

Department of Building and Housing Submission on the Structural Engineering Society of New Zealand (SESOC) Practice Note on the design of Conventional Structural Systems following the Canterbury Earthquakes.

Purpose

The Royal Commission has requested submissions on the above Practice Note.

Context

The Department similarly to SESOC has observed that most modern structures post 1995 have performed acceptably in the Canterbury Earthquake sequence. Buildings that have been well designed, well detailed and well constructed have performed well irrespective of age.

The publication of the four investigation reports into the failure of four buildings in the CBD along with the Expert Panel report has set an agenda for action which will take some time to work through but will certainly include legislative and regulatory (including Building Code) changes.

The Department has accepted all the recommendations of the Expert Panel report and is currently developing a work plan to address these.

Regulatory Framework: the Building Code and supporting information

The Building Act 2004 provides a clear hierarchy of documents associated with building performance, and indicates the role each type of document plays in deciding whether building work complies with the Building Act, as illustrated in the Table below.

Table 1 – Documents authorised under the Building Act 2004 and their role in building consents

| Authority | Type | Application to building consents |
|---|---|--|
| The Building Code (Building Regulations 1992 and s16-18 of the Building Act) | Prescribes functional requirements for buildings and the performance criteria with which buildings must comply in their intended use. | Sets the criteria that building work is required to achieve. All building work must comply. |
| Compliance documents issued by the Department (s22-25A). May include material incorporated by reference (s405-10) | Includes verification methods (methods of demonstrating compliance with the Code) and acceptable solutions (descriptions of building construction which if followed, will achieve Code compliance). | Must be accepted by building consent authorities as establishing compliance with the Building Code |

| | | |
|--|---|--|
| National multiple-use approvals (Multiproof) (s30) | Issued by the Chief Executive in response to an application by a volume builder | Establishes that the plans and specifications to which the MultiProof approval relates comply with the Building Code. |
| Product certificates issued under s269. | Relate to building products and methods | Must be accepted by BCAs as establishing compliance with the Building Code if the relevant conditions are met (s19 (1) (d)). |
| Guidance: under s175 | Guidance information published by the Chief Executive of the Department to assist territorial authorities, BCAs, owners and people carrying out building work to comply with the Act. | May be used to support an application for building consent. A case by case decision on Building Code compliance is still required. |

SESOC Practice Note

The Department welcomes the SESOC Practice Note. The Department has been involved with the development of the Note through the Department's Engineering Advisory Group.

The Department will be reviewing the Building Code Clause for Structure (Clause B1). In the meantime we will work with SESOC to publish the recommendations of the SESOC Practice Note as guidance material under section 175 of the Building Act 2004, so it has the appropriate endorsement and will communicate this to key stakeholders through our stakeholder list. As the SESOC Practice Note covers a number of topics the Department's guidance material is likely to be disaggregated to groups of issues so the Note will become a series of guidance documents.

Before the Department publishes the contents of the Practice Note as guidance the Department will need to work with SESOC on changes needed to make comments in the Practice Note consistent with the regulatory framework. In particular the SESOC Note broadly refers to changes to Standards, but what is really meant is changes to the Building Code (already under review), compliance documents (also being reviewed) as well as possible changes to Standards incorporated into compliance documents. The Department will also work with Standards New Zealand if changes to Standards are desirable.

This will be a holding position pending the work on the critical code changes such as Clause B1 and its associated verification method B1/VM1. SESOC along with others will be stakeholders for this work and involved in its development along with other bodies such as NZSEE and IPENZ.

Timing for Publication of guidance

The Department intends to release its guidance as soon as practicable.

It is anticipated that the SESOC Practice Note will form part of the Part One Final Report of the Royal Commission to be released in June 2012 - if so then the guidance could incorporate responses to the Royal Commission's report and be released by September 2012.

If the Practice Note is not part of the Part One Final Report then the Department would be reluctant to delay the release of guidance to post Part Two of the Final Report which would see the release of guidance in 2013. In this case the Department would publish its guidance by September 2012 in anticipation of Part Two of the Final Report by the Royal Commission.

Discussion

The Department would be pleased to discuss this submission with the Commission as there are no relevant public hearings before the Part One Final report unless it is incorporated in the New Building Technologies Hearing.