

# **Amendments to NBR's & Implications for Arch. Professionals**

**SAIAT Presentation – 26 July 2008**

Compiled & Presented by: M. Keuter

**Presenter's Notes**



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USE ALL INFORMATION AT OWN RISK

Where doubt or conflict of interpretation exists, the provisions of the National Building Regulations and the relevant Code of Practice are to be consulted. Further clarity of interpretation can also be obtained from the SABS, relevant local authority or a legal practitioner.

## Amendments to NBR's & Implications for Arch. Professionals

**Purpose:**

- 1. Identify the major amendments.**
- 2. Possible Implications for the Architectural Professional.**

## Amendments to NBR's & Implications for Arch. Professionals

### DEPARTMENT OF TRADE AND INDUSTRY

No. R. 574

30 May 2008

#### NATIONAL BUILDING REGULATIONS AND BUILDING STANDARDS ACT, 1977 (ACT 103 OF 1977)

#### NATIONAL BUILDING REGULATIONS

I, Mandisi Mpahlwa, Minister of Trade and Industry, hereby under Section 17(3) of the National Building Regulations and Building Standards Act ( Act No. 103 of 1977 ), and on the recommendation of the Council of the South African Bureau of Standards, declare the regulations, as set out in the Schedule, to come into operation on the 1 October 2008.

M Mpahlwa  
Minister of Trade and Industry

EFFECTIVE DATE OF  
IMPLEMENTATION OF  
REGULATION AMENDMENT

AREAS OF CHANGE AFFECTING ARCHITECTURAL PROFESSIONALS THAT I WILL FOCUS ON.

## Amendments to NBR's & Implications for Arch. Professionals

- DEFINITIONS
- AZ4 COMPLYING WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS
- A1 APPLICATION
- A2 PLANS AND PARTICULARS TO BE FURNISHED
- A7 LAYOUT DRAWING
- A19 APPOINTMENT OF PERSONS RESPONSIBLE FOR DESIGN, INSPECTION AND ASSESSMENT DUTIES
- A20 CLASSIFICATION AND DESIGNATION OF OCCUPANCIES
- PART F - SITE OPERATIONS
  - F3 GEOTECHNICAL SITE AND ENVIRONMENTAL CONDITIONS

SECTION PROBABLY CAUSING CONCERN BASED ON RUMORS

## Amendments to NBR's & Implications for Arch. Professionals

- PART J - FLOORS
- PART K - WALLS
- PART L - ROOFS
- PART M - STAIRWAYS
- PART N - GLAZING
  
- PART Q - NON-WATER-BORNE MEANS OF SANITARY DISPOSAL
  - Q1 MEANS OF DISPOSAL
  - Q3 CONSTRUCTION, SITING AND ACCESS
  
- PART S - FACILITIES FOR PERSONS WITH DISABILITIES
  - S1 APPLICATION
  - S2 FACILITIES TO BE PROVIDED
  - S3 DEEMED-TO-SATISFY REQUIREMENTS
  
- PART T - FIRE PROTECTION
  - T1 GENERAL REQUIREMENT

SECTION THAT WILL  
AFFECT BUILDING DESIGNS  
MOST

# DEFINITIONS

DEFINITION BROADENED TO TIE UP WITH NEW DEFINITIONS FOR:  
RATIONAL ASSESSMENT & DESIGN

GIVES INDICATION OF ADDITIONAL CRITERIA FOR CONSIDERING WHETHER PERSON IS ACCEPTABLE AS COMPETENT PERSON

EXIST DEFINITION

- **"competent person"** *(changed)*

*means a person who is qualified by virtue of his experience and training;*

means a person who is qualified by virtue of his education, training, experience and contextual knowledge to make a determination regarding the performance of a building or part thereof in relation to a functional regulation or to undertake such duties as may be assigned to him in terms of these regulations.

- **"persons with disabilities"** *(new)*

means those persons who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers might hinder their full and effective participation in society on an equal basis with others.

DEFINITION CLARIFIES WHO IS TO BE CONSIDERED IN TERMS OF PROVIDING FACILITIES FOR PERSON'S WITH DISABILITIES

PROVIDES CLUE AS TO WHAT TYPES OF FACILITIES WILL BE TO BE CONSIDERED AND PROVIDED FOR IN A DESIGN

DEFINITION CLARIFIES THE DIFFERENCE BETWEEN THE TWO AND GIVE CLUE HOW EACH IS ACHIEVED.

## DEFINITIONS

- **"rational assessment"** (new)
  - means assessment by a competent person of the adequacy of the performance of a solution in relation to requirements including, as necessary, a process of reasoning, calculation and consideration of accepted analytical principles, based on a combination of deductions from available information, research and data, appropriate testing and service experience;
- **"rational design"** (new)
  - means any design by a competent person involving a process of reasoning and calculation and which may include a design based on a standard or other suitable document;

EXIST DEFINITION

- **"storey"** (changed)
  - means that part of a building which is situated between the top of any floor and the top of the floor next above it, or if there is no floor above it that portion between such floor and the ceiling above it (any mezzanine floor, open work floor, catwalk or gallery being taken to be part of the storey in which it is situated), and in relation to a building –
    - » (a) the ground .....
  - means that part of a building which is situated between the top of any floor and the top of the floor next above it, or if there is no floor above it that portion between such floor and the ceiling above it (any open work floor, catwalk or gallery being taken to be part of the storey in which it is situated), and in relation to a building –
    - (a) the ground .....

DELETION OF TERM MEZZANINE FROM DEFINITION IMPLIES THAT IT IS NOW CONSIDERED AS A STOREY WITHIN A BUILDING.

AS SUCH WILL REQUIRE THAT SERVICES ETC. BE PROVIDED AS PER EVERY OTHER FLOOR IN A BUILDING, EG: FIRE, ACCESS FOR PERSONS WITH DISABILITIES, ETC.

FURTHER IMPLICATION IS THAT THE BUILDING WILL BE A STOREY HIGHER IN TERMS OF ESCAPE / EMERGENCY ROUTES

## COMPLYING WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS

THIS CLAUSE SETS OUT HOW REGULATIONS CAN BE SATISFIED

- **AZ4 COMPLYING WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS** (new)
- (1) The requirements of the National Building Regulations shall be complied with by:
  - (a) adhering to the requirements of all the prescriptive regulations; and
  - (b) satisfying all functional regulations by:
    - (i) adopting building solutions that comply with the requirements of the relevant part of SANS 10400; or
    - (ii) reliably demonstrating, or predicting with certainty, to the satisfaction of the appropriate local authority, that an adopted building solution has an equivalent or superior performance to a solution that complies with the requirements of the relevant part of SANS 10400.
- (2) A competent person who is registered in an appropriate category of registration in terms of the Architectural Professions Act, 2000 ( Act No. 44 of 2000 ), the Engineering Profession Act, 2000 ( Act No. 46 of 2000 ), the Natural Scientific Professions Act, 2003 ( Act No. 27 of 2003 ) or any other relevant Act and, in accordance with the requirements of regulation A19, shall prepare and submit to the local authority a rational design or rational assessment where compliance with the requirements of sub-regulation (1) is to be satisfied in terms of sub-regulation(1)(b)(ii).
- (3) An approved competent persons who satisfies the requirements of sub-regulation (1) in terms of sub-regulation ~~(1)(b)(ii) in respect of a system, measure, facility, parameter or installations shall inspect and certify upon completion,~~ in accordance with the requirements of regulation A19, the construction, erection or installation thereof.

CLARIFIES THAT APPOINTED COMPETENT PERSON IS RESPONSIBLE FOR INSPECTING AND CERTIFYING WORK APPOINTED FOR.

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TO SOME DEGREE THIS BRINGS REQUIREMENTS INTO LINE WITH WHAT LOCAL AUTHORITIES MAY ALREADY BE APPLYING IN TERMS OF RATIONAL DESIGNS.

## PART A - ADMINISTRATION

- **A1 APPLICATION**
- (3) *(changed)*

EXIST CLAUSE

*No person shall erect any building which is to be supported by an existing building or extend an existing building unless a professional engineer or other approved competent person has judged the existing building to be capable of carrying any additional load arising from such erection or extension and has, in writing, so informed the local authority.*

(a) No person shall erect any building which is to be structurally supported by an existing building or extend an existing building unless an approved competent person has judged the existing building to be capable of carrying any additional load arising from such erection or extension and has, in writing, so informed the local authority.

(b) Such notification shall accompany the application for approval of the erection of the building in terms of section 4 of the Act.

NEW

~~(c) For the purposes of this regulation "existing building" shall include a partly erected building.~~  
~~(d) Any structural support provided by the existing building shall be deemed to be part of the structural system of the building to be erected.~~

(e) The local authority may require that the above notification be accompanied by a documented rational assessment of the adequacy of the structural support.

ONLY CHANGE HERE IS THE ADDITION OF TERM STRUCTURALLY

HOWEVER, IT IS NOW NECESSARY TO SUBMIT THE REPORT WITH AN APPLICATION TO THE LOCAL AUTHORITY IN ORDER TO BE CONSIDERED FOR APPROVAL

LOCAL AUTHORITY MAY NOW REQUEST THAT A RATIONAL ASSESSMENT ACCOMPANY SUCH NOTIFICATION.

THIS MAKES PROVISION FOR THE NOTIFICATION OF STABILITY TO NOT BE AN ARBITRARY LETTER

## PART A - ADMINISTRATION

- **A2 PLANS AND PARTICULARS TO BE FURNISHED**

- (1) *(new)*

- (g) a declaration by a person registered in a professional category of registration in terms of the one of the councils for the professions identified in the Council for the Built Environment Act, 2000 ( Act No. 43 of 2000 ) in the relevant portion of Form1 contained in SANS 10400-A as to how the applicable functional regulations shall be satisfied;

- (2) The owner of a building shall appoint and retain the services of the person responsible for submitting the declaration required in sub-regulation (1)(g) and shall advise such person after such declaration has been submitted to the local authority of any changes made in the manner in which any functional regulation shall be satisfied or if the services of the competent person is for whatever reason terminated prior to the conclusion of his obligations in terms of these regulations, or the appointment of any other competent person. Such person shall within one month of being notified by the owner or becoming aware of any change submit an amended declaration to the local authority.

- (4) The names of all approved competent persons shall be entered into the appropriate schedule of Form1 contained in SANS 10400-A before local authority approval may be granted.

REGISTERED PROFESSIONAL IS NOW REQUIRED TO IDENTIFY UPFRONT HOW REQUIREMENTS OF REGULATIONS ARE TO BE MET

CLARIFIES REQUIREMENT THAT REGISTERED PROFESSIONAL IS TO BE APPOINTED BY THE OWNER

THIS CLAUSE MAKES PROVISION THAT THE LOCAL AUTHORITY IS TO BE NOTIFIED OF ALL COMPETENT PERSONS REQUIRED IN TERMS OF A PROJECT BEFORE IT CAN GRANT ITS APPROVAL

ADDITIONAL REQUIREMENTS TO BE PROVIDED ON PLANS FOR PERSONS WITH DISABILITIES.

CONSIDERING THE DEFINITION IT IMPLIES THE FULL RANGE OF FACILITIES TO CATER FOR PERSONS WITH PHYSICAL, MENTAL, INTELLECTUAL OR SENSORY IMPAIRMENTS IS REQUIRED

## PART A - ADMINISTRATIVE

- **A7 LAYOUT DRAWING** *(new)*
  - (e) all details relating to the facilities provided for persons with disabilities;

PROVISION FOR CONVALESCENT TYPE ESTABLISHMENT

- **A20 CLASSIFICATION AND DESIGNATION OF OCCUPANCIES**
  - **TABLE 1 - OCCUPANCY OR BUILDING CLASSIFICATION**

E4 Health care *(new)*

- Occupancy which is a common place of long term or transient living for a number of unrelated persons consisting of a single unit on its own site who, due to varying degrees of incapacity, are provided with personal care services or are undergoing medical treatment.

H5 Hospitality *(new)*

- Occupancy where unrelated persons rent furnished rooms on a transient basis within a dwelling house or domestic residence with sleeping accommodation for not more than 16 persons within a dwelling unit

PROVISION FOR B&B TYPE ESTABLISHMENTS

IN BOTH CASES IT MAKES PROVISION FOR OCCUPANCIES THAT WERE NORMALLY ONLY CATERED FOR UNDER MORE ONEROUS CLASSIFICATIONS EG: HOSPITALS OR HOTELS

FROM RUMORS THIS APPEARS TO BE THE SECTION CREATING CONCERN

NOTE THAT IT IS GEARED TOWARDS COMPETENT PERSONS AND ASSESSMENT OF SAME NOT APPOINTMENT OF ARCHITECTURAL PROFESSIONALS

## PART A - ADMINISTRATION

- **A19 APPOINTMENT OF PERSONS RESPONSIBLE FOR DESIGN, INSPECTION AND ASSESSMENT DUTIES** (changed)
- (1) Wherein terms of these regulations and in respect of the erection of any building:
  - (a) a rational design or rational assessment, is required in terms of:
    - (i) Regulations Z4(1)(b)(ii), A1(3), A23(4), G1(3), O4, P2(2), Q3, R(3), T1(2), W4 in respect of a system, measure, facility, parameter, or installation, as relevant, or
    - (ii) a part of SANS 10400; or
  - (b) a geotechnical investigation is required in terms of regulation F3,
- the owner of the building shall subject to the provisions of sub-regulations (4) and (5) appoint and retain one or more approved competent persons to undertake responsibility for the work associated with such regulations including any inspections and certifications that maybe required.
- (3) The local authority may exempt from the requirements of this regulation any building classified in these regulations as minor building work or foundations to an addition or extension to a single storey building where the applicant has satisfied himself that the existing foundations are in accordance with the rules contained in SANS10400-H and any local damage ( including cracking ) and deformation in the existing building are within tolerable limits.

CONFIRMS OWNER APPOINTS COMPETENT PERSONS AND RESPONSIBLE FOR INSPECTIONS AND CERTIFICATION

AN EXEMPTION IS CATERED FOR UNDER THIS CLAUSE.

HOW THE APPLICANT (?) IS TO PROVIDE SUCH PROOF IS ALSO NOT CLEAR.

LOCAL AUTHORITIES MAY CHOOSE NOT ALLOW SUCH EXEMPTIONS UNLESS ACCOMPANIED BY A RATIONAL ASSESSMENT (??).

LOCAL AUTHORITY CAN REQUEST RATIONAL ASSESSMENT COVERING EXISTING SYSTEMS AND INSTALLATIONS ( FIRE SPRINKLERS, VENTILATION, ETC ) AND THAT SUCH EXISTING AND EXTENSIONS TO THEM COMPLY WITH THE CURRENT REGULATIONS.  
  
BY IMPLICATION THIS WOULD MEAN EXISTING SYSTEMS AND INSTALLATIONS MAY NEED TO BE UPGRADED.

## PART A - AD

- **A19 APPOINTMENT OF PERSONS RESPONSIBLE FOR DESIGN, INSPECTION AND ASSESSMENT DUTIES .....**

- (6)
  - (a) Where any building to be extended, the local authority may on receipt of the application for such extension and before granting approval require that the approved competent persons who have accepted responsibility for such work to timeously prepare and submit rational assessments as to the adequacy of the existing systems and installations in combination with the contemplated extensions to comply with the relevant requirements of these regulations for the whole building including the extensions.

(b) .....

- (c) If the local authority is not so satisfied it may after first consulting with the competent person who has submitted such assessment and subject to appeal to the Review Board decline to accept the assessment for reasons which it shall furnish in writing to such competent person and require him or her to submit a revised assessment to the satisfaction of the local authority.

- (7) Where in a building any element of the structural, fire protection, artificial ventilation, stormwater disposal or non-water borne sanitary disposal, fire installation or drainage installation system as provided for in sub- regulation (1) is or is required to be the subject of a rational design or rational assessment, the person appointed as an approved competent person shall assume responsibility for satisfying the functional regulation relating to that particular system in its entirety.

CLARIFICATION THAT AN APPOINTED COMPETENT PERSON IS RESPONSIBLE FOR THE WORK APPOINTED FOR IN ITS ENTIRETY

## PART A - ADMINISTRATION

- **A19 APPOINTMENT OF PERSONS RESPONSIBLE FOR DESIGN, INSPECTION AND ASSESSMENT DUTIES .....**
- (9)
  - (a) Any person appointed by the owner in terms of sub-regulations (1) or (2), shall apply to the local authority for acceptance as an approved competent person and shall:
    - (i) make application, and
    - (ii) declare his or her competence to undertake the relevant duties in the manner prescribed in the Regulations on Form 2 contained in SANS 10400-A and shall complete all applicable sections of such form.
  - (b) The owner shall also complete the applicable section of Form 2 contained in SANS 10400-A

THIS IS AN INTERESTING CLAUSE AT IT REQUIRES THE COMPETENT PERSON TO SEEK RECOGNITION & APPROVAL FOR EACH APPOINTMENT AND THAT THE OWNER ALSO COMPLETES EACH SUCH APPOINTMENT.

BY IMPLICATION THIS MEANS THAT COMPETENT PERSON APPROVAL BY A LOCAL AUTHORITY IS APPLICATION SPECIFIC.

HOW LOCAL AUTHORITIES WILL MAKE THESE ASSESSMENTS TIMEOUSLY IS UNKNOWN AS MANY WILL PROBABLY NOT HAVE THE EXPERTISE IN-HOUSE.

AS SUCH THEY WILL PROBABLY RELY ON INDIVIDUALS BEING REGISTERED IN APPROPRIATE FIELDS.  
EG: VENTILATION – MECHANICAL ENGINEER

THIS CLAUSE SETS OUT THE DISQUALIFYING FACTORS WHEN CONSIDERING THE ACCEPTABILITY OF A COMPETENT PERSON.

## PART A - ADMINISTRATION

- **A19 APPOINTMENT OF PERSONS RESPONSIBLE FOR DESIGN, INSPECTION AND ASSESSMENT DUTIES .....**
- (9) .....
  - (c) The local authority may, subject to appeal to the Review Board, decline to accept the appointment of any person who:
    - (i) in completing any portion of Form 2 provides incorrect or incomplete information which in the opinion of the local authority is material to the determination of such applicant's competence;
    - (ii) is not an employee of the owner of the building and is not in possession of professional indemnity insurance cover;
    - (iii) is not professionally registered in terms of the Engineering Professions Act, 2000 ( Act No. 46 of 2000 ), the Architectural Professions Act ( Act No. 44 of 2000 ) or the National Scientific Professions Act,2003 ( Act No. 27 of 2003 );
    - (iv) is in the opinion of the local authority inadequately qualified or has insufficient experience or contextual knowledge to make the determinations that are required in terms of these regulations, provided however that any person that satisfies the relevant definition for a competent person provided in a part of SANS 10400 in relation to the duties contemplated in this sub-regulation, is

AN INTERESTING SITUATION ARISES AS A RESULT OF THE APPOINTMENT BY THE OWNER OF AN APPROVED COMPETENT PERSON AND HAVING TO NOTIFY THE LOCAL AUTHORITY OF SUCH APPOINTMENT.

HOWEVER, THE COMPETENT PERSON IS TO BE APPROVED BY THE LOCAL AUTHORITY BEFORE BEING CONSIDERED AN APPROVED COMPETENT PERSON.

THIS IS REQUIRED AHEAD OF SUBMISSION OF AN APPLICATION TO THE LOCAL AUTHORITY AND BEFORE AN APPLICATION CAN BE APPROVED.

EXACT MECHANISMS A LOCAL AUTHORITY WILL EMPLOY TO ACHIEVE THIS UNKNOWN.

Council of South Africa, the African Council for Natural Sciences has expressed an opinion approved in the public

## PART A - ADMINISTRATION

- **A19 APPOINTMENT OF PERSONS RESPONSIBLE FOR DESIGN, INSPECTION AND ASSESSMENT DUTIES .....**
- (10)
  - (a) Where in respect of any building the local authority, after consideration of:
    - (i) the details of registration in respect of category, date and discipline in which the applicant is registered, qualifications, experience, training and contextual knowledge provided in terms of this regulation by any person seeking acceptance of his or her appointment as a competent person, and
    - (ii) the declaration of competence provided by such person in terms of sub-regulation (9),
  - considers that such person does not possess the degree of competence necessary to undertake the relevant duties, it may decline to accept the appointment of such person, who may appeal to the Review Board.
  - (b) If the appeal is upheld, the local authority shall accept the appointment of the appellant as a person competent to undertake such duties or any part thereof in respect of such building as the Review Board may decide.

WITHOUT THE NECESSARY EXPERTISE, LOCAL AUTHORITIES MAY DEEM IT MORE EXPEDIENT TO REFUSE APPLICATIONS BY COMPETENT PERSONS AND HAVE THE REVIEW BOARD MAKE THE DETERMINATIONS.

ALTERNATELY THE LOCAL AUTHORITIES MAY RELY ON THE INDIVIDUALS PROFESSIONAL REGISTRATION TO DETERMINE ACCEPTABILITY OR NOT.

SECTION A19 MAY YET BE AN AREA THAT COULD CAUSE SOME CONCERN FOR LOCAL AUTHORITIES AND APPLICANTS.

A NOTE WITH RESPECT TO THE REVIEW BOARD AND FEES CHARGED.

THE FEE AMENDMENT PROPOSED IS 0.1% OF THE TOTAL BUILDING COST – SUBJECT TO PROOF SUPPLIED BY A QUANTITY SURVEYOR.

PROVISION IS MADE FOR CERTIFICATION OF WORK FOR WHICH THE COMPETENT PERSON WAS APPOINTED

## PART A - ADMINISTRATION

- **A19 APPOINTMENT OF PERSONS RESPONSIBLE FOR DESIGN, INSPECTION AND ASSESSMENT DUTIES .....**

- (12)

- (a) On completion of the structural, fire protection or fire installation system for which an approved competent person has been appointed in terms of sub-regulations (1) or (2), such competent person shall complete and submit to the local authority a fully completed Form 4 as contained in SANS 10400-A in respect of each such system for which such person has accepted responsibility in terms of section 14(2A) of the Act 103.
- (b) The local authority may require from the owner that an approved competent person submit a copy of the certification of the specific work, other than the structural, fire protection or fire installation, for which he has been appointed on completion of the building.

THE CLAUSE FURTHER REINFORCES THE REQUIREMENT THAT AN APPOINTED APPROVED COMPETENT PERSON IS RESPONSIBLE FOR WORK APPOINTED FOR IN ITS ENTIRETY.

## PART F - SITE OPERATIONS

- **F3 GEOTECHNICAL SITE AND ENVIRONMENTAL CONDITIONS**
- (1) Where the local authority has reason to believe that a site upon which a building is to be erected: *(new)*

– (a) is situated on contaminated land;

PREVIOUSLY ONLY COVERED STABILITY OF SOIL.

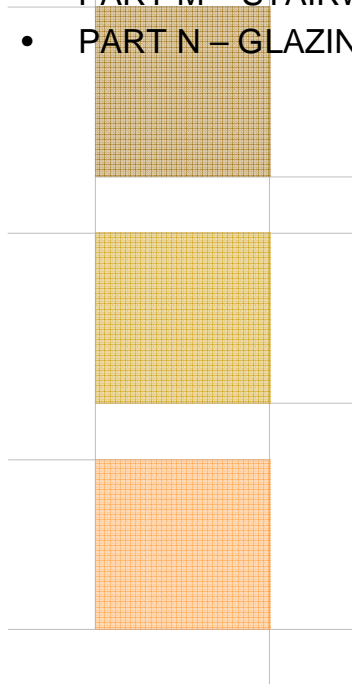
CURRENT ADDITION BRINGS NBR IN LINE WITH ENVIRONMENTAL LEGISLATION AND ITS RELATED REGULATIONS.

CONTAMINATED LAND WOULD INCLUDE LAND PREVIOUSLY USED FOR INDUSTRIAL PURPOSES, LANDFILL SITES, VEHICLE/PLANT REPAIR OR STORAGE FACILITIES, AND ANY OTHER OPERATION THAT MAY HAVE LED TO THE CONTAMINATION OF THE SOIL.

RESULTS OF SUCH SITE INVESTIGATION MAY REQUIRE THAT AN ENVIRONMENTAL CLEANUP IS UNDERTAKEN PRIOR TO ANY APPROVAL BEING GRANTED BY A LOCAL AUTHORITY.

## PART's J – N

- PART J – FLOORS (changed)
- PART K – WALLS (changed)
- PART L – ROOFS (changed)
- PART M – STAIRWAYS (changed)
- PART N – GLAZING (changed)



THESE SECTIONS HAVE BEEN CHANGED GENERALLY WITH RESPECT TO THE REFERENCE OF "LOADING".

THEY NOW ARE REQUIRED TO SATISFY "ALL ACTIONS" AND THAT THEY ARE DESIGNED AND BUILT WITH SAFETY IN MIND.

## PART Q - NON-WATER-BORNE MEANS OF SANITARY DISPOSAL

- **Q1 MEANS OF DISPOSAL** *(changed)*

EXIST CLAUSE

– *Where water-borne sewage disposal is not available other means of sewage disposal shall be permitted by the local authority: Provided that in the case of chemical or pail closets a satisfactory means is available or for the removal and disposal of sewage from such closets.*

- Where water-borne sewage disposal is not available other means of sewage disposal shall be permitted by the local authority: Provided that:

- (a) it stores, conveys, processes and disposes of human body wastes and wastewater in such way that the pathogens, pollutants and contaminants associated therewith do not compromise the health and safety of the original user or others; and
- (b) .....

THE CHANGES HERE AGAIN BRING THE NBR'S INTO LINE WITH THE ENVIRONMENTAL LEGISLATION

CATEGORIES OF BUILDINGS EXCLUDED FROM PROVISIONS HAS BEEN AMENDED

PART S CHANGES WILL PROBABLY AFFECT ARCHITECTURAL PROFESSIONALS MOST DUE TO THE DESIGN REQUIREMENTS THAT NEED TO BE CONSIDERED.

PREVIOUSLY FACILITIES REVOLVED AROUND ACCESS & USAGE FOR WHEELCHAIR USERS.

THE PROVISION OF A DEFINITION AND THE CONTENTS THEREOF NOW ENSURE THAT A FAR LARGER PORTION OF THE POPULATION WILL NEED TO BE CONSIDERED IN THE DESIGN OF A BUILDING.

## PART S - FACILITIES FOR PERSONS WITH DISABILITIES

- (changed)
- **S1 APPLICATION**
- (1) Facilities that accommodate persons with disabilities shall be provided in any building except the following:
  - (a) any building of which the whole of the ground storey comprises one or more occupancies classified in terms of regulation A20 as B1, B2, D4, H4, J1 or J2;
  - (b) any building classified as H1 in terms of regulation A20 where such building has less than 25 bedrooms and it can be reasonably proven that it is not possible to include wheelchair access in certain aspects of the design; and
  - (c) any storey above ground floor level of a building classified as H3 in terms of regulation A20 and not provided with a lift.

SMALL HOTELS MAY BE EXEMPTED WHERE IT CAN BE PROVEN THAT WHEELCHAIR ACCESS IS NOT POSSIBLE.

H3 BUILDINGS WITH LIFTS WILL BE REQUIRED TO BE PROVIDED WITH FACILITIES FOR PERSONS WITH DISABILITIES.

PROVISION IS NOW MADE THAT PERSONS WITH DISABILITIES CAN ENTER, USE & LEAVE THE BUILDING SAFELY

ACCESS TO A BUILDING IS NOW REQUIRED ALONG THE PRIMARY AND SECONDARY APPROACHES TO A BUILDING & VIA THE MAIN & SECONDARY ENTRANCE.

### PART S - FACILITIES FOR PERSONS WITH DISABILITIES

- **S2 FACILITIES TO BE PROVIDED**

- (1) In any building contemplated in regulation S1 requiring facilities for persons with disabilities:
  - (a) persons with disabilities shall be able to safely enter the building, use all the facilities subject to the provisions of sub-regulation (3) within it and leave it,
  - (b) there shall be a means of access suitable for use by persons with disabilities, from the main and ancillary approaches of the building to the ground storey; via the main entrance, and any secondary entrance;
  - (c) there shall be a means of egress suitable for use by persons with disabilities from any point in a building to a place of safety in the event of an emergency;
  - (d) any lift installation that is provided shall be capable of serving the needs of persons with disabilities who are likely to be using the building; and
  - (e) any commonly used path of travel shall be free of obstacles which limit, restrict or endanger the travel of persons with disabilities, or which prevent persons with disabilities from accessing the facilities provided in the building and the presence of such obstruction shall be made evident in a suitable manner to persons with impaired vision; and
  - (f) a suitable means of access shall be provided to any auditorium or hall situated in any building and such auditorium or hall shall, in relation to its seating capacity, be provided with sufficient open space to accommodate a reasonable number of people who use wheelchairs or other assistive devices.

ALSO INTERESTING TO NOTE IS THAT THERE IS NO LONGER A CALCULATION THAT MAKES PROVISION FOR THE EXCLUSION OF A BUILDING BASED ON ITS HEIGHT ABOVE GROUND LEVEL & SIZE OF GROUND FLOOR.

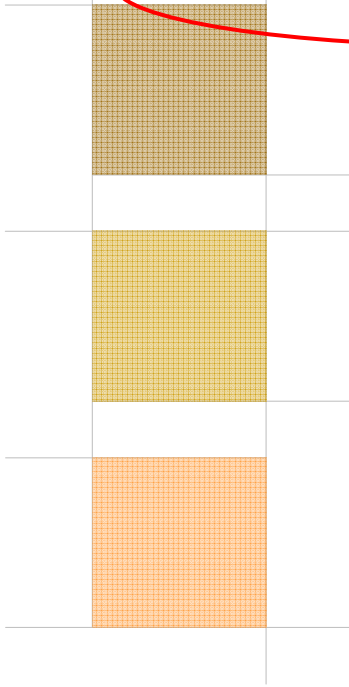
ALL BUILDINGS UNLESS SPECIFICALLY EXCLUDED ARE REQUIRED TO PROVIDE FOR PERSONS WITH DISABILITIES.

THIS PROVISION MAY REQUIRE A RATIONAL DESIGN TO BE UNDERTAKEN WITH RESPECT TO BUILDINGS LARGER THAN A SINGLE STOREY WHICH IS ACCESSIBLE BY PERSONS WITH DISABILITIES.

THESE REMAINING CLAUSES ENSURE THAT THE BUILDINGS ARE ACCESSIBLE AND USEABLE BY PERSONS WITH DISABILITIES.

## PART S - FACILITIES FOR PERSONS WITH DISABILITIES

- **S3 DEEMED-TO-SATISFY REQUIREMENTS**
- The requirements of regulation S2 shall be deemed to be satisfied where:
  - (a) the facilities provided are in accordance with SANS 10400-S;
  - (b) the egress from the building in the event of fire is in accordance with SANS 10400-T.



FURTHER REINFORCEMENT THAT PROVISION FOR ESCAPE BY PERSONS WITH DISABILITIES IS TO BE CATERED FOR.

## PART T - FIRE PROTECTION

- **T1 GENERAL REQUIREMENT** *(changed)*
- (1) Any building shall be so designed, constructed and equipped that in case of fire -

EXIST CLAUSE

*(a) the protection of occupants or users therein is ensured and that provision is made for the safe evacuation of such occupants or users;*

*(a) the protection of occupants or users, including persons with disabilities, therein is ensured and that provision is made for the safe evacuation of such occupants or users;*

AS MENTIONED PREVIOUSLY, THIS PROVISION MAY REQUIRE A RATIONAL DESIGN TO BE UNDERTAKEN WITH RESPECT TO BUILDINGS LARGER THAN A SINGLE STOREY WHICH IS ACCESSIBLE BY PERSONS WITH DISABILITIES.

## CONCLUSION / QUESTIONS



Regulations are available from:

<http://www.info.gov.za/documents/index.htm>

Disclaimer:

The content provided in this presentation is the opinion of the author only and has no force in law.

Where doubt or conflict of interpretation exists, the provisions of the National Building Regulations and the relevant Code of Practice are to be consulted.

Further clarity of interpretation can also be obtained from the SABS, relevant local authority or a legal practitioner.