Guideline

August 2018

Welcome to this update on technical and informative advice for the building and construction industry on issues relating to building controls and good construction practices.

In this issue: Building Act can have teeth ● False LBP claims ● Misleading claims ● The insulation cowboy returns ● Choosing isn't easy – more questions to ponder ● Silica dust ● Aluminium composite panel (ACP) CodeMark suspensions ● What do the ACP CodeMark suspensions mean for a BCA? ● BRANZ Seminars 2018

Building Act can have teeth

A big hit to the pocket

A Lower Hutt company has been fined $37,500 for failing to strengthen an earthquake-prone residential building. The company pleaded guilty in the Hutt Valley District Court to one charge under the Building Act 2004. Hutt City Council had made repeated attempts to get the company to bring the building up to code. The maximum fine for such an infringement is $200,000.

False LBP claims

Giving credence to the licence

Three tradies claiming (wrongly) to be a licensed building practitioner have incurred significant penalties:

- An unlicensed Albany builder was convicted of two charges of falsely claiming to be an LBP, resulting in a $5,000 fine and an order to pay court costs and $1,296 in reparation.
- An unlicensed Christchurch builder has been ordered to pay $10,000 in penalties and $3,200 in reparations.
- Falsely claiming to be a roofing LBP (and carrying out work that was not of a good standard) resulted in a $2,500 fine.

Misleading claims

Fake news

Reading recent online news feeds has highlighted a concerning degree of misinformation. Two examples seen:

- …"the [required] use of tanalised [framing] for durability and now with framing having to be laminated for strength". Both of these assertions are untrue.
- …"the resulting outgassing and toxicity [from the tanalised framing] is a known cause of respiratory illness". H1.2 boron treatment, the most commonly used, is considered a relatively inert and benign treatment option. Good health and safety practices do have to be adopted for LOSP-treated timber (weatherboards, fascias) as a result of the solvents used in the treatment and when handling CCA-treated timber. Typically this is timber for external wet-in-service use.

Also in the news were fake test certificates that were at the heart of costly problems with 1,600 tonnes of substandard steel piles used on the Waikato Expressway in 2016.

Arising from this is the question of what steps a designer or builder should take when faced with a potentially false claim. You should:

- request further information from the supplier
- background check any third-party endorsement of the product or system
- contact the Commerce Commission to report a business for false or misleading statements or conduct
- notify MBIE if you are concerned that a building product (which may include a building method) might not comply with the Building Code.

The insulation cowboy returns

Just when we thought it couldn't get worse

As reported on the Stuff website recently, a Nelson insulation installer deceived clients by only putting insulation around roof hatches where clients would see it. When the contractors came to install the insulation, the sharp-eyed homeowner noticed that they:

- only had eight rolls but the area required 20
- lacked protective gear
- needed to borrow a ladder
- had taken a piece of 170 millimetre-thick insulation and split it into three to make 50 mm pieces.

With suspicions raised, the homeowner went into the roof and had a closer look – 3 metres beyond the roof hatch, there was no new insulation at all, just the original insulation.

Choosing isn't easy – more questions to ponder

A reader suggested

When considering a new or unfamiliar product, one of our readers has responded with the following questions. These should also be asked in addition to the ones we suggested in the July *Guideline* article *Choosing isn't always easy*:

- Is it hazardous to use?
- What impact did it have on the community/place of manufacture?
- Is it recyclable?
- If not recyclable, how does it affect our community/environment while in use and after its use?

What we need to keep in mind is what are the right questions to ask to ensure that the end result aimed for is actually achieved.

Silica dust

Considered as insidious as asbestos and coal dust

The progressive, irreversible lung disease silicosis is caused by long-term exposure to and inhalation of silica dust, which is created when artificial or engineered stone is cut. It can take up to 15 years to develop, and symptoms can include shortness of breath, coughing, fever, cyanosis (bluish skin) and frequent chest infections. It can eventually lead to lung transplants and even death.

Silica dust is also generated when cutting:

- fibre-cement
- concrete and concrete masonry
- bricks.

Industries (other than building) and activities that may expose workers include:

- quarrying, mining
- concrete manufacture
- brick and tile manufacture
- foundries
- abrasive blasting
- roading
- monumental masonry work.

Silica dust can also elevate the risk of:

- lung cancer resulting from a lengthy exposure to high levels of respirable crystalline silica (RCS)
- chronic obstructive pulmonary disease (COPD) – a chronic lung condition that can lead to breathing difficulties
- kidney disease.

For guidance on dealing with silica dust, go to the WorkSafe website.

Aluminium composite panel (ACP) CodeMark suspensions
BC Update 234

As a result of an MBIE-commissioned audit and peer review of CodeMark certificates attached to ACP products, the following New Zealand CodeMark certificates have been suspended:

- CMA-CM40035 – Alucobond Cladding Systems
- CMA-CM40075-I01-R01 – Apolic FR ACM Panel Cladding
- CMA-CM40100 – Larson FR
- CMA-CM40094 – Symonite (Alubond) Cladding Systems
- CMA-CM40111-I02-R03 – Symonite Cladding Systems (Reynobond FR)
- CMA-CM40193-I01-R01 – Vitrabond FR Cladding System

Manufacturers now have the opportunity to rectify issues identified with their CodeMark certificates. If these issues are not rectified, MBIE may revoke the CodeMark certificates.

MBIE also noted that this process has not unearthed evidence that these products are dangerous.

What do the ACP CodeMark suspensions mean for a BCA?
No longer deemed to comply

While these CodeMark certificates are suspended, building consent authorities (BCAs) can no longer rely on them as evidence that the products comply with the requirements of the Building Code.

BCAs will be required to consider product use on a case-by-case basis when assessing a building consent, including those for which a building consent application has been received but not yet issued.

BRANZ Seminars 2018
Talking Timber

This *Talking Timber* seminar will travel along the path of timber as it is prepared for a career in the building industry.

Starting off in the forest, we will explore the influences on timber as it grows and how this will impact on its properties as sawn timber. Once felled, the timber starts its processing journey where it is again subject to many influences.

Once in its sawn forms – framing and wall cladding – we will then traverse the treatment options for the end use, drying, storage (during transport and on site), installation and post-installation care. For timber weatherboard claddings, we will cover the requirements for a good installation including storage and transport, defects, suitable species, treatment, applicable codes and standards, installation and fixing, as well as appropriate coatings for the treatment and finally maintenance.

Topics the seminar will cover will include:

- history of timber use
- timber properties including:
    - influences on growing trees – root stock, pruning, wind, soils
    - sustainability, carbon sequestration
    - log characteristics – compression wood, corewood/outerwood, density, grain
    - moisture in newly sawn timber
    - shrinkage – when it occurs
    - minimising timber variation
    - certification
- applicable Code clauses (B1, B2, E2) and standards (NZS 3604:2011, NZS 3602:2003, NZS 3640:2003)
- framing including:
    - impacts on performance
    - species, durability, treatment options and hazard classes
    - benefits of kiln drying
    - grades and marking
    - moisture content (and correctly measuring this)
    - installation
    - permitted defects
    - care on site
- cladding including:
    - reported cladding issues
    - durability – treatment options and hazard classes
    - species – radiata pine, cedar, redwood
    - profiles and samples
    - vertical versus horizontal
    - finger jointed versus clears
    - moisture content
    - timber surface finishes
    - coating options
    - care and handling on site
    - installation
    - maintenance
- new developments.

Remaining dates and venues

Wed 8 Aug	Tauranga	Trinity Wharf Tauranga
Thu 9 Aug	Rotorua	Millennium Rotorua
Fri 10 Aug	Hamilton	FMG Stadium Waikato
Wed 15 Aug	Christchurch	Sudima Christchurch Airport
Thu 16 Aug	Hokitika	Order of St John Hokitika
Fri 17 Aug	Nelson	Rutherford Hotel Nelson
Wed 22 Aug	Auckland – North Shore	QBE Stadium
Thu 23 Aug	Napier	Napier Conference Centre

Fri 24 Aug	Upper Hutt	Silverstream Retreat
Wed 29 Aug	Palmerston North	Distinction Hotel and Conference Centre
Thu 30 Aug	Kerikeri	Woodlands Motel and Conference Centre
Fri 31 Aug	Auckland – Central	Crowne Plaza Auckland
Wed 5 Sep	Timaru	Landing Service Conference Centre
Thu 6 Sep	Christchurch	Addington Events Centre
Fri 7 Sep	Blenheim	Scenic Hotel Marlborough
Wed 12 Sep	Auckland – South	Ellerslie Events Centre
Thu 13 Sep	New Plymouth	TSB Showplace
Fri 14 Sep	Wellington	Museum of New Zealand Te Papa Tongarewa

All seminars are 3 hours and run from 1.00 pm to 4.00 pm.

Online registration is now available.