



# Property Solutions

*Property Inspection Division*

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Ref: Tony Usder

October 3<sup>rd</sup> 2001

To whom it may concern;

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**INDEPENDENT SAFE AND SANITARY REPORT**  
**4 Marco Polo Place, Lynfield, Auckland**  
**Lot 64 DP 127967**

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This report details our investigation & recommendations into the unauthorised building alteration work that has taken place at the above property.

## A PURPOSE OF VISIT

The purpose of this report is to reassure the property owner and any potential purchaser as to the condition of the alterations from a structural point of view.

This report covers only the building work and structural integrity of the unauthorised works. It is not intended to be a comprehensive report covering the whole structure.

The item that was investigated was the conservatory or closed in deck to the western elevation.

This report expressly excludes any other parts of the house and also excluded are any planning issues that would arise from Council.

On the 27<sup>th</sup> September 2001 an inspection of the building work was carried out at the above dwelling.

## **B FINDINGS**

### **Conservatory**

An alloy manufactured conservatory situated to the west elevation covering the existing deck as indicated on floor plan.

The existing deck comprises of a ceramic tile finish on butynol with 100mm frame wall to perimeter of deck at 900mm in height.

The plinth to deck appears to be constructed in accord with trade practice and covered with rusticated cedar cladding in shiplap configuration, well finished at top rail level to prevent any moisture ingress.

The conservatory consists of glass panel roofing to alloy framing as per manufacturer specification and appears to be in accord with standard trade practices:

- 1       NZS 3504 1979 (Specification for Aluminium Window & Unit).
- 2       The AS/ NZS 2208 1996 (Glass Specification).

The conservatory shows no major signs of any decay.

The alloy joinery shows no evidence of decay to glazing rubbers due to thermal expansion & contraction or shrinkage.

No chalking of powder coated finishes observed and no atmospheric corrosion observed.

No loss of sealant at joints & corners observed, but please monitor the architectural details.

No surface disfigurement observed due to scratching.

Current water sealant to the conservatory appears to be in order showing no signs of any deterioration of materials used.

No signs of any water ingress present at time of inspection.

The vertical seal of alloy joinery framework to existing cladding is well sealed and is showing no decay to sealant.

The bottom plate or bottom frame of alloy conservatory is well secured to the top rail of deck.

Drainage to the conservatory consists mostly of metal spouting which shows no evidence of rust decay or corrosion to downpipes.

The downpipes dispose on existing concrete tile roof at ridge and appears to be controlled.

## **D RECOMMENDATIONS & CONCLUSION**

The building work has generally been performing satisfactorily over several years since construction.

Our inspection of the unauthorised building work reveals that the structure is showing no signs of distress.

Based on a visual inspection, it can be confirmed that it has been built to a reasonable standard, and cannot be deemed to be unsafe or insanitary.

## **E LEGAL SITUATION**

In order to understand the issues involved in a legal context, they are best set out by considering the subject of "unauthorised" building work.

Sections 64 and 65 of the Building Act cover all building works (legal & unauthorised) which are deemed to be unsafe or insanitary, and which is required to be upgraded.

The purpose of this report is to inspect and report on this matter, so that if it can be confirmed that Sections 64 and 65 do not apply, then the situation can be accepted as existing, with no further action necessary on the part of the Council.

This is providing there are no breaches of the District Plan; jurisdiction which is covered by Council under the Resource Management Act 1991.

Another important feature here is that no retrospective building consents can be given under the Building Act for any previous work that has been constructed without a building consent under that Act or under a building permit based on previous bylaw requirements.

Having established that there is "unauthorised" work, and then having established that the work is not unsafe or insanitary under Sections 64 and 65 of the Building Act 1991, Council will simply file any such report given to them with no "approval." Such work will always remain as "unauthorised."

Any prospective purchasers need to be aware of this, so they understand that the situation can never be "legalised." This is from a building point of view.

## **F LIMITATIONS OF THIS REPORT**

This report has been prepared on the basis of a visual inspection of the building works using normal readily available access and without testing of components for the assessment of the overall structural condition of it and associated items, and without recourse to the construction drawings.

It is confirmed that no detailed geotechnical investigation has been included in this brief.

An investigation of the condition and location of underground drainage and services and of electrical, gas and plumbing (except as otherwise may be described in this report) is not included in the brief.

No warranty can be given as to other defects not apparent to visual inspection at the time.

We trust this information is sufficient for your requirements but should you have any query regarding this report, or should there be any matter arising, feel free to contact the writer.

Yours faithfully  
NATIONAL PROPERTY SOLUTIONS LTD



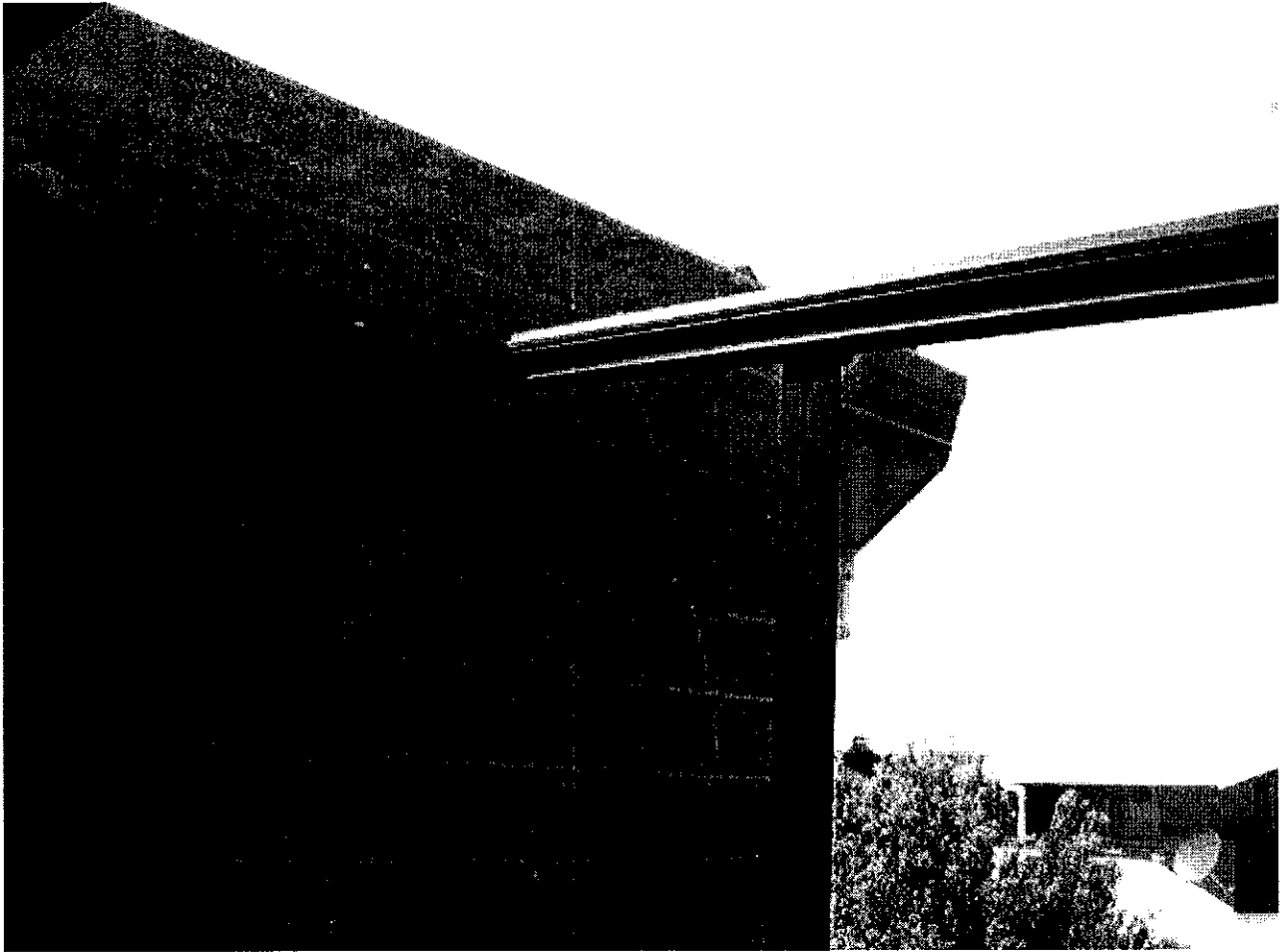
CHRIS DE KLERK (NZCB MBOINZ)  
BUILDING INSPECTOR/ CONSULTANT

Attachments: (1.) Copy Section 64 of Building Act  
(2.) Site Plans  
(3.) Digital Photographs

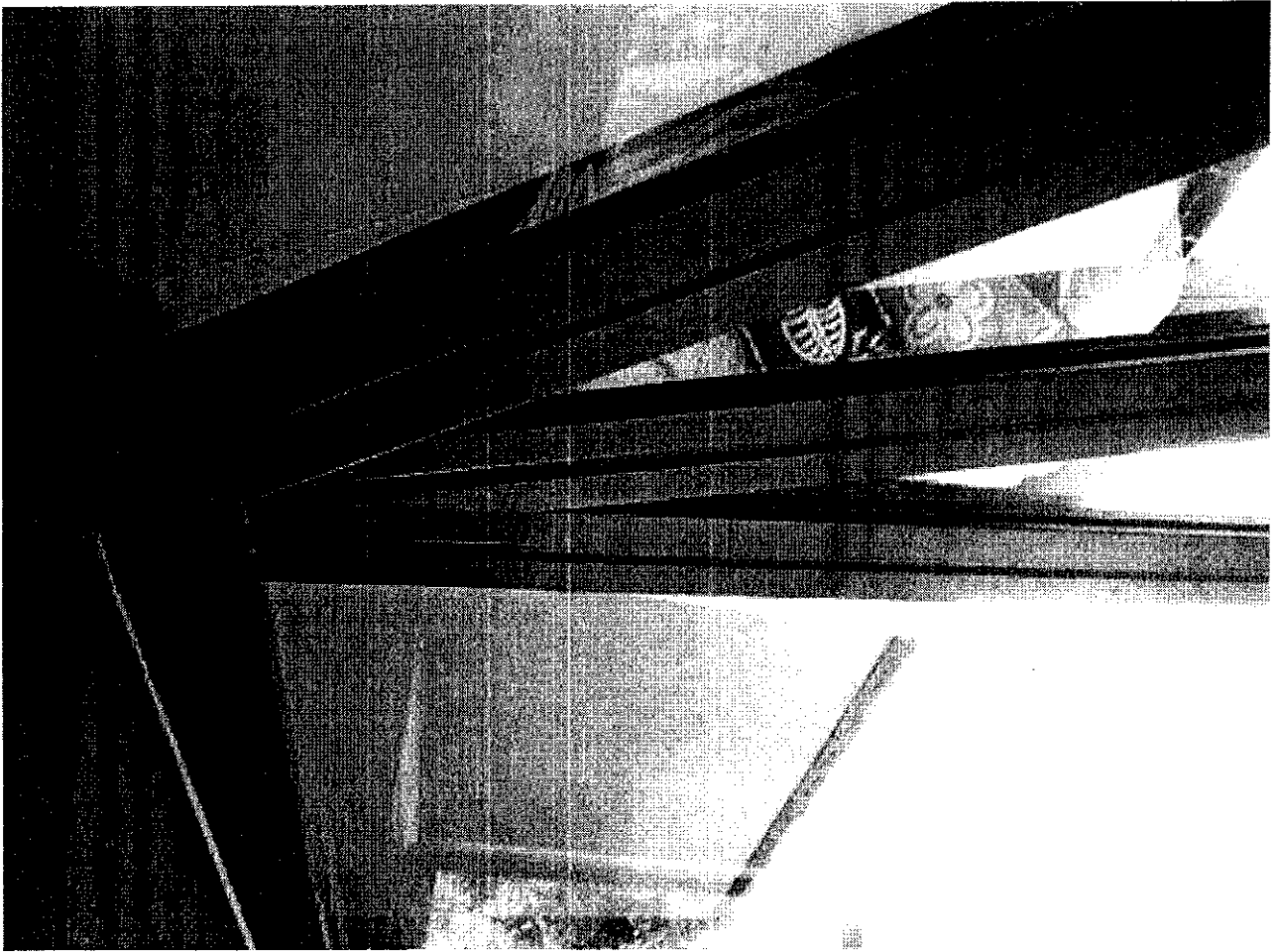
Limitations Note:

- (1.) Prices given for remedial work on faulty items are to serve as a guide only and it is recommended that quotations be obtained from suitably qualified trades persons for the areas identified. If required we are able to recommend approved contractors for the described works.
- (2.) The inspection is restricted to areas that have available access and will not include the removal of wall linings, building paper or insulation or any other covering or lining material. It cannot include CONCEALED plumbing, piping or drainage and electrical items. Flintcoat waterproofing or underground sealants commonly used in basement developments and associated drainage below ground level cannot be accurately assessed.
- (3.) If ready access was not possible into ceiling or subfloor areas, they will be identified and excluded from the report.
- (4.) This report does not provide any guarantee whatsoever that items surveyed will not fail at some later date and information herein pertains strictly to observations on the day of inspection and accessibility.
- (5.) Soil Stability or condition of underground services including underground protective coatings are not able to be included.
- (6.) The positioning of the building or improvements in relation to the site boundaries are excluded but can be checked upon request.













## Section 64 of the Building Act

Section 64 of the Building Act defines buildings which are deemed to be dangerous or insanitary as:

1. A building shall be deemed to be dangerous for the purposes of this Act if it is:-
  - (a.) a building which in the normal course of events (excluding earthquake), is likely to cause injury or death (whether by collapse or otherwise) to any persons in it or to persons on other property or damage to any other property or
  - (b.) a building which by reason of fire hazard and occupancy of the building, would be likely to give rise to an almost certain loss of life in a fire.

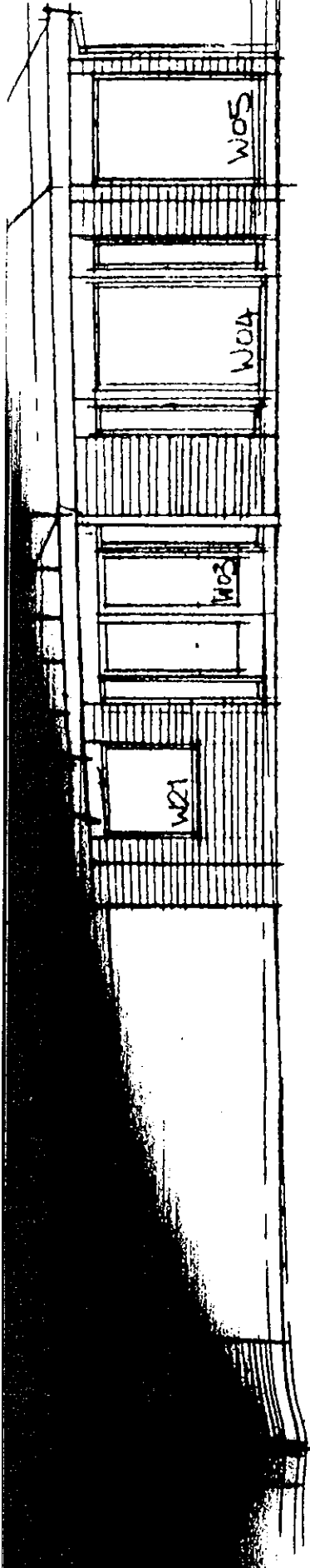
A building shall be deemed to be insanitary if:-

- (a.) it is situated or of such construction or in such a state of disrepair as to be offensive or likely to be injurious to health; or
- (b.) its provisions against moisture penetration are so insufficient or in such a defective condition as to cause dampness in the building or in any adjoining building;
- (c.) it is without a supply of potable water adequate for its intended use; or
- (d.) it has inadequate sanitary facilities for its intended use.

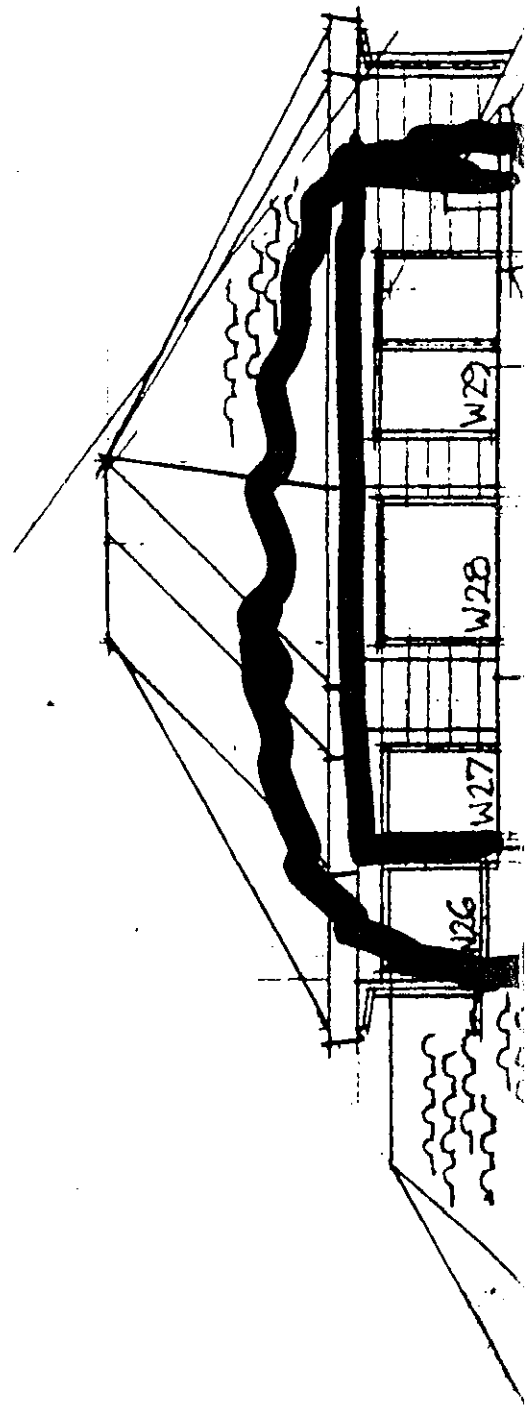
Under the Building Act the territorial authority may require any building that is dangerous or insanitary to be brought up to standard or demolished.

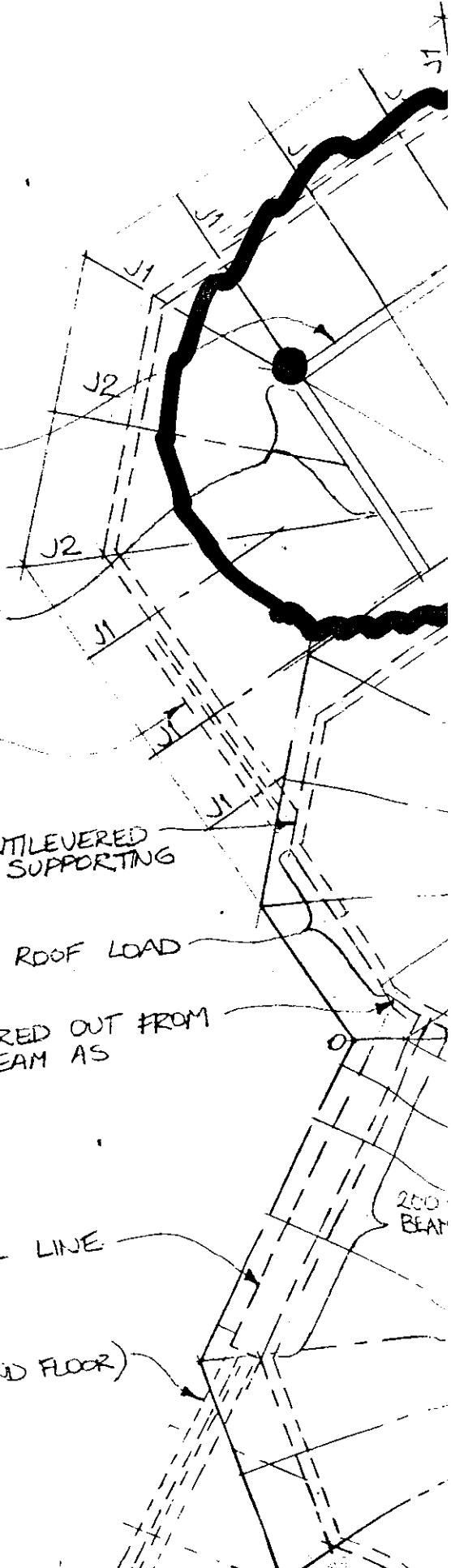
As a result of our inspection it can be said that:

1. the building works carried out as described above show no signs of distress at this time and have been standing there for some years. Should any of the structures fail it would unlikely to be a catastrophic failure and signs of such an event would be noticeable and give sufficient warning to persons on the property. The structures, should they collapse are unlikely to cause injury or death to persons on another property and are also unlikely to cause damage to another property;
2. the structures are unlikely to be a fire hazard
3. the structure are not situated in nor in such a state of disrepair as to be offensive or likely to be injurious to health.



EAST





100 FRAMED WALL TO PERIMETER OF DECK @ 900 mm IN HEIGHT.

WALL VARIES IN HEIGHT OVER THIS AREA.

BRICK VENEER LINE

200 x 100 IN WALL CANTILEVERED TO SUPPORT 200 x 100 SUPPORTING ROOF

200 x 100 SUPPORTING ROOF LOAD

200 x 100 CANTILEVERED OUT FROM WALL TO SUPPORT BEAM AS DESCRIBED ABOVE

FIRST FLOOR WALL LINE

VENEER LINE (GROUND FLOOR)

200 BEAM

