

building & consent news

KEEPING YOU INFORMED OF THE BUILDING AND CONSENTS PROCESS

Issue 11 September 2011

When is a Building Consent not required?

The Building Act of 2004 exempts certain work from the requirement to obtain a building consent. The Act also outlines the penalties and fines for undertaking building work without the necessary Building Consent...

Exempt Building Work

Section 41 of the Building Act 2004 exempts certain work from the requirement to obtain a building consent. A building consent is not required for Crown buildings or Crown building work if the Minister of Defence certifies in writing that this work is required for reasons of national security. Exempt building work is listed under Schedule 1 of the Building Act 2004.

Undertaking Building Work without a Building Consent

Undertaking building work that is not exempt without a Building Consent is an offence under section 40 of the Building Act and any person who commits such an offence may be liable to a fine of up to \$100,000. The Department of Building and Housing has produced a useful guidance document on this subject:

www.dbh.govt.nz/bc-no-consent-schedule-1. The guide states that building owners are responsible for determining whether or not building work is exempt and that building owners and building practitioners are responsible for ensuring that building work complies with the Building Code. Where the owner is uncertain as to whether or not any building work is exempt they should seek advice from someone conversant with the application of Schedule 1 such as a Building Consent Authority, Registered Architect, Registered Engineer, Registered Building Surveyor, Building Consultant, Licensed Building Practitioner, Certifying Plumber or Drainlayer.

Irrespective of whether or not a Building Consent is required, all building work must comply with other relevant legislation including the Plumbers, Gasfitters, and Drainlayers Act 2006, Electricity Act 1992, Resource Management Act 1991, Fire Service Act 1975.

Changes to Schedule 1

A significant change to Schedule 1 is that the installation of thermal insulation in an exterior wall requires a Building Consent to properly assess any potential weather-tightness implications. This also applies to the retrofitting of expanding insulating foam. Retrofitting of insulation in internal walls that are fire separations also requires a Building Consent to ensure that the integrity of the separation is not compromised.

Exemption Fees

The Horowhenua District Council has a process to record exempt building work for a set fee of \$107 for domestic works and \$169 for commercial works inclusive of GST. Recording of this work may for example serve to avoid any dispute in respect of insurance coverage and provide a level of certainty to any prospective property owner.

Should you have any queries in relation to exempt building work you may call into Council to speak to the duty Building Officer, email your enquiry to enquiries@horowhenua.govt.nz or call the Customer Service Centre on 06 366 0999.



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Emergency Building Team Training

The Horowhenua Emergency Response Building team has held its first training session. The team is currently made up of about 10 skilled volunteers from the local building industry.

The team would be activated in a large scale disaster situation – such as an earthquake or flood. Building Advisory Officer Tim Taylor says in the event of a disaster it's imperative that the integrity of buildings can be assessed quickly and effectively to determine whether or not they can continue to be used for their designated purpose.

“Existing staff within Council's building unit would not necessarily be able to cope with the added demands over and above normal duties – hence the need for these teams. Information gained when carrying out assessments is also vital to Council and its emergency service partners when making decisions about providing a coordinated response,” he says.

Tim says the formation of a local response team has been part of Council's plans for some time, but the recent Christchurch earthquakes have provided added impetus.

The first training session was led by Ross Brannigan from Horizons Regional Council who explained the process for Civil Defence Emergency Management in Manawatu-Wanganui, which is based on regional boundaries and combines local councils, emergency services, health boards and other organisations to take a highly coordinated approach to emergency management.

Council is looking for more people to join this team. Applicants will need knowledge of the New Zealand Building Code. If you're interested in joining the Emergency Response Team, please email Tim at TimFT@horowhenua.govt.nz

Industry Committee

The local building industry committee representatives continue to meet with Council representatives on the first Monday of every month where items are discussed, providing a forum to address matters of common interest. The industry representatives have been responsible for some very good initiatives to assist the greater needs of the industry, such as the introduction of the dedicated inspection booking line,

and the industry email address group that allows Council to distribute information and updates to those on the listing as soon as we receive the information.

Current industry members are:

Nick Spark; Kelvin MacPherson; Mike Barrett, Malcolm Davie, Andrew Lloyd.



Swimming Pools and Spa Pools

What is Classified as a swimming pool?

A pool is described as any excavation, structure or product that is used and is capable of being used for swimming, wading, paddling or bathing and includes inflatable pools, spa pools and hot tubs.

Any excavation, structure or product that has a water depth greater than 400mm is classified as a pool under the Fencing of Swimming Pools act 1987.

Pool Fencing: What is required?

A fence complying with the Fencing of Swimming Pools Act 1987 must surround the immediate pool area preventing any child up to 6 years of age from climbing over, under or through it.

The fences must be:

- Minimum height of 1.2m above finished ground level on the outside of the fence.
- Minimum height of 1.2m above any permanent projection or object placed on the ground outside and within 1.2m of the fence.

- No spaces between or under fence pickets or rails is more than 100mm.
- When mesh or netting is used, the opening are no greater than 10mm for fences 1.2m high or 35mm for fences 1.8m high.
- Minimum spacings for horizontal rails is 900mm.

Pool access, gates and doors

All pool access gates or doors must:

- Swing outwards away from the pool.
- Be fitted with self-closing and latching devices.
- Not be able to be removed from their hinges or unlatch it lowered or raised.
- Be clear of anything capable of holding them open
- If the latch is fitted at 1.200m high it can only be accessible from over the top of the fence and if fitted on the outside it must be at least 1.500m high.

Anyone intending to install a new pool, spa or hot tub or new pool fencing, must apply for and uplift a building consent prior to commencing the work.

The Fencing of Swimming Pools Act 1987 requires pool owners to notify the Council of the existence of a pool.

For full requirements please contact:

Murray Lougher, Building Compliance Officer
Horowhenua District Council
Ph. 06 366 0999 Ext 6863 or 027 425 4448

Building & Consents Update

- Council maintains its accredited status as a Building Consent Authority, confirmed by International Accreditation NZ on 20 July, following their earlier two day audit of our processes and procedures.
- Ann Clark (Building & Compliance Officer) takes up the Property Officer position within our Community Assets Department of Council. Murray Lougher has now been appointed to the Compliance role.
- 2,298 inspections of consented work were conducted for the 12 months ending 30 June.
- 471 of 480 consent applications (98.12%) were granted in less than 21 working days last year
- 647 applications for Code Compliance Certificates were determined for the 12 months ending 30 June.

Building Consent Application Requirements

A reminder that consent applications must have the following information included with them:

- a copy of a Certificate of Title (not more than three months old);
- a copy of any encumbrances that are stated on the Certificate of Title, which include: Consent Notices, Easements, Boundary Line Adjustments and the like.

Please note that any building consent applications received from 1 October 2011 that do not include this information will be returned to the applicant to obtain them. This is not a new requirement on the applicant, it is just asking that the applicant provides the information they have always been required to do.



Electronic Information

Many thanks to those who have supplied email addresses to enable us to send you information electronically – these details are currently being compiled into a distribution list so that we can forward on industry – relevant information that we receive as quickly as possible.

If you haven't already supplied your email address and would like to be added to the distribution list for updates, please email your details to coletteb@horowhenua.govt.nz