

PUBLIC INFORMATION



BUILDING CONSENT APPLICATION GUIDANCE

2021

BUILDING LEGISLATION

The Building Act

The Building Act 2004 provides for the regulation of building work, the establishment of a licensing regime for building practitioners, and the setting of performance standards, to ensure that:

- people who use buildings can do so safely and without endangering their health
- buildings have attributes which contribute appropriately to the health, physical independence, and well-being of the people who use them
- people who use a building can escape from the building if it is on fire and
- buildings are designed, constructed, and able to be used in ways which promote sustainable development.

To achieve this purpose, the Act requires anyone proposing to do certain building work to obtain a building consent from a Building Consent Authority (BCA) before commencing building work, with the option of obtaining a Project Information Memorandum (PIM).

The Ministry of Business, Innovation and Employment (MBIE) provide a guide for when a building consent is not required. This can be viewed at their website www.building.govt.nz

What is a Building Consent?

A building consent is the formal approval issued by a building consent authority stating that certain works, if properly constructed in accordance with the plans and specification will comply with the requirements of the New Zealand Building Act, Building Regulations and the Building Code. You cannot undertake any building work which requires a building consent without this approval. Most building work requires a building consent, but some minor work is exempt under Schedule 1 of the Act.

When is a Building Consent required?

A building consent is required before you undertake any building work, such as additions alterations or constructing new buildings, and pool barriers, unless exempt. Please view the Ministry of Business, Innovation and Employments guidance publication “A guide to building work that does not require a building consent” at their web site <https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/check-if-you-need-consents/building-work-that-doesnt-need-a-building-consent/technical-requirements-for-exempt-building-work/>

Please note that there may be other legislation that affects your proposed project, such as the Resource Management Act (RMA).

Please contact Councils Planning Department for assistance.

Building on land subject to natural hazards:

Where council identifies that the land on which the work is proposed is subject to natural hazards, Council will consider if the work is major or minor and what affect the work will have on the hazard. Depending on the circumstances the consent could be refused, granted subject to a condition that a natural hazard notification is placed on the title (this will incur additional fees) or no addition action could be necessary.

Council will discuss with you the refusal or notification process if this relates to your consent.

What is Restricted Building Work and who are Licensed Building Practitioners?

Restricted building work is work that must be completed by or supervised by, a licensed building practitioner (LBP). Building Practitioners are licensed by the Ministry of Business Innovation and Employment.

This 'restricted building work' applies to, but is not limited to:

- foundations
- framing
- roofing
- cladding and/or
- active fire safety systems in small-medium sized apartment buildings.

Licensed Building Practitioners include, but are not limited to:

- Designers
- Carpenters
- Roofers
- External Plasterers
- Bricklayers and/or
- Blocklayers.

Registered architects, chartered professional engineers and plumbers are deemed to be LBPs.

It is the owner's responsibility to check that the trades people doing and/or supervising the work are licensed building practitioners.

Restricted work is work on homes and small-medium sized apartment buildings that is critical to the integrity of the building (structural or weathertightness).

An exemption is available to owner-builders (do-it-yourselfers) allowing them to carry out Restricted Building Work (RBW) on their own home and build their own home. There are certain criteria for this and details can be found at <https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/choosing-the-right-people-for-your-type-of-building-work/owner-builder-obligations/>

Building consent applications are not accepted unless they include a Memorandum - Certificate of design work from a LBP certifying that the design work complies with the Building Code.

Licensed Building Practitioners (LBP) will also need to provide a Memorandum - Record of Building Work when the work has been completed.

Further information can be found at <https://www.building.govt.nz/>. Also check out the MBIE 'Build It Right' brochure <https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/choosing-the-right-people-for-your-type-of-building-work/use-licensed-people-for-restricted-building-work/restricted-building-work/>

What is a Building Consent Authority?

Building consent authorities are regional or territorial authorities or private organisations registered under section 273 of the Building Act 2004, and are responsible for performing building control functions under Part 2 of the Act.

What is a Project Information Memorandum (PIM)?

A project information memorandum (PIM) is a memorandum issued by the Territorial Authority (Council) under sections 32 - 35 of the Building Act 2004 which sets out information relevant to your building work.

This is information on special land features, including potential:

- erosion
- avulsion (removal of land by water action)
- falling debris
- subsidence
- slippage
- alluvium (the deposit of silt from flooding;
- the presence of hazardous contaminants which are known to Council which are likely to be relevant to the design, construction or alteration of your proposed building
- details of stormwater or wastewater utility systems which relate to your proposed building work, or are adjacent to your building site.

A PIM also identifies any additional approvals required such as:

- Resource Management Act
- New Zealand Historic Places Trust (heritage buildings/sites)
- Fire and Emergency New Zealand (FENZ).

The memorandum also includes:

Confirmation, subject to other provisions of the Act that you may carry out the building work subject to:

- the requirements of the building consent, and
- all other necessary authorisations being obtained.

Copies of other information that may have some design impact on your proposed building work like:

- drainage plans
- water supply plans
- other utility plans and/or
- any other information that Council holds that is relevant to your project.

Important: A PIM does not give any form of approval under the District Plan or Building Act. Contact the Waimate District Council's planning department, or your own planning adviser to determine that your proposal complies with the District Plan. If it does not, and resource consent is required, you are strongly advised to obtain this before seeking building consent to avoid possible expensive changes to your proposal.

Must I apply a PIM?

No, PIM's are voluntary. They may be applied for separately or in combination with your building consent.

How to apply for a PIM

An application for a PIM must be made on the Project Information Memorandum/Building Consent (Form2) application, which is available on the Simpli Portal <https://simpli.govt.nz/> or from the Waimate District Council or by visiting our website www.waimatedc.govt.nz.

This form must be completed in full, signed, dated, before being submitted. To submit your PIM application, please post to Waimate District Council, PO Box 122, Waimate 7960, or bring in to Council office in Waimate, or lodge through the Simpli Portal <https://simpli.govt.nz/>

Please note that hard copy applications that require scanning to be entered into Councils electronic systems can incur a scanning fee.

Documentation required

All applications must be accompanied by:

- a site plan
- floor plan
- building elevations
- site access and
- drainage plan.

How long does it take?

Council is required to issue the PIM in 20 working days of the application being received. In most cases the BCA gathers PIM information in order to process your building consent.

NB: Providing all fees are paid, the PIM will be posted or emailed to the applicant when it is issued. If the PIM is applied for with the building consent, the timeframe for issue of both is 20 working days.

How long does it take to get a Building Consent?

Building consent processing time depends on the complexity of your project and whether or not you have provided all site specific information. Most building consents will be approved within 20 working days. However, if information is found to be lacking, the time clock is suspended and not restarted until all the requested information is provided.

How do I apply for a Building Consent?

You need to complete an application form PIM/Building Consent Form 2 and provide information relevant to your building project. You can access the forms from either:

- our website www.waimatedc.govt.nz , or
- through the Simpli Portal <https://simpli.govt.nz>
- collect from the Council office in Waimate.

Please note that hard copy applications that require scanning to be entered into Councils electronic systems can incur a scanning fee.

How do I lodge an application?

Once you have gathered all the necessary information, you can post the application to Waimate District Council, PO Box 122, Waimate 7960; courier to 125 Queen Street, Waimate 7924; bring into Council office in Waimate; or lodge through the Simpli Portal <https://simpli.govt.nz>.

It is important to ensure that the designer provides site and project specific documentation that clearly show Building Code compliance. Poor quality applications may delay your consent.

CONSENT PROCESSING

How is my application processed?

All applications, regardless of how they are received, are vetted to check if all information has been provided, this is not a technical check. Your application may be rejected at this time, if insufficient information has been provided.

Providing key aspects of the application form have been completed, the application will be vetted by the BCA within 2 days and the BCA will either request further information via the Simpli Portal or formally receive the application. If the application is formally received the 20 working day time clock will commence, where the application includes a National Multiple Use Approval the working clock is reduced to 10 working days. Once the requested information is received and accepted, the application will be formally received and the 20 working day time clock will commence. The application is then allocated to the various disciplines within the building consent authority for processing, i.e. Planning, Building and Assets. Each discipline will review your application and assess it for compliance against the requirements of the Building Code as prescribed in the Building Act. If there are any questions or concerns, you will be requested to supply further information/clarification via the Simpli Portal. The 20 working day time clock is suspended until this information is provided in full.

Requests for additional information will generally be sent to the person responsible for the consent. Often clouding the area of drawings that have changed in response to an RFI, may help speed up the processing of your consent.

Once all disciplines involved in the process are satisfied with compliance, a final check is made to ensure all work has been assessed correctly before the building consent is granted pending payment of fees.

The granting of the consent shows that the building consent authority (BCA) is satisfied on reasonable grounds that if the project is constructed in accordance with the approved plans the project will comply with the Building Act, Building Code and Regulations.

Payment of Fees

When the building consent has been granted, an invoice will be generated and sent to the person indicated on the application form, via the Simpli Portal. **It is extremely important to use the correct reference when paying the invoice.**

Payment can be made by internet banking or at the Council office reception.

Once payment has been received, the building consent will be issued.

Receiving Your Building Consent?

Your building consent and approved plans along with any supporting documentation will be forwarded to the property owner or nominated person.

If your application has been refused, a letter will be sent advising you the reasons.

Work cannot start until the building consent has been issued.

External Parties

Some commercial project may need reviewing by the Fire and Emergency New Zealand - Fire Engineering Unit. They have 10 days to provide feedback. Your fire designer should notify you of this, if needed, and this should be clearly identified in the consent documentation.

In some cases the BCA may send applications externally for review, in particular for engineering or fire peer review. When busy, the BCA may also send consents to external contractors to process your consent.

How long is my building consent valid for?

The Building Act provides that if work to which the consent relates hasn't started within 12 months from the date of the issue of the consent, and an extension has not been applied for the consent will lapse and be of no effect. This means that you will need to apply for a new consent.

If a Code Compliance Certificate (CCC) application has not been made by the 2 year anniversary of the grant of the building consent, the BCA is required to make a decision on whether or not to issue a CCC.

In either case the BCA will try to contact you to remind you of these provisions.

What sort of information do I need?

Building consent applications can be complex. We recommend that you engage a professional person to help with the design work and drawings. Each application must be accompanied by the information requirements identified in the application pack which includes the following and are to be submitted through the Simpli Portal;:

- 1 **Record of Title** – 1 copy - no older than 3 months old. Please include any Consent Notices listed under Interests.
- 2 **Plans**
 - 2.1 **Site Plan** - Scale 1:200 (recommended scale). The site plan must show the proposed building work in relation to the property boundaries, existing buildings, drainage and water supply systems, spot levels and datum.
 - 2.2 **Floor Plan** - Scale 1:100. To be fully dimensional, including wall and partition sizes, designation of rooms, doors and window openings, sanitary fittings, fixed units, appliances such as wood-burners, cooking and heating units.
 - 2.3 **Cross Section** - Scale 1:50. To show full details of construction of foundations, reinforcing, floor structure, wall and roof structure, insulation and height above ground level.
 - 2.4 **Elevations** - Scale 1:100. Four elevations of the proposed building are required to show all doors, windows, roof heights and external materials and finishes.
 - 2.5 **Drainage Plan** - Scale 1:200. To show means and location of sewage and stormwater disposal systems and any existing drains on site. Water supply details must be shown. (Only a certifying plumber/craftsman drain layer or licensed person working under their supervision can carry out plumbing/drainage works.)
 - 2.6 **Details** – Scale 1:5. These are generally structural and weathertightness details to show how the critical elements of the building work are to be constructed.
- 3 **Specifications** - Specifications must be relevant to the particular building and to the plans submitted. They must give a full description of the type, size and grade of materials to be used, and the method of construction, including other trade section.

- 4 **Engineering calculations/fire report** (if applicable) –If designs are from a CPEng engineer a site/project specific PS1 will be required.
- 5 **Alterations to existing buildings** - Under section 112 of the Building Act, a BCA must not grant a building consent to alter all or part of an existing building unless it is satisfied that, after the alteration, the building will (among other things) comply as nearly as is reasonably practicable (ANARP) with the Building Code provisions relating to means of escape from fire and access and facilities for persons with disabilities. Section 112 of the Building Act also gives TA's some powers to allow alterations to existing buildings. (if you intend to change the use of the building different provisions apply)

To determine whether an existing building will comply ANARP with Building Code requirements for means of escape from fire and access and facilities for persons with disabilities after the proposed building work has been carried out, BCAs and TAs will need information on the building's current level of compliance (GAP Analysis).
- 6 **Wall bracing layout** (if applicable))
- 7 **Roof truss** (if applicable) –Manufacturer's Truss Design and Producer Statement
- 8 **E2 risk matrix** (demonstrating weathertightness features)
- 9 **H1 analysis** (demonstrating insulation requirements)
- 10 **Information related to specified systems and the compliance schedule.**

Change of use, extension of life and subdivisions:

Change of use (Section 115)

If you intend to change the use of the building extend the life, or subdivide you may need to seek professional help with the application or come and speak to us about the type of information you may need to supply.

Extension of life (Section 113(2))

Where a building consent has been issued subject to the condition that the building must be altered on or before its specified intended life (imposed under Section 113(2) of the Act) the life of such a building may not be extended unless written consent is obtained from the Council.

Code compliance requirements: Extension of life (Section 116)

The owner of a building with a specified intended life must not extend its life without the written consent of the territorial authority.

This subsection applies to a building with a specified intended life if;

under section 113(2), a building consent for its building or alteration was issued subject to the condition that it must be altered on or before the end of the specified intended life; or
 under section 39(1) of the Building Act 1991, a building consent for its building or alteration was issued subject to the condition that it shall be altered on or before the end of the specified intended life.

The territorial authority must not give its consent to the extension of the life of a building to which subsection (2) applies unless satisfied, on reasonable grounds, that the building;
 has been altered in accordance with the condition; and
 complies with section 112.

Subdivision of Buildings(Section 116A)

Council must not issue a certificate under Section 224(f) of the Resource Managements Act 1991 for the purposes of giving effect to a subdivision affecting a building or part of a building unless it is satisfied, on reasonable grounds, that the building will comply, as near as reasonably practicable, with every provision of the building code that relates to one or more of the following;

- means of escape from fire
- access and facilities for the people with disabilities (if this is a requirement for the building)
- protection of other property

The building must also continue to comply with the other provisions of the building code to at least the same extent as before the subdivision application was made.

What if my application is for a heating appliance only?

You must complete the Application for Building Consent for Solid Fuel Burner – Form 2 and provide all the relevant information regarding the heating appliance, such as the Make, Model a copy of the manufacturer's installation instructions, if required ECANs Authorised Burner number. You must also supply a complete floor plan of the building indicating where the appliance is to be fitted and showing the location of the smoke detectors. Also show evidence that the fireplace complies with the emissions regulations, <https://www.ecan.govt.nz/data/authorised-burners/>.

Where can I get a current Record of Title?

Contact Land Information New Zealand on 0800 ONLINE/0800 665 463 or www.linz.govt.nz or you can ask Council to download this (fee as per fees and charges).

Is there other information that I might need?

New Vehicle Access - Any building which requires a new vehicle access must be approved. Contact the Council Asset Department on 03 689 0000 to discuss this. A detailed plan showing the location of the proposed access will need to be supplied with your application.

RAPID Number - Each new dwelling within the rural area is required to have a number at the gate similar to street numbers in town. This is essential and particularly helpful in emergencies.

What about a resource consent?

Some proposals require a land use resource consent. If you are unsure if your proposal requires a resource consent, you can discuss the details with the planning department at the Waimate District Council. Please phone 03 689 0000 and ask for the Planning Department.

How much will my Building Consent cost?

This depends on the type of application, cost of work involved and the level of detail provided. Charges are based on the length of time it takes to process an application and include costs such as:

- levies payable to the Ministry of Business innovation and Employment (payable on all applications \$20,444 or more);(Building Levy Order GST inclusive)
- levies payable to BRANZ (payable on all applications \$20,000 or more)
- BCA accreditation levy (payable on all applications)
- time spent processing the application
- inspections (type and number vary depending on application)

- issue of code compliance certificate (CCC)
- issue of compliance schedule (if applicable)
- vehicle crossing (if applicable) and
- water meter connection (if applicable).

A schedule of fees is available from our website www.waimatedc.govt.nz, or collected from Council office. Fees can be paid at the office or by internet banking.

If you choose to withdraw your building consent application once processing has started, you will be charged for time spent processing and administration costs.

If your building consent application is refused once processing has started, you will be charged for time spent processing and administration costs.

The BCA may charge additional fees for processing time where an unreasonable amount of time has had to be spent processing the consent or for additional inspections.

Who are the Building Research Association of New Zealand (BRANZ) and why is my application levied?

BRANZ Limited is an independent and research, testing, and information resource for the building and construction industry. Further information at: www.branz.co.nz.

Who are the Ministry of Business, Innovation and Employment (MBIE)?

MBIE is the government department responsible for regulating the building industry.

Can I change my plans later?

Yes, if you need to change anything on your plans, you must **apply** for an amendment **before** carrying out any changes to your approved plans. At the end of the building project, the approved building consent documentation needs to be an accurate reflection of what has actually been built. Changing the details of the original consent drawings can be completed in two ways via either a site variation or an amendment. If you have made changes without approval the BCA may stop your job until the changes are resolved.

Amendments

Amendments are those where work is outside the scope of the original consent e.g. additional footprint or increases in floor area, construction method, and significant changes to layout. An amendment form is required to be completed and fees payable.

Site Variations

Minor variations are changes that do not usually affect compliance with the Building Code e.g. changes to types of taps, the position of kitchen joinery, and non-structural walls or doors. You may need to provide information to record the change however it is not necessary to complete a new building consent application form. This may be able to be approved on site by the inspector.

There may be a cost involved in approving the minor variation.

What are building consent conditions?

These are conditions imposed on your building consent which are deemed necessary to ensure compliance. For example:

- Section 67
A modification or waiver to this building consent has been granted subject to conditions
- Section 73
The land is subject to a natural hazard and Council is required to register this on the Certificate of Title for the property

- Section 75
The construction of a building is over two or more allotments boundaries. Council is required to register this on the Certificate of Title
- Section 90
Allows for the Building Control Authority to inspect building work during normal working hours while building work is being undertaken
- Section 113
- Proposed building work or existing building work being altered is to have an intended life of less than 50 years.

What are building consent endorsements/advice notes/reminders?

Building consent documents are often endorsed or have notes added by the consenting authority to remind the building owner about specific aspects of construction to achieve compliance. For example a note may be added regarding specialist inspections that may be required. These endorsements will be noted on the actual consent. It is important that you read and understand all endorsements of the building consent before commencing work. If you do not understand any endorsement imposed, please contact us to discuss.

THE INSPECTION PROCESS

When can work begin?

Although work can begin when you have received your building consent, if a resource consent is required, you may need to wait until that is also issued.

What inspections do I need?

In most cases a building officer from Council will need to visit the building at various stages during the work to ensure work complies with the consent. Typically the inspector will record the inspection by making notes and taking photos.

When your application is processed, the building officer will determine what inspections are necessary. Each inspection will be identified on your Inspection Sheet attached to your building consent. Typical inspections may include but not limited to foundations, concrete masonry, concrete floor slab, pre-cladding, cladding, pool fencing, wet area membranes and fireplaces, pre-line building and plumbing, post-lining, drainage and a final.

In some cases commercial finals will require two inspectors to undertake the inspection and review specified systems.

Non-standard inspection types will be noted on the inspection list for your consent.

Sometimes it is necessary for specialists to conduct inspections in addition to the inspections carried out by the Building Consent Authority (BCA). If a specialist inspection is necessary you will be advised before the consent is issued. Generally, these inspections are necessary to confirm ground stability or specific design by a Chartered Professional Engineer.

It is the owner's responsibility to ensure that the BCA is contacted at the appropriate times to undertake the required inspection. The Building Control Officer will email a copy of the inspection sheet to the contact person.

Please ensure you read inspection requirements and are familiar with them before commencing work. If in doubt, please ask.

Missed inspections may mean that a Code Compliance Certificate cannot be issued.

How do I book an inspection?

Building inspections are booked through the administration team by phoning 03 689 0000 (do not contact the Building Control Officers directly). Inspections are undertaken Monday - Friday 8.30am to 3.30pm (excluding public holidays). Fixed time inspections are completed under special circumstances.

You must provide the following information when booking an inspection:

- site address
- building consent number
- name and telephone number of contact person on site
- email address of where the site inspection result will be sent to
- date and time the inspection is required and
- type of inspection, ie plumbing, drainage, foundation, pre-slab, pre-line, etc
- if Restricted Building Work please provide the names of any relevant LBP's including licence references.

NB: It is your (or your builder's) responsibility to notify Council a minimum of 24 hours before you require an inspection.

How do I know if the inspection has been passed?

At the conclusion of all inspections the outcome of the inspection is recorded on the Goget system and emailed to the nominated person. It is recommended that the owner or an agent is available on site for all inspections to ensure they are clear on the outcome.

You may be asked to stop work or continue with conditions (conditional continuation) if the inspector fails the inspection or work is non-compliant or unsafe.

NB: No plans and documentation on site - **No inspection.**

What if the inspection is not approved?

If the inspection fails, the work to be fixed will be recorded on the site inspection sheet. Another inspection will be required to inspect the remedial work. In some cases work may have to stop, in others some work may be allowed to continue or an amendment may need to be applied for. If the work is not remedied to the satisfaction of the Building Control Officer, it is possible that a Notice to Fix (NTF) will be issued.

Re-inspections may incur additional charges.

Please note that building control officers may refuse to complete the inspection if the site is seen to be unsafe.

What is a Notice to Fix (NTF)?

A NTF is a formal notice issued by the building consent authority advising that certain works have not been carried out in accordance with the building consent or the Code/Act. If an NTF is issued you must address the issues identified within the prescribed timeframe to prevent further action being taken. Typically an NTF will be issued for serious or ongoing breaches. If a notice to NTF is issued, documentation identifying and explaining the process will accompany it. We would prefer to work with you to get compliance.

Do I need a final inspection?

Yes, all building consents require a final inspection. The purpose of the final inspection is to ensure that all work is completed to the extent required by the Building Consent.

Although there is no imposed time frame on an owner to complete work, on the 2 year anniversary of the granting of your consent the BCA is required to decide if a CCC can be issued. If you cannot complete the work within this timeframe, it is essential that you contact us to discuss time frames which can include applying for an extension of time.

An owner must apply for a CCC once all the work described in their building consent is completed. To make an application you must complete a CCC application form in the Simpli Portal including filling in details of when the work was completed.

Once the application has been made the BCA has 20 working days to decide whether to issue a CCC. The BCA will complete a final inspection if a final inspection has not already occurred, and ensure all documentation has been received. The required documentation will be listed on the building consent. If all building work complies and the required documentation supplied a code compliance certificate will be issued.

If CCC cannot be issued due to required documentation not being provided or building work not being completed, the 20 working day clock is stopped and further information letter sent via the Simpli Portal. If the required information or building work is not completed the BCA may refuse to issue the CCC.

The Code Compliance Certificate can only be issued where the BCA is satisfied on reasonable grounds that the work complies with the consent.

What is a Code Compliance Certificate?

A Code Compliance Certificate (CCC) is the final certification confirming that the BCA is satisfied on reasonable grounds that all works undertaken complies with the building consent. You must apply for a CCC after all work has been completed. This is an important document and should be retained for future reference.

A CCC can be withheld until any outstanding fees for the likes of additional inspections etc. have been paid. Fees can be paid by internet banking or at the Council offices.

Producer Statements

In some case the BCA may accept a producer statement from a suitably qualified person verifying compliance with the Code or consent.

A producer statement (expert opinion) for design (PS 1) has, in the past, been accepted in the processing of a Building Consent which clearly identifies the intent of the design and construction details required for completion.

Some details of your building consent may be required to be peer reviewed by a Chartered Professional Engineer (CPEng). A Producer Statement (PS2 Design Review) will be required to be supplied from the CPEng.

Council can complete this process for you or you can elect to have the structural design reviewed by your own engineer. All costs are the responsibility of the owner.

Below are details for when a peer review is or isn't required:

1. Simple designs to NZS3604 i.e. bracing, foundations would not need to be reviewed.

2. Simple steel beams (with good connection details shown) would also not need to be peer reviewed.
3. Sheds with an importance level 1 and in a rural situation i.e. hay sheds do not need to be peer reviewed.
4. A shed with an importance level 2 and to be used for residential dwellings do need to be peer reviewed.
5. Complex designs outside the scope of NZS3604 and structural designs completed by an engineer that isn't a CPEng, whether deemed simple designs or not, would need to be peer reviewed and a PS2 would need to be supplied with the building consent.

If you choose to have the design peer reviewed using your own engineer please ensure that the engineer who completes the peer review (and provides the PS2) is a Chartered Professional Engineer (CPEng) and has the correct competence to complete the review. Council will require evidence that the engineer is a CPEng and that their area of expertise is suitable to complete the review of your design.

These details can be found at <https://www.engineeringnz.org/> or by contacting the Engineering NZ (EngNZ) on 04 473 9444.

It is strongly recommended that you check with the building department to ensure the engineer you are using is competent to do so.

Identified also are additional inspections required by the suitably qualified independent design professional that are to be carried out along with and including BCA inspection requirements. A Construction review PS4 (statement of expert opinion) will be required to be issued by the agreed suitably qualified independent design professional where requested prior to issuing a Code Compliance Certificate. It must state that the building was constructed as per the building consent documents and be accompanied by copies of all inspection reports and site notes for the project made during construction of the building works.

Site safety for inspectors

You are responsible for the safety of visitors to the work site including those undertaking building inspections. You must provide safe access to parts of the construction necessary for inspection. Ladder access must be securely founded and tied. Scaffold access and roof edge protection is generally required. Inspectors will not inspect unsafe sites.

What are National Multi-use Approvals?

National Multi-use approvals are issued by the National Multiple-Use Approval Service of the MBIE. A multi-use approval is a statement by the Ministry that a specific set of building plans and specifications complies with the New Zealand Building Code (NZBC).

A Multi-use approval is not, and does not replace, a building consent. The holder of a Multi-use approval must obtain a building consent each time they wish to construct the design to which the Multi-use approval relates. The BCA will only need to assess the Building Code compliance of site specific features that are excluded from the Multi-use approval, the BCA has 10 Days to issue a Multi-use approval consent.

COMMERCIAL AND INDUSTRIAL PROPERTIES

Section 363 Public Premises

It is the owner's decision as to when a building can be occupied however, if your building is open to the public, whether free of charge or by payment of a charge, the building cannot be used or occupied until a Code Compliance Certificate (CCC) is issued.

In certain circumstances it may be possible to apply for a Certificate for Public Use (CPU), which will allow a building or part of a building to be used before the Code Compliance Certificate is issued. Each application will be considered on a case-by-case basis.

What are public premises?

Any building which is open to the public whether free of charge or by payment of a charge, including:

<ul style="list-style-type: none"> • shopping malls; • cinemas; • marae • camping grounds • visitor accommodation 	<ul style="list-style-type: none"> • garages and workshops; • funeral homes; • office and retail complexes; and • rest homes, etc
--	---

What is a Compliance Schedule (CS)?

A Compliance Schedule is a document issued by the building consent authority for buildings which contain specified systems. Specified systems include:

automatic systems for fire suppression;	automatic or manual emergency warning systems for fire or other dangers;
cable cars.(residential dwellings)	emergency lighting systems
laboratory fume cupboards	smoke control systems
other fire safety systems or features (systems for communicating information intended to facilitate evacuation, final exits, fire separations, signs);	emergency power systems for, or signs relating to, a system or feature specified for any of the above
mechanical ventilation or air conditioning systems	electromagnetic or automatic doors or windows;
escape route pressurisation systems	riser mains for use by fire services
automatic back-flow preventers connected to a potable water supply	building maintenance units providing access to exterior and interior walls of buildings
lifts, escalators, travelators, or other systems for moving people or goods within buildings	audio loops or other assistive listening systems

A compliance schedule must be kept on site and made available to Building Control Officers, Independent Qualified Persons (IQP's) and authorised agents.

What is a Compliance Schedule Statement?

A compliance schedule statement is issued by the Building Consent Authority (BCA) and serves as temporary notification of Compliance Schedule (CS) requirements. It will list the inspection, maintenance and reporting procedures necessary to keep the specified systems in good working order. It is issued at the same time as the Code Compliance Certificate (CCC). It must be replaced in 12 months with a Building Warrant of Fitness (BWOFF), which is issued by the building owner.

How do I obtain a Compliance Schedule?

A compliance schedule must be applied for at the same time a building consent application is made and will be issued with a Code Compliance Certificate (CCC) by the Building Consent Authority (BCA) for:

- new buildings (if the building has one or more specified systems) or
- an upgrade to an existing building or systems, required as a result of a change of use or alterations, which may also require a building consent.

When applying for a CCC for a building that contains specified systems you should attach to the application relevant certification for the specified systems as well as details of the specified systems and plans showing specified system locations and or layout.

What information do I need if I am applying for a Compliance Schedule?

Your architect/designer should provide you with information relating to the performance standards for each specified system contained within the building at the time the application for building consent is made. The performance standards will identify the inspection, maintenance and reporting procedures required for each system. The appropriate forms are available using the following link <https://www.dunedin.govt.nz/services/building-services/compliance-schedule-and-specified-system-information>

The information and application forms contained in this guidance document have been adopted by the Southern Building Control Group (SBCG) and must be used when lodging an application for a new Compliance Schedule or an Amendment to an existing Compliance Schedule.

Can I be prosecuted for not obtaining a Compliance Schedule or if my Building Warrant of Fitness has expired?

Yes, depending on the alleged offence, the fine ranges from \$20,000 to a maximum of \$200,000.

What is a Building Warrant of Fitness (BWoF)?

A Building Warrant of Fitness (BWoF), (Form 12), is a statement issued annually on the anniversary of the issue of the Compliance Schedule by the building owner to Council stating that the requirements of the compliance schedule have been fully met.

The Building Warrant of Fitness (BWoF) must have attached to it all certificates of compliance issued by the Independent Qualified Person (IQP). These documents must be issued in the prescribed form (Form 12A) and certify that the inspection, maintenance and reporting procedures stated in the compliance schedule (CS), have been fully complied with during the previous twelve months.

What documents should I keep regarding the Building Warrant of Fitness (BWoF)?

You are legally required to obtain written reports relating to the inspection, maintenance and reporting procedures of the compliance schedule which must be signed by the independent qualified persons, or licensed building practitioner who has carried out any of the listed procedures, (inspection, maintenance or reporting).

You are required to keep all reports together with the Compliance Schedule (CS) for a period of two years and produce those reports for inspection when required.

What is an Independent Qualified Person (IQP)?

An IQP is a person who is qualified to carry out any performance inspection, maintenance, reporting or recommendation on a specified system.

All IQP's are required to be registered with Timaru District Council in our area. The link to search for an IQP in our area is available on our website www.waimatedc.govt.nz.

COMPLAINTS

What happens if I am unhappy about any decision the building consent authority has made?

You have the right to appeal any decision the Building Consent Authority (BCA) has made, or to complain about any building control function the Building Consent Authority (BCA) undertakes. A customer has a right to complain and have their complaint managed.

What is a building control function?

A complaint in relation to building control is defined as a complaint about:

<ul style="list-style-type: none"> • meeting statutory time frames; • lodgement or vetting of building consent applications; • processing of building consent applications; • inspection of work under construction; • issuing of a notice to fix; 	<ul style="list-style-type: none"> • issuing of code compliance certificates; • issuing compliance schedules; • failure to provide appropriate information or advice; • fees and charges; and • failure to meet legislative or Building Code requirements.
---	---

How do I make a complaint?

You can make a complaint in person; however it must be accompanied by a written statement. Complaints not made in writing or made anonymously will not be acted upon.

Complaints should be addressed to:

Building Control Manager
Waimate District Council
PO Box 122
Waimate 7960

What information is required?

- date incident occurred;
- nature of complaint (guidance information, vetting, lodgement, inspection, notice to fix, code compliance certificate or compliance schedule)
- copies of any supporting information (if applicable) and
- relationship (customer, regulator, or stakeholder).

How long does it take?

All complainants will be responded to within 3 working days acknowledging the receipt of the complaint and advising a timeframe for investigation and response.

All complaints will be acted upon within 2 weeks of receipt of the complaint, unless a request for further information is made.

Do I have a right of appeal?

Yes, if you do not agree with the outcome you may request a review of the decision. All appeals must be made in writing, setting out the reasons why you disagree with the decision.

All appeals should be addressed to:

Chief Executive
Waimate District Council
PO Box 122
Waimate 7960

What else can I do?

If you are still unhappy or choose to use an alternative route to settle a matter of doubt or dispute, you may apply to the Ministry of Business, Innovation and Employment (MBIE) for a Determination. Visit www.building.govt.nz for further information on this service and to download the form (Form 14).

In some cases you can seek a determination from the Ministry of Business innovation and employment where there is a matter of doubt or dispute or lay a complaint with the MBIE regarding building control function. Queries of this nature should be made to MBIE direct.

USEFUL WEBSITES/TELEPHONE NUMBERS

Ministry of Business, Innovation, and Employment (formerly DBH)	www.building.govt.nz	0800 60 60 50
Environment Canterbury	http://www.ecan.govt.nz/	0800 324 636
BRANZ	www.branz.co.nz	0900 5 9090
Consumer Build (Independent advice)	www.consumerbuild.org.nz/publish	
Land Information New Zealand	www.linz.govt.nz	
Building Research	www.buildingresearch.org.nz	
Engineering NZ	https://www.engineeringnz.org/	04 473 9444
Fire and Emergency New Zealand – Building Design for Fire Safety	https://fireandemergency.nz/	
Fire and Emergency New Zealand – Home Sprinklers	https://fireandemergency.nz/at-home/home-sprinklers/	
NZ Homeowners' Building Guide	www.buildingguide.co.nz	09 360 8885
Producer Statement Author Register	https://icc.govt.nz/wp-content/uploads/2018/08/PSA-register-29-August-2018.pdf	
Independent Qualified Person (IQP)	https://www.timaru.govt.nz/services/building/independent-qualified-persons/iqp-search	

USEFUL PUBLICATIONS

NZ Homeowners' Project Workbook – Your Guide to Building a Better

Home (order local copy at: www.buildingguide.co.nz or 09 360 8885

The Building Act and You – Ministry of Building, Innovation and Employment