

UNDERSTANDING OUR BUILDING LEGISLATION

New Zealand's building controls are based on two major pieces of legislation – the Building Act 2004 and the Building Code.

By **Nick Helm**, Deputy Build Editor

The Building Act 2004 provides the framework for the building control system in New Zealand. It controls all construction, alteration, demolition and removal of new and existing buildings, and the inspection and maintenance of specified systems, such as lifts and fire sprinkler systems. The purpose of the Act is to:

- ensure buildings have attributes that contribute to the health, physical independence and wellbeing of the people who use them
- ensure that people can use buildings safely and escape a building in case of fire
- ensure buildings are designed, constructed and are able to be used in ways that promote sustainable development
- provide for the regulation of building work.

Performance-based Building Code

The requirements that describe how new building work must perform in order to fulfil the legislation set out by the Building Act are found in Schedule 1 of the Building Regulations 1992, known as the Building Code.

The Code does not prescribe how work should be carried out – it contains objectives and criteria that state how a building must function and perform after the building work is complete. There are many ways to comply with these criteria, and the Code allows for a wide variety of designs, technology and systems.

Verification Methods and Acceptable Solutions

To help comply with the Building Code, the Department of Building and Housing publishes compliance documents that contain Verification Methods and Acceptable Solutions.

A Verification Method requires some expertise to use and comprises test or calculation methods that prescribe a way to comply. These can be

calculation methods (using a mathematical model), a laboratory test (often destruction of a prototype) or tests in situ (non-destructive tests, such as a pipe pressure test).

Acceptable Solutions, however, require no special design expertise and are simple step-by-step instructions for compliance.

If followed, a compliance document has to be accepted as establishing compliance with the Building Code.

Alternative Solutions

A building consent applicant can also comply with the Building Code using an alternative method proposal. The applicant must provide sufficient information to satisfy the Building Consent Authority that the performance

requirements of the Building Code will be met. Once the work is consented, it becomes an Alternative Solution. Alternative methods are used when the proposed building work is either not covered by a compliance document or the building consent applicant chooses not to use it.

Want to know more?

A full explanation of the Building Code and its place in New Zealand building controls is available in the Department of Building and Housing's *New Zealand Building Code Handbook*. The handbook contains information on the Building Act, the Building Code and its clauses and the various paths for Building Code compliance. It can be downloaded from www.dbh.govt.nz. ◀



Hierarchy of New Zealand building controls. (Adapted from Department of Building and Housing drawing.)