

Determination 2005/141

Under section 178 of the Building Act 2004

Applicant: Counties Manukau Pacific Trust
Territorial authority: Manukau City Council
Site address: Telstra Clear Pacific Events Centre
770-834 Great South Road, Manukau City

1. Description

This building is an approximately 2500-seat event centre. There are 5 entrances emerging from below seating. Barriers are required in front of these seats.

2. The matter to be determined

Whether barriers constructed above these entrances comply with clause F4.3.4(b) of the Building Code and consequently the council's decision to refuse to issue a code compliance certificate for the complex.

3. Discussion

The barrier proposed by the owner is to be 800mm high and permanently fixed 530mm in front of the front row of permanently fixed seats.

The current Acceptable Solution for F4 (F4/AS1) does not adequately address the design needs of this building. A revised F4/AS1 was developed by the former Building Industry Authority (BIA) and circulated for public comment. A final version of the revised F4/AS1 was approved by the BIA in 2004. It includes a provision for barriers 800mm high "within 530mm of the front fixed seating". A note to this provision says, "An 800 mm high barrier in front of fixed seating would be appropriate in cinemas, theatres and stadiums". The revised F4/AS1 has not yet been issued.

The design proposed by the owner, although currently an alternative solution, will comply with the revised F4/AS1. On that basis, I am satisfied it will comply with the Building Code.

4. The decision

- a) The proposed barrier complies with clause F4 of the Building Code.
- b) I reverse the territorial authority's decision to refuse to issue the code compliance certificate.

Signed for and on behalf of the Chief Executive of the Department of Building and Housing on 18 October 2005.

John Gardiner
Determinations Manager