



Guideline

September 2020

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.

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New consent exemptions now in place

It isn't the wild west – there are still rules

It has been a hot topic of conversation for months – including more than a few calls to our helpline – and we have heard of cases where people jumped the gun, but the new building consent exemptions are finally in place.

A lot of discussion has focused on the fact that single-storey detached buildings up to 30 m² will no longer require building consent as long as they meet certain requirements (see the [July Guideline](#)).

You can find the full list of exemptions on the [Building Performance website](#). The Ministry of Business, Innovation and Employment (MBIE) has also updated its guidance, including publishing a 5th edition of [Building work that does not require a building consent – Exemptions guidance for Schedule 1 of the Building Act 2004](#).

All building work, including exempt work, must meet the Building Code.

Minor variations can be a major headache

It pays to know the rules

Issues around minor variations to building consents come up in our helpline calls from time to time, and we also hear about frustrations from building consent authorities (BCAs). Not following the right process can lead to unwanted delays and perhaps additional costs on a build.

Under section 45A of the Building Act, councils can grant a minor variation to a building consent before or during construction without having to formally amend the consent (although they must keep a record of the variation).

The Building (Minor Variations) Regulations 2009 defines a minor variation as “a minor modification, addition, or variation to a building consent that does not deviate significantly from the plans and specifications to which the building consent relates”.

Who makes the call about whether a change fits this definition? MBIE makes it crystal clear: "Decisions about whether a change meets the definition of a minor variation and whether the minor variation can be granted are the responsibility of the BCA, not any other party."

Contact your BCA about proposed minor variations as early as possible and certainly before the work is actually done. Designer and client should also be made aware of the proposed change.

You can find more general information on MBIE's [Building Performance website](#). The site also gives specific [recommendations for builders, designers and project managers](#).

Going through the wall

And getting the sealant details right

Although it happens less frequently today, we still see cases where penetrations cut through walls are not well done. Any time you cut a hole in a wall, it is crucial to get the details right so weathertightness is not compromised.

As always, the best option is to avoid a penetration completely if you can. When retrofitting a heat pump into an old house, for example, consider a floor console where pipes from the outdoor unit may be able to enter below floor level, avoiding a hole in the wall.

In Acceptable Solution E2/AS1, Figures 68 and 69 show how to make pipes and service penetrations through walls weathertight. For pipe penetrations, use flexible flashing tape to seal the pipe to the wall underlay or flange plate (as shown). There are also a range of proprietary penetration seals on the market (including BRANZ Appraised seals) that simplify this task.

When working on existing homes, the ideal is to follow E2/AS1, but because this will require removal of cladding, it is often not practical. (If the lining is being removed or replaced as part of a renovation, however, taping the penetration to the back of the underlay is an option.)

Steps to take when making a seal against the wall underlay isn't an option:

- Locate the penetration in as sheltered a position as possible – under/through the eaves/soffit (clothes dryer or exhaust vents) or on the sheltered side of a building.
- Slope pipe penetrations down to the outside at least 1.5°.
- Provide a hood or cowl to the penetration and seal this to the cladding.
- Install a flange around the pipe/sleeve (Figure 1). Apply sealant over a PEF backing rod around the opening, cover with the flange and seal just the top two-thirds of the flange collar against the cladding (Figure 2). Don't seal the flange sleeve to the pipe because the sleeve lets water that gets past the flange drain out.

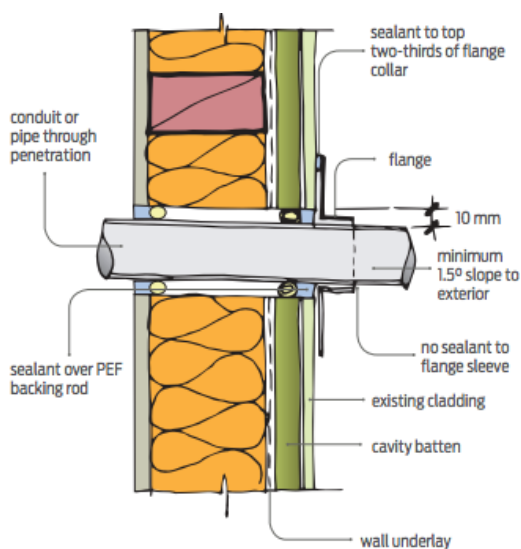
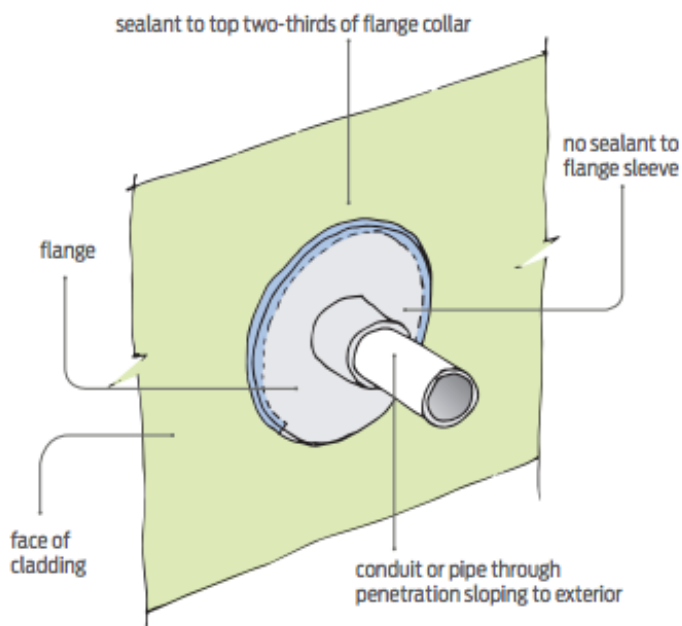


Figure 1. Fitting a flange to a penetration on an existing wall



Note: Shaped packers sealed to cladding are required behind flange for profiled claddings.

Figure 2. The correct location for sealant on a flange

Pooling resources

Fencing is always an issue

As warmer days approach, many home pools will be readied for the summer. Fences around pools must meet certain requirements, but this is a cause of many disputes – there were nine MBIE determinations on the topic last year alone and more this year. Some of the disputes come from existing fences that do not pass the 3-yearly inspections that councils must make.

You can find basic information about pool barriers in [Build 166](#) and on MBIE's [Building Performance website](#).

To give you an idea of how recent determinations were decided, these were the key issues addressed in them:

- Whether the barrier complies with the Building Act section 162C: “Every residential pool that is filled or partly filled with water must have physical barriers that restrict access to the pool by unsupervised children under 5 years of age.” The means of restricting access must comply either with Building Code requirements now or when the pool was constructed (our underlining for emphasis).
- Whether the barrier complies with performance requirements of Building Code clause F9 *Means of restricting access to residential pools*.

Proposals for alternatives to physical barriers, such as laser alarm systems, have been turned down in determinations.

Building Code updates once yearly from 2021

Check out the new timetable

From next year, there will be just a single annual process for updating the Building Code, replacing the current twice-per-year system:

- Consultation around changes will start on Monday 6 April 2021.
- Changes will be published on Thursday 4 November 2021.
- Changes published in 2021 will come into effect in November 2022.

Several areas of future changes to the Building Code have already been flagged, including those that are part of MBIE’s Building for Climate Change programme.

Are you on the map?

Online maps are bursting with useful information

The last few years have seen an explosion of interactive online maps putting all sorts of building-related data at your fingertips. If you haven’t checked them out, we recommend a visit.

Some are regional single-purpose maps, such as Waikato Regional Council’s [Coastal Inundation Tool](#) or Greater Wellington Regional Council’s [Sea Level Rise and Storm Surge Map](#), which both look at flood risks. There are many other regional maps, from biggies like [Auckland Council GeoMaps](#) to smaller but still useful services such as that of the [Whangarei District Council](#).

There are many national maps. [GNS Science](#) maintains an interactive map of all known active earthquake faultlines in New Zealand. [NIWA](#) has a wealth of climate-related services. Our own [BRANZ Maps](#) shows climate, earthquake and exposure zones for a location and other data such as wind zone and rainfall range.

The business sector has also produced maps, such as the [New Zealand FloodMap™](#) by CoreLogic.

Carbon research and resources

Our scientists might not have found a solution to climate change yet, but we’re definitely getting warmer

OK, OK, we won’t give up our day jobs to hit the comedy circuit just yet. But it’s true that we do have a substantial programme of work under way to support the industry towards building zero-carbon homes. You can check out the details on the [BRANZ website](#). In June, we published

[Bulletin 651 Climate change, net-zero carbon and the building industry](#), which gives an overview of the whole topic, and we have more practical guidance for designers and builders coming.

We have a track record in this area. Over 20 years ago, BRANZ was researching and reporting on the environmental impacts (including emissions) of various building materials and the impacts of climate change on our buildings.

News

- A NIWA assessment of [people and buildings at risk in tsunami evacuation zones](#) found 490,000 buildings in these zones, most of them dwellings and most in Auckland and Hawke's Bay. The houses in evacuation zones are home to nearly 10% of the population.
- A project is under way to revise [New Zealand's National Seismic Hazard Model](#). GNS Science and MBIE are leading the project, supported by the Earthquake Commission, engineers and international scientists.
- MBIE has released the report [Energy in New Zealand 2020](#), giving statistics about energy use, including about electricity generation and residential electricity use, for the 2019 calendar year
- In the year ending June 2020, 14,353 Auckland dwellings had a Code Compliance Certificate issued – around 42% higher than the previous year. 14,776 building consents were issued for the year – around 5% higher than the previous 12 months. [Read more...](#)
- MBIE has launched a [public consultation](#) under the new Building for Climate Change programme. Feedback is sought on two documents. Submissions are open until 11 October.
- The government has announced plans to introduce legislation in the middle of 2021 to modernise the [Earthquake Commission Act](#). The new law will respond to many recommendations of the public inquiry into the Commission.
- The [Urban Development Bill](#) giving Crown entity Kāinga Ora the powers to undertake its urban development functions is now law (the Urban Development Act 2020).
- The consortium chosen to lead the [Construction and Infrastructure Centre of Vocational Excellence](#) was announced in early September.
- The impact of the COVID-19 April lockdown is clearly visible in the results of the Stats NZ survey [Value of building work put in place: June 2020 quarter](#)
- Dr Lisbeth Jacobs (General Manager – Innovation and Sustainability at Fletcher Building) has been appointed to the BRANZ Group Board.
- Mike Craig has been appointed as the new Board Chair for the New Zealand Certified Builders Association.

 **Plumbing and Drainage seminar**
Coming soon | 10-25 November 2020
Registration opens 1 October 2020

