



Guideline

December 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: [Summer projects](#) • [Summer building – staying safe](#) • [What building work, if any, can be done before a consent is issued?](#) • [Holiday home turns hellish for man who renovated back without consents](#) • [Single steps in an access route \(September Guideline\)](#) • [Awnings and Schedule 1 exemption](#) • [Window and glazing industry body name change](#) • [It's the silly season again!](#)

Summer projects

Who is available?

During the summer break, the plan might be to tackle some of our own projects – possibly that one left over from last summer. However, we need to keep in mind that a number of services that we are accustomed to having on tap during the rest of the year may not be available:

- BCA staff to carry out inspections. The statutory timeframe for processing consents is suspended over the Christmas break from 20 December to 10 January for building and resource consents. For a summer project, however, you should already have the application in so you have your consent in time.
- Building materials – supply may be limited or unavailable until the supplier restarts work.
- Consultants to provide sign-off of work done, such as engineer approval of foundations.
- Your roofing or other LBP to carry out restricted building work or your electrician or plumber.

Summer building – staying safe

The impact of hot weather can sneak up on you

While compiling this *Guideline* in the latter part of November, the change in the weather into summer mode has been quite noticeable – fine and sunny here in Wellington. This brings some challenges for construction workers:

- Stay hydrated – avoid drinking too much coffee, sugary drinks or alcohol as these can be dehydrating.
- Be sun smart – New Zealand has one of the highest melanoma rates in the world. Don't place sunscreen-covered hands (avoid any sunscreens skin contact) on precoated items like car panels, powdercoated windows or factory coated roofing or wall cladding sheets, as the materials can be permanently marked.
- Dress to be safe but cool – choose lightweight breathable clothes that allow air circulation.
- Work in the shade if possible.
- Wear eye protection to avoid glare, particularly on roofs – UV-rated safety sunglasses will have good impact protection and minimise sun damage to the eyes.
- Be able to identify the signs of heat exhaustion before it quickly becomes heatstroke. Heat exhaustion symptoms include clammy or sweaty skin, darker coloured urine, pounding or rapid pulse, headaches, nausea, muscle cramps or feeling weak or dizzy. Indicators of heatstroke,

which victims often don't recognise, include mood changes or confusion, loss of balance or fainting, seizures and dry red skin.

- Limit work within roof spaces to the early morning when the air within the roof space will be at its coolest.
- Use fans to provide airflow and cooling to keep the temperature down.

What building work, if any, can be done before a consent is issued?

Hold on – don't get too far ahead of yourself

There is always the pressure to get a construction project under way, and the temptation is there to start work before the building consent is issued. In reality, there is very little work that can be done in advance of the building consent being issued. The basic rule is that no 'building work' can commence until the building consent is issued. If you get too far ahead of yourself, you run the risk of work being stopped and a notice to fix being issued.

Obviously work that does not require a consent can be done. For consented building work, only a limited range of tasks can be done before a building consent (and resource consent if required) is issued. Examples of what may be done include:

- complete demolition of an existing detached building providing it is a detached building that is not more than 3 storeys in height
- site clearance (but not earthworks)
- excavating for slab-on-ground foundations or foundation walls for suspended floors – but there is a risk that the siting of the building may not be approved
- setting out building profiles – again, there is a risk as above
- erecting temporary fences and establishing site facilities.

Early on-site activities that should not be undertaken before the consent has been issued and the work inspected include:

- driving timber piles – the driving resistance of the test piles will need to be accepted by the BCA
- concreting conventional timber piles
- concrete underlay installation
- placing steel to slabs and foundation walls
- pouring of any concrete that conceals steel or damp proofing or encases piles.

Building consents cannot be issued retrospectively for work that has been completed but not consented or inspected. Any person undertaking building work and the owner of the property involved have committed a breach of the Building Act 2004. It is possible that work done will need to be demolished or to proof needs to be provided that the building work is safe and sanitary. A notice to fix will be issued and prosecution will follow if the notice is not complied with. An infringement notice may be issued, which includes an instant fine.

Holiday home turns hellish for man who renovated bach without consents

Don't believe all the headlines

To illustrate the consequences of carrying out building work without the right approvals, the following was reported on the Stuff website on 14 November: "A 'classic Kiwi renovation' turned in to an expensive 'nightmare' for a Christchurch man who failed to get consent for the building work done on his beach house."

From reading this, we might think "Poor chap, must be someone who was not aware of the rules that apply."

Reading the full article, however, dispels this myth. The man has been involved in the building industry for many years and should have been well aware of the rules that apply even to a bach renovation. He comes from a family of builders, and when he started working in New Zealand it was in the trades, tiling, painting and renovation.

The council lawyer said that the defendant was clearly familiar with the Building Act and its requirements as he sought to rely on the statutory exemption of maintenance and repair. Judge David Ruth said the court's view was that defendant knew "full well" what his obligations were and chose to ignore them.

So he was not the naive party the headline implied.

The defendant appeared in Nelson District Court on six charges of carrying out building work without a building consent and three charges of carrying out restricted building work without a licence on his Awaroa Inlet property. He was fined \$17,250.

Single steps in an access route (November *Guideline*)

We were tripped up by D1.3.3(i)

To clarify the rules around single steps in access routes, D1.3.3(i) says that an access route shall "not contain isolated steps" – in other words, single riser steps. The exception as stated previously is where the access route is within a single household unit.

Awnings and Schedule 1 exemption

Specific requirements for awnings in public areas

In the November *Guideline*, we answered a query regarding the fitting of a roof to an existing pergola. We said that, while a consent was not required if less than 20 m² in area, adding the roof cladding changed quite a few parameters.

Following this, a reader has queried the rules around awnings and when an awning will require a consent.

In essence, a consent is not required for an awning where the building work is in connection with an awning that has these features:

- The awning is on or attached to an existing building.
- The awning is on the ground-floor or first-storey level of the building.
- The awning does not exceed 20 m² in size.
- The awning does not overhang any area accessible by the public, including private areas with limited public access, for example, restaurants and bars. (In this case, a consent will be required.)

As with pergolas, close attention will need to be paid to the connections of the awning to the existing building. What is the awning actually being fixed to, and is it suitable to take the loads that will be applied to it?

Window and glazing industry body name change

WANZ is now WGANZ

The Window Association of New Zealand is now the Window and Glass Association of New Zealand. Contact details are:

Post: PO Box 44237, Point Chevalier, Auckland 1246

Phone: +64 9 815 3550

Web: www.wganz.nz

It's the silly season again!

Time for a well earned break

From all of us at BRANZ who help bring you *Guideline*, make good use of the time you have off at the end of the year with family and friends. We hope you return refreshed to a happy and hopefully prosperous new year.

As we make our way into 2019, we need to consider how we as an industry:

- develop the required skills to allow the design and construction of sound medium-density housing
- ensure we deal with the mental health issues that are becoming more apparent in the construction industry, as evidenced by the suicide rates
- keep pushing the Code-plus approach to design and construction
- promote the benefits of universal design to ensure that our new and renovated dwellings are designed to suit their occupants now and as they age and experience health and mobility issues
- reduce fragmentation within the industry.

