed.

The following table shows the types of skills and knowledge you need to become licensed in Foundations. You will not need to show your skills and knowledge in all these areas – remember your assessor is looking for broad evidence of your competence.

Competency	Examples of skills and knowledge
Demonstrate knowledge of the regulatory environment of the building construction industry	<p>Show an understanding of:</p> <ul style="list-style-type: none"> • the purpose of the Building Act, the Building Code, and the Health and Safety in Employment Act • the key features of the LBP scheme • the roles, responsibilities and work of all parties • how foundation work fits in the building consent process • building compliance documentation about constructing foundations • the importance of operating within the scope of your competence and recognising when other expertise is needed. <p>The application pack will include guidance on the regulatory environment.</p>
Demonstrate knowledge of current foundation trade practice	<p>Show an understanding of:</p> <ul style="list-style-type: none"> • foundation terms and construction methods • how to use foundation fixings • working with other trades, profession and regulatory authorities • safe working practices and environmental issues • preliminary site set-up requirements.
Plan foundation work	<ul style="list-style-type: none"> • interpret approved consent documentation • plan and programme foundation construction • order and coordinate material, labour, plant and equipment supply.
Carry out foundation work	<ul style="list-style-type: none"> • work safely at all times • manage environmental issues • construct foundations, including excavation and pile construction, and complete each stage of foundation work appropriate for the area of practice you are applying for • arrange additional inspections when required.

View full up-to-date details of the competencies for the Foundations areas of practice, with examples, at www.dbh.govt.nz/lbp-rules-2007

NATIONAL BCA COMPETENCY ASSESSMENT SYSTEM UPDATE

WHAT IS THE NATIONAL BCA COMPETENCY ASSESSMENT SYSTEM?

The national competency assessment system is a framework to assist BCAs to assess the competency of its technical building control staff (and administration staff performing a technical building control function) using a national set of performance indicators which define what competent is.



HOW WAS THE SYSTEM DEVELOPED?

A Sector Advisory Group was set up to develop evaluation criteria and consider framework documents and make recommendations to the Department. The Advisory Group also ensured steps in the framework were based on critical technical criteria.

A small project team was established to evaluate existing systems and develop a draft national system for pilot testing. Pilot testing of the framework was completed by BCAs in Auckland, Bay of Plenty, Wellington, Nelson and Queenstown.

Sector Advisory Group Members included:

- Bob de Leur, Manager Building Policy – Auckland City Council
- Richard Toner, Chief Building Officer – Wellington City Council, representing BOINZ
- Jeff Farrell, Manager Development & Compliance – Whakatane District Council
- Bevan Smith, Director – Professional Building Consultants
- Irene Clarke, Manager Environment and Regulation – Local Government New Zealand
- Geoff Hallam, Technical Development and Regulatory Affairs Manager – IANZ
- Mark Scully, Manager Building Practitioners Licensing Group – DBH
- Steve Garner, Project Manager - DBH
- Malcolm MacMillan, Manager Consent Authority Performance – DBH (Chair of Advisory Group)

Project Team members included:

- Steve Garner, Project Manager - DBH
- Peter Sparrow, Senior Advisor Performance Monitoring & Review - DBH
- Paul Hobbs, Advisor Performance Monitoring & Review – DBH
- Beryl Oldham, People Capability Manager – North Shore City Council
- Rose McLaughlan, Managing Director – NZ Building Inspection & Training Ltd
- Keith Smith, Building Consultant – Alpha Building Consultants Ltd
- Rosemary Hazelwood, National Training Director – Building Networks Ltd

HOW DOES THE FRAMEWORK DIFFER FROM EXISTING SYSTEMS?

- the new national system moves away from solely using building types or categories to competency levels
- this eliminates a growing list of building types and instead focuses on competencies required to undertake the work
- the national system establishes performance indicators and guidance for assessors for each core competency required by Regulation 10 of the Accreditation regulations
- the process shifts some of the responsibility for gathering evidence of competency to the individual being assessed making assessment more collaborative, user friendly and less intimidating.

WHAT ARE THE NEW NATIONAL COMPETENCY LEVELS?

- There are now six competency levels divided into 3 residential levels and 3 commercial levels; this is significantly less than many BCAs have been operating.
- The levels are based on complexity of the elements that make up the building and the competencies required to undertake the work rather than the building itself. This is a significant change in approach as we are focusing more on the person and their ability rather than the buildings and their complexity.
- The levels in some areas are not sequential (eg Commercial 3 does not necessarily mean a person can do Commercial 1 or residential 1 because they may have little understanding of light timber frame construction).
- Examples of the type of building work associated with each competency level are briefly described on the following pages.

National BCA Competency Assessment System Levels

Residential 1

Residential Outbuildings and Ancillary buildings as defined by the Building Regulations 1992. Detached Dwellings (SH) designed to a common standard (eg, NZS 3604, NZS 4229) that are single storey and have an E2/AS1 risk matrix score less than or equal to 6.

Residential 2

Detached Dwellings (SH) designed to a common standard (eg, NZS 3604, NZS 4229) that are less than or equal to two stories and have an E2/AS1 risk matrix score less than or equal to 12.

Residential 3

Detached Dwellings (SH) or other dwellings (SR) that are less than or equal to three stories but limited to vertical plane fire separation and direct egress to the outside. E2/AS1 risk score of 13-20*.

Commercial 1

Commercial, industrial and communal non-residential buildings and their associated outbuildings and ancillary buildings equal to or less than two stories and an occupancy load of equal to or less than 100 people or SR or SA residential buildings up to two stories and with horizontal fire separation.

Commercial 2

Commercial, industrial, communal residential and communal non-residential buildings equal to or less than four stories and an occupancy load of equal to or less than 500 people or SC or SD single storey.

Commercial 3

All uses of buildings that are over four stories high, or contain over 500 occupants or SC or SD greater than single storey.

* This level also includes specifically designed residential cladding systems, components, detailing and junctions and where a *Risk Matrix* score of greater than 20 has been calculated (buildings height must not exceed 3 stories).

HOW DO I TRANSITION TO THE NEW NATIONAL SYSTEM?

The new national system does not require BCAs to redo all of their competency assessments.

The system has been designed to allow BCAs to map their existing building categories against the new national levels. This can be achieved by considering the existing building types in the existing building categorisation system against the new competency level descriptions in the new system.

For most BCAs it should then be possible to “move” staff with existing competencies across to the new system after considering how well their competencies match the new national standards and noting any areas of supervision of training or any restrictions such as “building only” or “plumbing and drainage only”. Templates to record your “mapping” of categories and the outcome of the transition have been developed as part of the system guidance material.

Assessment tools have also been developed to assist with the assessment of a new person with little or no BCA experience and a person moving up a level or levels within the new system.

WHEN WILL THE NEW NATIONAL SYSTEM BE AVAILABLE?

The system has been completed and guidance material is currently being finalised. Because the new system differs from existing systems and to ensure national consistency and moderation assessors need to be trained in using the new system. Assessors will be trained in the theory of assessment, the new national levels and the use of the system tools. Assessors will also be trained in transitioning their existing system across to the new system.

The Department aim to have the system available to the wider sector from late August 2010 pending a successful funding bid for sector implementation.

In the interim, and to support the work the Department and the Auckland Transition Authority is doing around the re-organisation of the Auckland Council's building control operations, the Department ran a National Competency Assessment System assessor training workshop in Auckland on 15 & 16 June.

Attendees included:



- Peter Snape – Rodney District Council
- Steve Hull – Papakura District Council
- Dennis Morgan –Franklin District Council
- Ian Godfrey – Auckland City Council
- John Lawrence – Auckland City Council
- Selwyn Panckhurst – Auckland City Council
- Malcolm Bonnington – North Shore City Council
- Alan Forster – Waitakere City Council
- Dave Scott – North Shore City Council
- Gavin Spaabaek – North Shore City Council
- Clive Megson – Manukau City Council
- Mark Ranfurley – Manukau City Council
- Adrienne Woollard – IANZ
- Geoff Hallam – IANZ
- Peter Moloney – Manukau Building Consultants Limited
- Maurice Hinton – Compass Building Consultants
- Brent Goldschmidt – Professional Building Consultants
- Rosemary Hazelwood – Building Networks
- Gary Higham – DBH
- Paul Hobbs – DBH
- Peter Sparrow –DBH
- Malcolm MacMillan - DBH

WHAT ABOUT ACCREDITATION?

The system has been designed to meet the requirements of the current accreditation regulations. IANZ have also been involved as part of the project advisory group to help ensure its compliance with accreditation requirements.

WHO CAN I ASK MORE QUESTIONS TO ABOUT THIS SYSTEM?

Enquiries can be directed to Peter Sparrow, Senior Advisor Performance Monitoring & Review at the Department of Building & Housing by phone (04) 817 4881 or by email peter.sparrow@dbh.govt.nz or Paul Hobbs, Advisor Performance Monitoring & Review by phone (04) 817 0290 or by email paul.hobbs@dbh.govt.nz

WIDE DEBATE ON PROPOSALS FOR REFORM OF THE BUILDING ACT

The opportunity to comment on ways to improve the building control system has been taken up by hundreds of people in the building and construction sector, local government, and homeowners.

The Government is undertaking a major review of the Building Act, the law that governs the system for checking that buildings are constructed to be safe and to meet essential requirements.

Over 380 submissions were received and more than 1000 people have attended a series of meetings around the country to discuss the proposals. Building consent authority staff, builders, architects, engineers, designers, building surveyors, product suppliers, lawyers, homeowners and other interested people have been involved in the discussion. Many hundreds of written submissions have also come in.

Craig Hill, the Department's Acting Deputy Chief Executive Sector Capability, says it is good to see people taking the time to give their views.

'It's very helpful for us to get this feedback, because it will help us improve the existing systems. We've had a lot of useful comment on details that we need to work through.'

'There's generally support for the principle that where people with good skills are designing and constructing a relatively simple building project within their level of expertise, there is less need for council checking and oversight. The idea of clarifying the responsibilities of building professionals and tradespeople and consumers, through written contracts is widely supported.'

'However, there's considerable debate about the level of skill in the sector, whether practitioners in the sector are ready and willing to step up to take more responsibility, and how to determine whether building projects are lower risk.'

'We will be working through all the comments and submissions as we develop final proposals for the Government to decide on,' says Mr Hill.

BUILDING ACT REVIEW PROPOSALS FOR CONSULTATION

Submissions were called for on the following proposals.

MOVING TO A MORE BALANCED BUILDING CONSENT SYSTEM

Lowest-risk building work would not need a building consent.

Low-risk building work such as a simple, one-storey house would go through a quicker and simpler consenting process with fewer council inspections and more reliance on the skills of licensed building practitioners to get it right the first time.

High-risk, more complex houses would continue to go through the current approval and inspection process.

Complex, major commercial building work would go through a simpler process than it currently does, recognising the experience and skills of those involved and that commercial contracts for major projects include quality control.

REBALANCING RESPONSIBILITY BACK TOWARDS BUILDING PROFESSIONALS AND TRADESPEOPLE

Building professionals and tradespeople would take more responsibility for making sure their work meets Building Code requirements. Licensing of building practitioners will help identify those with the relevant skills.

BETTER TOOLS FOR CONSUMERS

Better equip homeowners to hold building contractors to account, with more information and mandatory written contracts setting out what's expected, how any faults would be fixed, how disputes would be resolved and details of financial backing (surety).

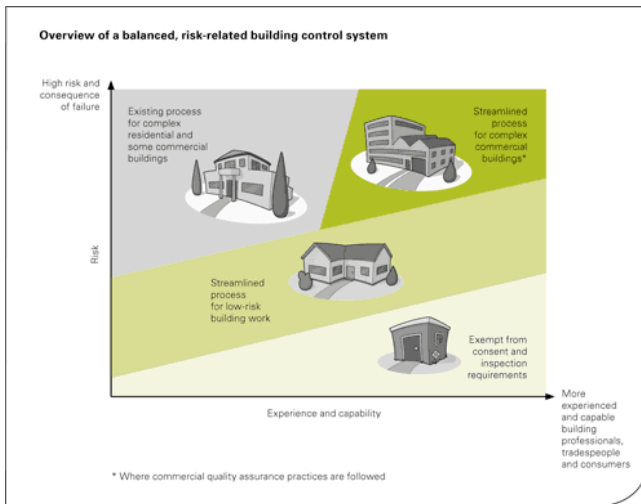
FURTHER IMPROVEMENTS

Make sure the fundamental elements of the system — the Building Code and the purpose and principles of the Building Act — are clear.

Explore ways of making the administration of the system more cost-effective.

Simplify processes to review the fire safety of building plans and the inspection and maintenance of essential systems such as fire sprinklers and lifts.

Examine whether the building consent system is the best way to regulate public infrastructure works such as bridges and tunnels.



OTHER CHANGES

The other main changes being introduced are:

- a new requirement for continuing professional development for plumbers and drainlayers
- clearer specification of requirements for supervision and testing of work
- requiring licence cards to be carried by practitioners.

From 1 April, as practitioners renew their licences they will be required to carry an authorisation card so homeowners and building inspectors can check their status. Cardholders are required to produce their card if requested to do so. If a person is required to be supervised, the name and registration number of their supervisor is printed on their authorisation card. This supervisor is ultimately responsible for the work done by the person they are supervising. Building inspectors should contact the supervisor if they have any concerns about any work being done.

NEW PLUMBERS, GASFITTERS AND DRAINLAYERS ACT 2006

From 1 April 2010 significant changes to the rules covering plumbers, gasfitters and drainlayers came into force with the full implementation of the Plumbers, Gasfitters and Drainlayers Act 2006. These changes are primarily aimed at improving public health and safety.

Following extensive industry consultation by the Plumbers, Gasfitters and Drainlayers Board, the Minister has accepted the Board's recommendations on a wide variety of matters including licence classes for practitioners.

TWO LICENCE CLASSES

There will still be two classes of plumbers and gasfitters. Those currently known as 'registered' will be described as 'licensed'. This better reflects the fact that they have a licence to practice, rather than simply being registered, which is a status that applies to other categories of non-qualified people on the register.

The other class, currently known as 'craftsman', will be described as 'certifying', as this better reflects the current role of certifying gasfitters, and allows for the possibility of plumbers and drainlayers self-certifying in the future. This also better reflects the Board's move to more actively enforce the requirement that 'licensed' practitioners are supervised by 'certifying' practitioners.

The two-tier licence system for gasfitters and plumbers is also being introduced for drainlayers. All existing registered drainlayer licence holders will be eligible to be re-licensed as a certifying drainlayer, provided that the Board is satisfied that they have appropriate experience and proficiency in drainlaying.

PUBLIC REGISTER

A public register of all licensed and certifying people is available at www.pgdb.co.nz You can use the search function to find the contact details and licence status of specific individuals.

MAKING COMPLAINTS

Any person who believes work has been done by someone who is not entitled to carry out plumbing, gasfitting or drainlaying work, or has any other concerns about the competency of workers, and the final quality or compliance of their work; they can and should make a complaint to the Plumbers, Gasfitters and Drainlayers Board. The Board can be contacted on 0800 743 262 or by emailing the registrar at registrar@pgdb.co.nz

For more information about the changes introduced on 1 April 2010, go to the Plumbers, Gasfitters and Drainlayers Board website at www.pgdb.co.nz/.

NAME CHANGES

Description under old legislation	Description under new legislation
Craftsman Gasfitter	Certifying Gasfitter
Craftsman Plumber	Certifying Plumber
(not existing)	Certifying Drainlayer
Registered Drainlayer	Licensed Drainlayer
Registered Gasfitter	Licensed Gasfitter
Registered Plumber	Licensed Plumber
Limited Certificate Apprentice Drainlayer	Limited Certificate Trainee Drainlayer
Limited Certificate Apprentice Gasfitter	Limited Certificate Trainee Gasfitter
Limited Certificate Apprentice Plumber	Limited Certificate Trainee Plumber
Limited Certificate Drainlayer	Exemption Drainlaying under supervision
Limited Certificate Gasfitter	Exemption Gasfitting under supervision
Limited Certificate Plumber	Exemption Plumbing under supervision

DESIGN GUIDANCE FOR BARRIERS PRACTICE ADVISORY NO. 10

PURPOSE

This Practice Advisory provides guidance on how to design barriers for the loads defined in AS/NZS 1170.1:2002 as revised by Amendment 8 of Verification Method B1/VM1 which became effective on 1 December 2008. It brings together background material and highlights that 'barriers' include walls and glazed screens and that any building element that is intended to prevent falls of 1m or more must also be designed to safely resist the specified barrier loads. The range of possible load cases for line, infill (distributed) and concentrated loads is presented in diagrammatic form.

This document is intended to help building consent authorities, structural engineers, building designers and manufacturers. It is for guidance only, and does not change or add to the requirements of Verification Method B1/ VM1 Paragraph 2.2.7.

BACKGROUND

An amendment to Verification Method B1/ VM1 in the B1 Compliance Document of the New Zealand Building Code was issued by the Department in June 2008 and came into effect on 1 December 2008. The principal change was that NZS 4203: 1992 General Structural Design and Design Loadings for Buildings was replaced by AS/NZS 1170.1 Structural Design Actions – Permanent, imposed and other actions as the main reference document.

In issuing Amendment 8 to B1/VM1, some changes were made to the requirements for barrier loads as given in AS/NZ 1170.1. AS/NZS 1170.1 increased the number of occupancy types, the magnitude of some top edge and infill loads, and introduced a concentrated top edge line load. B1/VM1 Paragraph 2.2.7 provides specific requirements on the height for top edge loads, and the extent of application of infill and concentrated loads. This Practice Advisory is in response to requests for guidance material to help interpret the new requirements.

SAFETY FROM FALLING – BUILDING CODE REQUIREMENTS

Clause F4 Safety from Falling of the Building Code requires buildings to be constructed to reduce the likelihood of accidental falls. Specifically, barriers are required where people could fall one metre or more.

Table 1 of Acceptable Solution F4/AS1 provides minimum barrier heights for various building types. Clause B1 Structure of the Building Code requires people to be safeguarded from injury caused by structural failure and requires account to be taken of all loads likely to affect the stability of a building element, including impact loads.

The barrier loads of AS/NZS 1170.1 and B1/VM1 must be applied to all elements that prevent falls from heights of one metre or more. This includes typical building elements that act as barriers such as glazed screens, upper floor internal and external walls and windows. Barrier elements must also be considered separately for wind, earthquake and other loads.

In some cases the likely human impact loads imposed on a screen or wall may differ in distribution and intensity from the barrier loads described in AS/NZS 1170.1 and modified by B1/VM1. In the absence of more specific information, the use of these loads is considered to be reasonable in the design of building elements, acting as a barrier to falling in most buildings.

GENERAL DESIGN REQUIREMENTS

Barriers need to be designed and constructed so that they are capable of providing the strength and stiffness necessary for the proposed location and occupancy. Not only does the barrier system need to have sufficient strength and stiffness, but building

elements which the barrier is connected to must have the capacity to carry the loads imposed by the barrier. Evidence of the suitability of the barrier system for its proposed use, including the building elements supporting it, needs to be provided by the designer when making a building consent application.

BARRIER LOADS

Barrier loads are set out in AS/NZS 1170.1 (Clause 3.6 and Table 3.3). For domestic and residential buildings Table 3.3 makes a distinction in terms of the magnitude of loads between barriers:

- inside a single dwelling
- on external balconies and edges of roofs
- in multi-unit, group or communal residential dwellings.

The term 'external balconies' applies to decks, balconies, verandahs and the like.

It is therefore important to select the appropriate category and use the corresponding loads when designing barrier elements.

Barrier loads are modified by B1/VM1 Paragraph 2.2.7 which defines the extent and point or line of application for the barrier loads. B1/VM1 also defines a rail as any handrail or top rail having a plan width greater than 30 mm.

Line loads and concentrated loads which can either be horizontal or vertical, and horizontal infill loads are to be applied as separate load cases. The following sections describe in detail how these loads are to be applied.

It must be noted that the barrier loads from Table 3.3 of AS/NZS1170.1 must be multiplied by the appropriate combination factors for both the ultimate and serviceability states as given in Section 4 of AS/NZS 1170.0 to be used in the design of the barrier system.

Line loads (Load = Q kN/m)

B1/VM1 states that line loads need not be applied more than 1200 mm above the floor or stair pitch line.

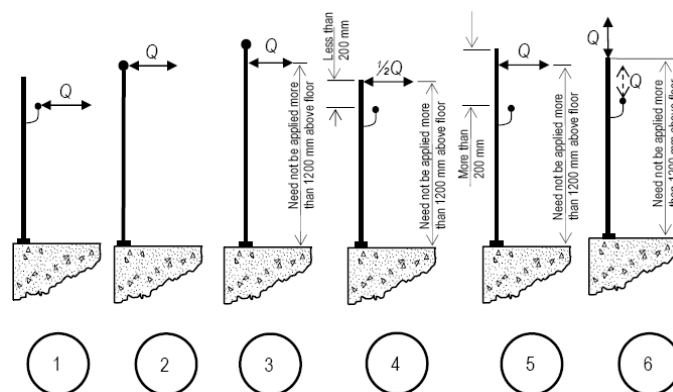
DOMESTIC AND RESIDENTIAL BUILDINGS

The B1/VM1 modifications in Paragraph 2.2.7 (a) (i) relate to all domestic and residential barriers including external balconies. However, the magnitude of the barrier loads for external barriers (Q) shall be taken from row C3 of Table 3.3 in AS/NZS 1170.1.

BARRIERS WITH A RAIL

The diagrams below show how line loads (Q) are to be applied to domestic and residential barriers with rails. Each must be considered as a separate load case.

- Figures 1 and 2 – When a barrier has a rail or rails apply the horizontal line load (Q) directly to the top rail
- Figure 3 – When the barrier or rail is more than 1200mm above the floor or stair pitch line, apply the horizontal line load (Q) at a height not greater than 1200 mm above the floor or stair pitch line
- Figure 4 – If the top of the barrier is not a rail, but a rail is within 200 mm of the top of the barrier, apply 50% of the horizontal line load (Q) to the top of the barrier
- Figure 5 – If there is no rail within 200 mm of the top of the barrier, apply the full horizontal line load (Q) to the top of the barrier, but not more than 1200mm above the floor or stair pitch line
- Figure 6 – Apply the vertical line load (Q) directly to the top of the barrier. Designers may also choose to check any separate top rail that is not the top of the barrier for the vertical line load.



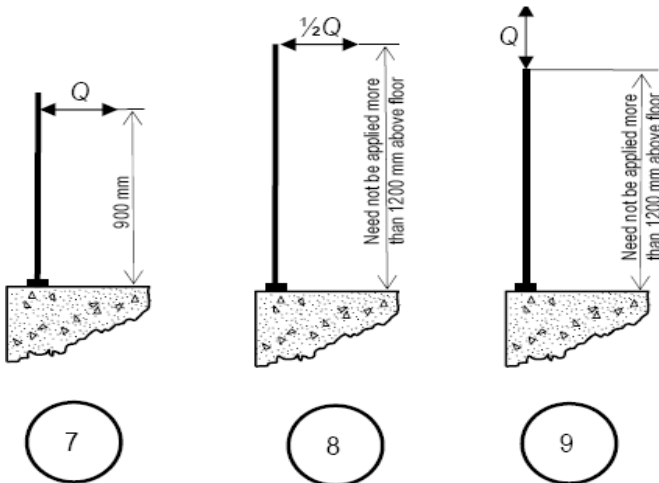
Figures 1 to 6: Domestic and residential barriers with rails.

BARRIERS WITHOUT A RAIL

The diagrams following show how line loads (Q) are to be applied to domestic and residential barriers without a rail.

- Figure 7 – Apply the full horizontal line load at 900 mm above the floor or stair pitch line
- Figure 8 – Separately, apply 50% of the horizontal line load to the top of the barrier. If the height of the barrier is greater than 1200 mm, apply the horizontal line load at a height of 1200 mm above the floor or stair pitch line

- Figure 9 – Apply the vertical line load to the top of the barrier.



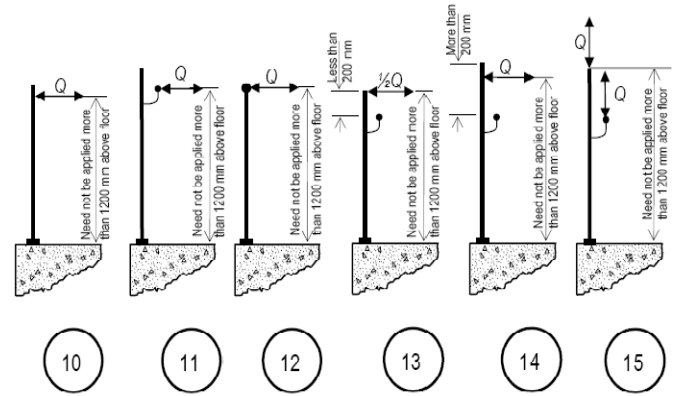
Figures 7 to 9: Domestic and residential barriers without rails.

BUILDINGS OTHER THAN DOMESTIC AND RESIDENTIAL

BARRIERS WITH OR WITHOUT A RAIL

The following diagrams show how line loads (Q) are to be applied to barriers in and around buildings that are not domestic or residential.

- Figure 10 – Apply the horizontal line load (Q) to the top edge of the barrier, but not at a height greater than 1200 mm above the floor or stair pitch line
- Figures 11 and 12 – Where there is a rail, apply the horizontal line load (Q) to the top rail of the barrier
- Figure 13 – If the top of the barrier is not a rail, but a rail is within 200 mm of the top of the barrier, apply 50% of the horizontal line load (Q) to the top of the barrier
- Figure 14 – If there is a rail but it is not within 200 mm of the top of the barrier, apply the full horizontal line load (Q) to the top of the barrier, but not more than 1200 mm above the floor or stair pitch line
- Figure 15 – In all cases, apply the vertical load directly to the top of the barrier and separately to the top rail.



Figures 10 to 15: Non-domestic and non-residential barriers.

Infill (distributed) loads (Load = P kPa)

Figures 1 to 4 of Paragraph 1.2 in F4/AS1 show details of appropriate infill types for barriers in areas likely to be frequented by children under six.

ALL BUILDINGS

The following diagrams show how infill loads (P) are applied to barriers.

- Figures 16 and 17 – Apply the infill load (P) over the whole area of the barrier from the top of the barrier down to the floor
- Figure 18 – Distribute the applied load to the appropriate load-bearing element. Note that barriers have to resist other loads such as wind and earthquake, which are considered as separate load cases.

Concentrated loads (Load = F kN)

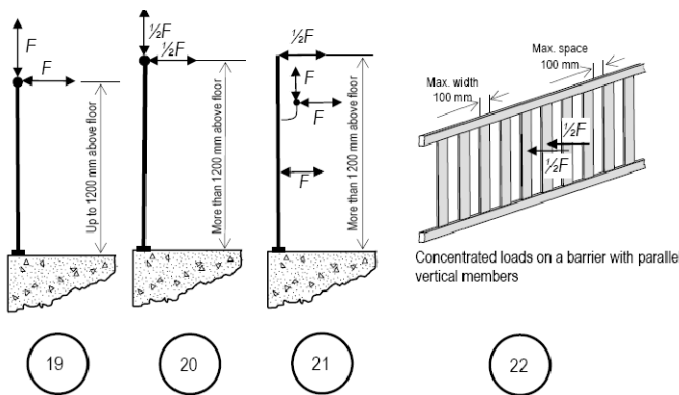
AS/NZS 1170.1 has introduced concentrated top edge loads to barrier design. When the barrier has closely spaced members, this load case can often exceed the line load requirements.

ALL BUILDINGS

The concentrated loads need to be applied over a circular or square area of 2000 mm². This represents the likely contact area of human impact from a head, knee, shoulder or elbow and is similar to the areas adopted in design Standards such as BS 6399-1:1996 Loads for Buildings – Code of practice for dead and imposed loads.

Apply the concentrated load (F) at locations to produce the most severe effect on the structural element being considered.

- Figure 19 – When the load position is not more than 1200 mm above the floor or stair pitch line, apply the full concentrated load (F)
- Figure 20 – When the load position is more than 1200 mm above the floor apply 50% of the concentrated load (F) to the barrier
- Figure 21 – The concentrated point load must be applied in the direction which produces the most severe effects on the element or connection being considered
- Figure 22 – If the barrier consists of vertical members less than 100 mm in width and with a gap of less than 100 mm between the vertical members, the concentrated load can be split equally between two adjacent vertical members.



Figures 19 to 22: Concentrated loads on barriers.

BARRIER STIFFNESS

Designers of barriers should consider serviceability deflections. Deflections should be limited to prevent people becoming apprehensive or distressed due to excessive movement of the barrier. Guidance on deflection limits is provided in Clause C3.6 of the Commentary to AS/NZS 1170.1.

REFERENCES

- B1 Compliance Document Verification Method B1/VM1, Amendment 8, effective 1 December 2008
- F4 Compliance Document Acceptable Solution F4/AS1, Third Edition, Amendment 1, effective 21 June 2007
- AS/NZS 1170. Part 0:2002 Structural Design Actions – General Principles
- AS/NZS 1170. Part 1:2002 Structural Design Actions – Permanent imposed and other actions

- AS/NZS 1170. Part 1 Supplement 1:2002 Structural Design Actions – Permanent imposed and other actions - Commentary
- BS 6399 Part 1:1996 Loading for Buildings – Code of practice for dead and imposed loads

This Practice Advisory is issued as guidance information in accordance with section 175 of the Building Act 2004. It is not specific to any particular project and not a substitute for professional advice. The Practice Advisory can be accessed and printed on from the Department's website at www.dbh.govt.nz/guidance-information

PRODUCT ASSURANCE FRAMEWORK GUIDE

The Department has published a guide for manufacturers and suppliers of building products to understand the benefits and responsibilities of providing products that are Building Code compliant and fit for purpose in the New Zealand building environment.



Using the Product Assurance Framework to support Building Code compliance – a guide for manufacturers and suppliers of building products, introduces a product assurance framework that outlines options for achieving product assurance and demonstrating Building Code compliance.

Products that have a level of assurance should inevitably gain greater market acceptance and recognition as building owners, designers, builders and building consent authorities will have greater confidence in the product and the technical information provided. Using this guide can help you achieve this assurance.

The guide includes a risk assessment tool to help determine the level of risk associated with a product. Case studies and other resources, including a decision tree, illustrate how product assurance and Building Code compliance relate to different situations. The guide also explains New Zealand's building regulatory environment and compliance requirements.

For further information and a copy of this Guide see

www.dbh.govt.nz/guidance-information#pa-framework

GOVERNMENT ANNOUNCES LEAKY HOMES ASSISTANCE PACKAGE

The financial assistance package will see the Government meet 25 per cent of homeowners' agreed repair costs, local authorities contributing 25 per cent and homeowners funding the remaining 50 per cent, with a loan guarantee underwritten by the Government, provided claimants meet bank lending criteria.

The package will be voluntary and in addition to the current disputes and litigation process for owners of leaky homes. It is also conditional on homeowners foregoing the right to sue local authorities or the Crown in relation to the claim.

Under the proposal, homeowners would still have the option to pursue other liable parties such as builders, developers and manufacturers of defective building products.

The financial assistance package is dependent on local authorities and banks agreeing to be involved.

As of 27 May 2010, seven of the local authorities most affected by the weathertightness problem have voted to support the financial assistance package in principle.

The councils that have so far indicated their interest in participating are Auckland, North Shore, Waitakere, Wellington, Christchurch, Rodney District and Manukau. Details will now be worked through with local authorities to finalise the financial assistance package.

Discussions are also underway with the banks about the government's proposed loan guarantee and how it would operate. The Government hopes to have the package available for owners of leaky homes early 2011.

If you have a specific question about your circumstances, please contact the Department of Building and Housing, phone 0800 116 926 or by email info@dbh.govt.nz.

FREQUENTLY ASKED QUESTIONS

HOW DO I KNOW IF I AM ELIGIBLE TO BRING A CLAIM?

You may be entitled to bring a claim if:

- you are the owner(s) of the house*
- the house or units claimed for are used principally for residential purposes (rental properties are permitted but not time-share or commercial properties within a multi-unit complex)

- the house or complex (and/or common areas for multi-unit claims) was built or altered within the 10 years immediately preceding the date of lodging the claim
- the house or complex is or has been leaking (water is entering from outside)
- the house or complex is damaged as a result of the leaks.

* For claims relating to multi-unit complexes, the claim must be brought by the authorised representative of the owner(s) of the units that are the subject of the claim (unless the claim is for a single unit only).

Once your house or complex has been investigated by a weathertight assessor, the Chief Executive of the Department of Building and Housing will make a decision on whether your claim is eligible to proceed to the resolution stage.

DO I HAVE TO APPLY BY A CERTAIN DATE?

A homeowner's claim will only be eligible if their dwellinghouse was built, or underwent alterations giving rise to the claim, within the period of 10 years immediately preceding the date of their application to the Department. Documentary evidence of the date the dwellinghouse was built or altered is especially critical in instances where the 10-year period has almost expired. Examples of documentary evidence include local territorial authority building records, or a record of when utilities such as water, gas, electricity and sewage were first connected to the property.

DO I HAVE TO PAY TO APPLY?

No. Provided that it appears that your claim meets, or is capable of meeting, the eligibility criteria set out in the Weathertight Homes Resolution Service Act, your claim will be accepted without a fee being paid. You will then need to choose which assessor's report to obtain. The eligibility assessor's report is free of charge. A full assessor's report costs \$500 for a stand-alone house or single unit, \$1000 for a multi-unit complex duplex (2 units) or \$1500 for a multi-unit complex.

CONFIDENTIALITY?

We are required under the Weathertight Homes Resolution Service Act to notify the local council (territorial authority) when a claimant brings a claim, when it is decided to be eligible or ineligible, and when it is resolved or closed. The council is required to record this notification in its property file on the house, which is publicly accessible.

By applying for a building consent for the repair work, the claimant will make the council aware that repairs are starting. The council will inspect the repairs and, if the repairs comply with the Building

Code, issue a Code Compliance Certificate. This forms an official record that the house has been fixed.

Members of the public can get certain information about a claim from the council. For example, someone who is thinking of buying a house or unit can get a land information memorandum (LIM) on the house or complex. Most claim information held by Weathertight Services is also subject to the Official Information Act 1982. If we receive a request for information, it is assessed according to that Act and we may have to release information about a claim.

HOW CAN I CLAIM FOR AN APARTMENT COMPLEX?

The Weathertight Homes Resolution Service Act 2006 takes a 'whole of building' and 'class action' approach to claims for units in multi-unit complexes (units held under unit title, company share license or cross-lease title).

These complexes can make one claim, get one assessment report and undertake one resolution process for the whole complex, including any common property. This allows all the weathertightness issues in that complex to be dealt with at the same time.

DOES A CLAIMANT NEED TO APPOINT AN AGENT OR REPRESENTATIVE?

Claimants with stand-alone houses may choose to appoint an agent or representative to handle their claim. If a claimant appoints an agent, the agent can sign documents and make binding decisions on their behalf. If a claimant appoints a representative the representative can perform only the administrative functions associated with the claim.

If the owners in a multi-unit complex decide they want to bring a claim under the Weathertight Homes Resolution Service Act, they must authorise a representative to bring it on their behalf. There is one claim for the whole complex. The representative then acts as the claimant, with the authority of the owners. Decisions about the claim must be made according to the Act and the rules or constitution that govern the complex.

WHAT IS DAMAGE?

Damage is anything you can see or anything unusual that you think could be related to the dwellinghouse being a leaky building. This could include water stains, rotting carpet, and musty smells.

SHOULD I APPLY IF I SUSPECT MY HOME IS LEAKING BUT THERE IS NO VISIBLE DAMAGE?

Yes. In this situation it will be up to Weathertight Services to make an initial assessment as to

whether your claim meets or is capable of meeting the criteria set out in the Weathertight Homes Resolution Service Act. Put as much detail as possible in your claim form about why you suspect your home is leaking, such as musty smells or mould. The claim will be declined if Weathertight Services considers the claim is not capable of meeting the eligibility criteria.

HOW ACCURATELY DO I NEED TO SHOW WHEN MY DWELLINGHOUSE WAS BUILT OR ALTERED ON THE CLAIM FORM?

You must give some indication of when you believe the dwellinghouse was built, or was subject to the alterations that have given rise to the claim. Your dwellinghouse must have been built or altered within the period of 10 years immediately preceding the date that your application is made to Weathertight Services in order for your claim to be eligible. The assessor will verify the date your dwellinghouse was built or altered when they complete an assessment of your house or complex.

DO I NEED TO HAVE AN ESTIMATE OF THE COST OF REPAIRS TO APPLY?

No. However, if a builder, building surveyor or someone with a building background has given you an estimate, you should keep that information, as you may decide to use it in the resolution process. If you don't know, it will not prevent you from bringing a claim. If you choose to receive a full assessment, the assessor will provide an estimate from a quantity surveyor in their report.

WHAT IF I HAVE HEALTH AND/OR SAFETY CONCERNS ABOUT MY DWELLINGHOUSE?

If the occupants of your house suffer health problems after exposure to moulds, you may wish to contact your GP for a medical assessment.

If you are concerned about the structural integrity or health risks of your dwellinghouse, contact your territorial authority (city or district council). You should also make a note of this on your claim form.

SHOULD I HAVE WORK DONE TO FIX ANY DAMAGE?

There are advantages to repairing your house as early as possible. Early repair:

- prevents damage increasing
- provides an exact amount to claim (the actual cost of the repair).

If you decide to repair within the process, you should contact your claims advisor to discuss this.

Even if you do not take the option to repair your house, it is important to take steps to prevent as much further damage as possible. This may involve making temporary repairs to leaks, such as sealing

points of water entry, as soon as you are aware of them.

It is important that you maintain your house adequately, as lack of maintenance can contribute to water getting in. If you have not undertaken normal maintenance, this can affect the settlement of your claim.

WHAT HAPPENS AFTER I SEND IN MY CLAIM FORM?

When we receive your claim form, a claims advisor will assess whether your claim is capable of meeting the eligibility criteria set out in the Weathertight Homes Resolution Services Act 2006. We will check that:

- you are the current owner of the dwellinghouse you are claiming for, or you are the appropriately authorised representative of the owner(s)
- you have listed some damage caused to your dwellinghouse by water entering from the outside
- your house has been built or had alterations that are causing the damage and water ingress within the last 10 years. (The built date is when the house was first fit for habitation.)

If further information or permission is needed, your claim will not progress until we get it. If it appears that your claim is capable of being eligible, we will appoint an expert assessor to investigate your house or complex and provide a report to us. If your claim does not appear to meet the eligibility criteria, we will send you a letter declining your application.

ARE THERE OTHER OPTIONS FOR HAVING MY LEAKY HOME FIXED?

On May 17 2010, the Government announced a proposed financial assistance package to help owners repair their leaky homes. This would change the way repairs to leaky homes can be funded.

Eligible claimants would receive direct financial contributions from the Government and Territorial Authorities towards the cost of their home's repair bill.

The Government would fund a direct contribution of 25% of an eligible homeowner's agreed repair cost.

Territorial authorities that sign up to the financial assistance package would provide a matching contribution of 25%. The remaining portion of the repair cost (50%) would be funded by the owner, backed by a Government loan guarantee.

As of 27 May 2010, councils that have voted in favour of the package are Auckland, North Shore, Waitakere, Wellington, Christchurch, Rodney District and Manukau.

Discussions are also underway with the banks about the Government's proposed loan guarantee and how it would operate.

HOW LONG WILL IT TAKE HOMEOWNERS TO GET THE FINANCIAL ASSISTANCE?

The length of time it takes for homeowners to access the financial assistance would depend on their individual circumstances. However, the scheme has been designed to be a lot faster and less costly than disputes and litigation.

HOW DOES THIS NEW PACKAGE FIT WITH THE EXISTING DISPUTES AND RESOLUTION PROCESS?

The existing disputes and resolution process will continue under the Weathertight Homes Resolution Services Act 2006.

The financial assistance proposal the Government has announced would be another option for owners of leaky homes to get their homes fixed.

WHO WOULD BE ELIGIBLE FOR ASSISTANCE?

The eligibility criteria for accessing the financial assistance package remains the same. That means the dwelling is used as a private residence and is up to 10 years old; there is water ingress (leaking) and the leaking has caused damage.

WHAT IF MY HOME WAS SIGNED OFF BY A PRIVATE CERTIFIER?

Territorial authorities would not make a 'direct contribution' if they were not involved in the building work (i.e. where inspection and sign-off was done by a private building certifier). However, owners in those cases would still be eligible for Government assistance.

HOW MANY HOUSEHOLDS ARE GOING TO TAKE THIS UP?

The Government has indicative fiscal costs based on alternative take up scenarios (50% and 70%). For 50% take-up, that would mean 11,750 dwellings. For 70% take-up, that would mean 16,450 dwellings.

DO WE HAVE ANY INFORMATION ABOUT HOW MANY PEOPLE ARE ESTIMATED TO BE LIVING IN LEAKY HOMES WHO CAN'T AFFORD TO SELL OR BORROW MONEY TO FIX?

The Department of Building and Housing estimates 20 per cent (4600) of the 23,000 homes eligible for this scheme are likely to be owned by pensioners and 5 per cent (1150) of homes are likely to be owned by people who do not have enough income and or equity to fund repairs.

WHAT IF COUNCILS DON'T PARTICIPATE?

The Government component of the package will continue to be developed and delivered to homeowners. Banks have indicated a willingness to work with the Government on details of loan products to fund repair work and it is our intention that these will be available to homeowners who want to access them in early 2011. If a territorial authority does not wish to participate in the financial assistance package, affected homeowners in the area will only be able to pursue their claim through the existing disputes and litigation mediation process.

WHEN WILL CLAIMANTS GET THEIR MONEY?

Once the territorial authorities decide if they wish to participate, the Department of Building and Housing will begin working through the complex detail of the scheme. The intention is for homeowners to be able to start accessing funding in early 2011.

WHAT HAPPENS IF THE BANK TURNS DOWN THE CLAIMANT'S LOAN APPLICATION?

The claimant will still have the option to pursue the claim through the Weathertight Homes Tribunal or the courts.

WHAT ABOUT INVESTORS WHO OWN LEAKY HOMES? WILL THEY BE TREATED THE SAME AS HOMEOWNER/OCCUPIERS?

Investors are able to apply for the scheme in the same way as homeowners, so long as it is used as a residential property.

WHEN WILL BUILDING CONSENT AUTHORITIES GET INVOLVED IN THE REPAIR PROCESS?

The repair scheme process will provide for agreement on the scope of repairs before work begins. Details on how the repair process will work will be discussed with local authorities.

I'VE ALREADY LODGED A CLAIM THROUGH THE TRIBUNAL BUT NOW WANT TO SWITCH TO FINANCIAL ASSISTANCE – CAN I DO THAT?

The intention is that homeowners who currently have claims in the system yet to be resolved will be able to apply for the financial assistance package.

2010 AUSTRALASIAN BUILDING CERTIFICATION FORUM

The Australasian Building Certification Forum is a group of regulatory managers from each of the State and Territory government department that regulates their building industry in Australia and New Zealand.

About every six months the Forum is held so participants can exchange ideas on best practice regulatory building control and share information about reform initiatives that are happening in their jurisdictions. Participants take back such shared ideas and experiences and consider whether they could be applied in their own jurisdictions. The intention is also to help achieve more consistency and standardisation across Australasia where appropriate.

The latest forum was held in Adelaide in April 2010 and was hosted by the Department of Planning & Local Government. Peter Sparrow, Senior Advisor, Performance Monitoring and Review and Malcolm MacMillan, Manager, Consent Authority and Performance attended as the Department of Building and Housing representatives and members of the forum since 2006.

The first day of the forum focused on highlighting building control reform that had happened over the last six to twelve months in each jurisdiction. Of interest was the implementation, still underway, of a new accreditation scheme for local government building control certifiers/surveyors (officials) in New South Wales. Further information on this scheme is available on line at: [http://www.bpb.nsw.gov.au/page/for-council-employees- /](http://www.bpb.nsw.gov.au/page/for-council-employees-/)

Other agenda topics covered off included:

- review and discussion of the national accreditation framework in Australia for building surveyors/certifiers
- national consolidation of a number of occupational licenses in the building and construction sector currently underway in Australia
- jurisdictional requirements on codes of conduct and continued professional development requirements for building surveyors/certifiers/officials
- qualification and competency requirements for building surveyors/certifiers/officials in each jurisdiction
- labour and capability challenges in each jurisdiction
- outcomes of a parliamentary inquiry into private certification in South Australia
- consumer protection mechanisms, including insurance requirements in each jurisdiction

Forum member organisations include:

- Department of Building & Housing, NZ
- Building Practitioners Board, NSW
- Building Services Authority, QL
- Department of Infrastructure & Planning, QL
- Department of Planning & Local Government, SA

- Department of Lands & Planning, NT
- Building Commission, WA
- Building Commission, VIC
- Workplace Standards, TAS
- Planning & Land Authority, ACT

NZ BUILDING CODE PRODUCT ASSURANCE FRAMEWORK SEMINARS

The Department of Building and Housing (DBH) and BRANZ are holding joint seminars to discuss the new guidance document 'Using the Product Assurance Framework to Support Building Code Compliance' and we invite you to participate. There is no cost to attend this seminar.

WHO SHOULD ATTEND

Building product manufacturers, Suppliers and Distributors. Building Consent Authorities (BCAs) and anyone involved in the product approval process.

WHY SHOULD YOU ATTEND

The DBH has just released the new guidance document with the support of BRANZ, a number of BCAs and building product manufacturers.

Primarily targeting manufacturers, suppliers and importers of building products, the guide introduces a risk-based product assurance framework. It describes the options available to manufacturers and how to provide their products and the Building Consent Authority with the appropriate level of assurance to comply with the Building Code. The guide introduces some new assessment and compliance tools such as a product risk assessment tool, product statements and best practice in product information.

To learn more about the seminars, time, location and to register please go to www.branz.co.nz and click on the seminar icon on the Home Page. Registration is essential.

All seminars, except Wellington, commence with afternoon tea at 2.45pm for a 3pm start. We expect to be finished prior to 5pm. Wellington will commence at 9.45am for a 10am start.

QUALITY OF CONSENT DOCUMENTATION

The quality of building consent documentation being produced nationally still leaves room for improvement. BCAs have an important role to play here in helping improve the level of Building Code compliance information detailed in consent application documents.

One issue the Consent Authority Capability & Performance Group continues to deal with is the acceptance, (and sometimes approval), by BCAs, of poor and inadequate consent documentation. Accepting this type of documentation usually leads to multiple requests for further information (RFI), slowing up the consent processing time and sometimes costing the consent applicant more money than it should.

BCAs need to have reasonable, but robust vetting and lodgement 'filter' systems at the front end of their consent process. This will often require technically skilled vetting officers with good people and communication skills to help explain:

- what's missing
- why it's important from a compliance decision perspective
- who is responsible for addressing this issue ie, usually the designer at this stage of the process.

Inadequate consent applications should be rejected at the lodgement stage.

When faced with inadequate consent applications missing the necessary building compliance information BCAs should be directing consent applicants back to their designer. Dealing with inadequate consent documentation at the front end, that is before accepting it into the consenting system, is usually the most overall efficient way of certifying building work, as it will help save time during the processing phase. It also helps make it clear to the consent applicant where the responsibility lies for addressing the issue, ie, the designer not the BCA.

The Consent Authority Capability & Performance Group staff continues to see many examples of poor and inadequate consent documentation having been accepted by BCAs, then battling their way through multiple RFIs. This is as inefficient and frustrating for BCAs as it is the applicants and can be avoided, or at least reduced, with some better front end checks.

For more information and guidance on the quality of consent documentation that should be accepted by BCAs, and to assist BCAs in communicating this to consent applications, refer to, and utilise the Department's publication: *Guide to applying for a building consent (simple residential buildings)* freely available online at www.dbh.govt.nz/publications-about-the-building-act-2004

DEPARTMENT OF BUILDING AND HOUSING STATEMENT OF INTENT



The Chief Executive of the Department has recently published our Statement of Intent (SOI). The Department's SOI describes key areas of focus and delivery of services for the coming year and beyond. The full SOI as well as a summary can be found on the

Department's website by following the link below www.dbh.govt.nz/statutory-reports#2010-13

PLEASE SUBSCRIBE TO BCA UPDATE

This publication has been developed to highlight and communicate topical building control issues. The original circulation list was developed from multiple mailing lists within the Department. To ensure you continue to receive this publication, please subscribe through the address below.

<http://www.dbh.govt.nz/Utilities/notifications/subscribe-notifications.aspx>

Electronic copies of this issue and back issues of BCA Update are available online at www.dbh.govt.nz/bofficials-bca.

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