

TE MANA WHAKAAETANGA HANGANGA - ARATAKINGA BUILDING CONSENT AUTHORITY GUIDANCE



IHIRANGI CONTENTS

Building legislation	2
Project Information Memorandum (PIM)	4
Building consents	6
The inspection process.....	14
Commercial and industrial properties	18
Complaints	23
Additional information	25
Glossary	26





NGĀ TURE HANGANGA 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 wellbeing of the people who use them
- people who use a building can escape from the building if it is on fire
- 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).

What is a building consent?

A building consent is the formal approval issued by a BCA stating that certain works, if properly constructed in accordance with the plans and specifications, 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 MBIE guidance publication “A guide to building work that does not require a building consent” on their website: www.building.govt.nz

Building on land subject to natural hazards

Where the Masterton District Council identifies that the land on which the work is proposed, is subject to natural hazards, the 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 additional action could be necessary.

The 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 MBIE.

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

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

LBP's include, but are not limited to:

- designers
- carpenters
- roofers
- external plasterers
- bricklayers
- blocklayers.

Registered architects, and chartered professional engineers are deemed to be LBP's.

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

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

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 in the document 'Obligations and Responsibilities of Owner-builders and Their Building Project'. This document can be viewed at:

www.building.govt.nz

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.

LBP's will also need to provide a Memorandum - Record of Building Work when the work has been completed.

Further information can be found at:

www.building.govt.nz

What is a building consent authority?

BCAs 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.



PROJECT INFORMATION MEMORANDUM (PIM)

What is a Project Information Memorandum?

A Project Information Memorandum (PIM) is a memorandum issued by the Territorial authority (the 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 the 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
- any other information that the 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 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 for 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

Once you have gathered all the necessary information, your application can be made through our online portal:

www.build.objective.com

Alternatively, an application form can be downloaded from our website or collected from the Council customer service centre.

This form must be completed in full, and signed and dated before being submitted.

To submit your PIM application, please email: buildingadmin@mstn.govt.nz

If you are unable to submit your application electronically, please contact the Building Team on 06 370 6300 to discuss your options.

Documentation required

All applications must be accompanied by a copy of:

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

How long does it take?

The Council is required to issue the PIM within 20 working days of the application being received.

Please note:

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.



WHAKAAETANGA HANGANGA

BUILDING CONSENTS

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. The Council is required to grant the building consent 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 will need to complete an application form and provide information relevant to your building project. MBIE provides some good guidance for you on their webpage, [Applying for a building consent](#).

A checklist of the standard documents and detail required for residential work is available at: www.building.govt.nz

Commercial work will require additional information. Refer to the “Commercial and industrial properties” section below for further details.

How do I lodge an application?

Once you have gathered all the necessary information, your application can be made through our online portal:

www.build.objective.com

If you are unable to lodge electronically, applications can be submitted in hardcopy to the Council but there will be additional charges to cover the scanning and printing costs involved. The application form (Form 2) is available on our website: www.mstn.govt.nz or can be collected from the Council customer services centre.

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



How is my application processed?

All applications, regardless of how they are received, are vetted to check 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 entered into the system as lodged. The BCA has three days to vet the application and either request further information or formally receive the application. The 20 working day clock commences from the date a complete application is received. This will be the date the application was lodged or, if further information is required, the date that the information is received.

The application is then allocated to the various disciplines within the BCA 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. The 20 working day time clock is suspended until this information is provided in full.

Requests for further information (RFI) will generally be sent to the person responsible for the consent. Often clouding (highlighting) the area of drawings that has 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 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.

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 MBIE (payable on all applications \$65,000 or more)
- levies payable to BRANZ (payable on all applications \$20,000 or more)
- 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)
- water meter connection (if applicable).

A schedule of fees is available from our website: www.mstn.govt.nz or can be collected from the Council customer services centre at 161 Queen Street. Fees can be paid online, in person at the Council customer service centre, or by internet banking.

What if my application is for a heating appliance only?

You must complete the building consent application form and provide all the relevant information regarding the heating appliance, such as the make, model and a copy of the manufacturer's installation instructions. 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, visit: www.ecan.govt.nz

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 plans and specifications relevant to the project. A checklist for the type of information required can be viewed at: www.building.govt.nz

Commercial work will require additional information. Refer to Commercial and Industrial Properties section below for further details.

- 1. Certificate of Title** – no older than three months. Please include any consent notices listed under Interests.
- 2. Plans** – (one complete set)
 - 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 drainlayer 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** (one complete set)
 - 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) – (one complete set)

If designs are from a Chartered Professional Engineer (CPEng) 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 BCAs 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.

- 6. Wall bracing layout** (if applicable)
 - (one set)
- 7. Roof truss** (if applicable) – (one set)

Manufacturer's Truss Design and Producer Statement
- 8. E2 risk matrix** (demonstrating weathertightness features) - (one set).
- 9. H1 analysis** (demonstrating insulation requirements) (one set)
- 10. Specified systems** (where applicable)
 - details of the design features of the specified systems, as well as the performance standards, and proposed procedures for inspection, maintenance, and reporting.

Other authorisations

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.

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

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

Payment of fees

When the building consent application is received, it is vetted for completeness and an invoice will be generated. This is sent to the person indicated on the application form. It is extremely important to use the correct reference when paying the invoice.

In some cases we may not start processing until you have paid the invoice. You must have paid your invoice in order to receive an issued building consent.

Payments can be made in person at the Council customer services centre at 161 Queen Street, by internet banking, or online: www.mstn.govt.nz

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

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

Some projects may need reviewing by external parties such as FENZ or Heritage New Zealand Pouhere Taonga. When busy, the BCA may also send consents to external contractors to process your consent.

FENZ

The fire engineering unit will review applications for safety of firefighters and requirements to enable firefighting operations.

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 addition, the Council may send commercial consents to FENZ for review where this process is considered to add value.

Heritage New Zealand Pouhere Taonga

Building consent applications for work on listed buildings may require notification to Heritage New Zealand via a resource consent. Some buildings of historical significance locally are also listed in the district plan and a resource consent may be required to complete building work.

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 Council. Please phone 06 370 6300 and ask for the Planning Department.

Receiving your building consent

Your building consent and approved plans along with any supporting documentation will be uploaded to the online portal. Hardcopy applications will be emailed or printed on request. Note: there are charges for this.

If your application has been refused, a letter will be sent advising you of the reasons. Work cannot start until the building consent has been issued.



Although your building consent is granted, you may not necessarily commence work on site if a resource consent is required, and will, or may, materially affect the building work. Where a resource consent is required, until it has been granted, building work may not proceed. This is also known as a Section 37 Certificate and will be attached to the consent when issued.

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, the consent will lapse and be of no effect. This means that you will need to apply for a new consent.

If a CCC application has not been made by the second 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. If the project has been delayed, you may apply for an extension to this time.

Change of use, extension of life, and subdivisions (s115, s113, s116 and s116A):

Every building is designed for a specific use and has to meet Building Code requirements that ensure it will be safe, healthy, and durable when used in the way it was designed. If that use changes, the building may need to be altered to support the new use.

An owner has committed an offence if they change the use of a building without notifying and getting approval from the Council.

The Council will need to be satisfied that the building in its new use will comply with the Building Code ANARP. If the new use involves the introduction of a household unit, the building code must be addressed

in all respects. If the change of use does not involve a household unit there are still structural, fire, accessibility, and sanitary criteria to meet.

You also need to let the Council know if you want to extend the life of a building that has a specified intended length of life, or subdivide land in a way that affects a building (including a neighbouring property in a multi-unit complex).

It is advisable to contact the Council to discuss these changes in the early stages of planning to ascertain the type of information you will need to supply. You may need to seek professional help with the building consent application.

For more detailed information refer:

www.building.govt.nz

Where can I get a current certificate of title?

Contact Land Information New Zealand on 0800 ONLINE/0800 665 463 or:

www.linz.govt.nz

Is there other information that I might need?

New vehicle access - Any building which requires a new vehicle access must be approved. Application forms are available on the Council website (www.mstn.govt.nz) or contact the Council Assets and Operations Department on 06 370 6300 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. To apply for a RAPID number fill out the form on the Council website: www.mstn.govt.nz

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

BRANZ Limited is an independent research, testing, and information resource for the building and construction industry. For further information see: 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, changes to the building work may be made during the build. 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 minor 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 changes 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. An amendment is processed in the same vein as a building consent.



Minor variations

Minor variations are changes that do not usually affect compliance with the Building Code, e.g. changes to type of taps, the position of kitchen joinery, and non-structural walls or doors.

You will need to provide information to record the change. An application form for a minor variation is available on the Council website and should be emailed to: buildingadmin@mstn.govt.nz

Minor variations may be able to be approved on-site by the inspector, always let them know of your proposed change before the work is done.

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.

There are five specific conditions that can be applied to an issued building consent, and owners and builder/developers should ensure that they understand these and their implications if:

1. The approved plans contain waivers or modifications to the building code issued by the territorial authority, section 67 of the Building Act 2004.
2. The building consent has been issued with a notification condition that the land is subject to natural hazards, see section 72 of the Building Act 2004.
3. The building consent has been issued subject to a condition to allow for building over two or more allotments, section 75 of the Building Act 2004.
4. The building consent under section 90 of the Building Act 2004, has been

issued with a list of specific inspection types that will need to be conducted by a council officer or agent (typically at specific stages of construction), and may sometimes be required to be conducted by other professionals like structural engineers. Professionals will have to provide documentation that they have conducted these inspections and they will need to be organised and paid for by the builder/developer/owner.

5. The building consent has been issued with the condition that the structure has a 'specified intended life' as determined by the owner/application, section 113 of the Building Act 2004.

What are building consent advice notes?

Building consent documents are issued with advice notes by the BCA to remind the building owner about specific aspects of construction to achieve compliance.

For example, a note may be added regarding specialist inspections, or documentation that may be required to assist the BCA with decision-making.

There may also be advice notes from other parts of the Council, including roading and planning prompts.



TE TUKANGA AROTAKE HANGANGA

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 the Council will inspect 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 in the required items letter attached to your building consent. Typical inspections may include, but are not limited to, foundations, concrete masonry, 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 of your consent.

Sometimes it is necessary for specialists to conduct inspections in addition to the inspections carried out by the BCA. If a specialist inspection is necessary this will be noted on your consent documentation. Generally, these inspections are necessary to confirm ground stability or specific design by a registered 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 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 CCC cannot be issued.

How do I book an inspection?

Building inspections are booked through the building administration team by phoning 06 370 6300 (do not contact the building inspectors directly).

Inspections are undertaken Monday - Friday 9am-3pm (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
- type of inspection, ie plumbing, drainage, foundation, pre-slab, pre-line, etc
- if RBW, please provide the names of any relevant LBPs including licence references.

Please note:

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

What happens during an inspection?

During inspections the building control officer will introduce themselves to the builder, site manager, owner or agent who is present and check that the approved building consent documentation is on site, along with the outcome of any specialist inspections that were advised on the consented documentation.

The building control officer will then check that the building has been built in compliance with the consented documents and, where a minor variation is to be approved on site, the proposed changes comply with the Building Code, as it was

at the time of application for the consent was issued. They may take photographs as appropriate.

Where specified system(s) have been included as part of the consented documents, the building control officer will check that the specified system(s) (being added, amended or removed) have been installed as per the building consent.

How do I know if the inspection has been passed?

During the inspection, the building control officer will complete an electronic inspection sheet. This is the recording of the inspection findings. The building control officer will discuss their inspection results with the available onsite representative and email a copy through to the relevant contacts on the consent.



What if the inspection is not approved?

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

Please note:

If there are no plans and documentation on site, the inspection will not take place.

If the inspection fails, the work to be fixed will be recorded on the site inspection notice. 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 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 an NTF is issued, documentation identifying and explaining the process will accompany it. We would prefer to work with you to achieve compliance.



Do I need a final inspection?

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 in order to obtain a CCC.

Although there is no imposed timeframe on an owner to complete work, on the two 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.

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 6). This can be found on the Building and Planning page on our website: www.mstn.govt.nz

Once the application has been made, the BCA has 20 working days to decide whether to issue a CCC. The BCA will complete an inspection, if a final inspection has not already occurred, and ensure all documentation has been received. The required documentation will be listed with the building consent. If all building work complies and documentation is supplied, a CCC may be issued. If a CCC cannot be issued, the 20-working-day clock is stopped and further information sought or the CCC will be refused.

The CCC 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 work 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.

In order to provide a complete application, you will need (as a minimum):

- Electrical completion certificate (if applicable)
- Gas works certificate (if applicable)
- Proof of Ownership/Record of title
- Information to demonstrate that installed specified systems meet the performance standards identified in the building consent.

In addition, the BCA would have identified several documents to support the CCC decision process. These are listed on your required items letter that accompanied your building consent, the list is also published in Objective Build.

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 customer services centre.

Producer statements

In some cases, 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 CPEng. A Producer Statement (PS2 Design Review) will be required to be supplied from the CPEng.

The 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 examples of when a peer review is or isn't required:

- Simple designs to NZS3604 i.e. bracing, foundations would not need to be peer reviewed.
- Simple steel beams (with good connection details shown) would also not need to be peer reviewed.
- Sheds with an importance level 1 and in a rural situation, i.e. hay sheds, do not need to be peer reviewed.
- A shed with an importance level 2 and to be used for residential dwellings do need to be peer reviewed.
- 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 CPEng, and has the correct competence to complete the review. The 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: www.engineeringnz.org or by contacting the Institution of Professional Engineers (IPENZ) on 04 473 9444.

Please note:

It is strongly recommended that you check with the building department to ensure the engineer you are using is competent for the required work.

The producer statement may also identify 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 CCC. 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 multiproof approvals?

Multiproofs are issued by the National MultipleUse Approval Service of the MBIE. A multiproof is a statement by the Ministry that a specific set of building plans and specifications complies with the New Zealand Building Code (NZBC).

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



NGĀ HANGANGA AHUMONI, AHUMAHI HOKI **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 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 CCC 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:

- shopping malls
- cinemas
- marae
- camping grounds
- visitor accommodation garages and workshops
- funeral homes
- office and retail complexes
- resthomes, etc.



What is a Compliance Schedule (CS)?

A CS is a document issued by the BCA for buildings which contain specified systems.

Specified systems help ensure a building is safe and healthy for people to enter, occupy, or work in.

The CS states how the specified systems will be inspected and maintained to ensure they are performing in accordance with the performance standards.

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 CS must be kept on site and made available to building officers, independent qualified persons (IQP's) and authorised agents.

What is a compliance schedule statement?

A Compliance Schedule Statement (CCS) is issued by the BCA and serves as temporary notification of CS requirements. It is issued at the same time as the CCC. It must be replaced within 12 months with a Building Warrant of Fitness (BWofF), which is issued by the building owner. The CSS must be displayed in a public part of the building.

How do I obtain a CS?

A CS is applied for as part of the building consent application and will be issued with a CCC by the BCA for:

- new buildings (if the building has one or more specified systems)
- 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 must 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 CS?

At the time the application for building consent is made, your architect/designer should provide you with information relating to the performance standards for each specified system contained within the building.

The performance standards will identify the inspection, maintenance, and reporting procedures required for each system.



Can I be prosecuted for not obtaining a CS or if my BWoF 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 CS, by the building owner to the Council, stating that the requirements of the compliance schedule have been fully met.

The BWoF must have attached to it all certificates of compliance issued by the IQP. These documents must be issued in the prescribed form (Form 12A) and certify that

the inspection, maintenance, and reporting procedures stated in the CS, have been fully complied with during the previous 12 months. A copy of the current BWoF must be publicly displayed in the building.

What documents should I keep regarding the BWoF?

You are legally required to retain written reports relating to the inspection, maintenance, and reporting procedures of the compliance schedule which must be signed by the IQP, or LBP, who has carried out any of the listed procedures, (inspection, maintenance or reporting).

You are required to keep all reports together with the 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 IQPs are required to be registered with the Council.

Swimming pools and spas

New pool safety legislation came into effect on 1 January 2017. Requirements for restricting access to residential pools has been moved to the Building Act 2004.

Key changes include:

- a new requirement for mandatory inspections of swimming pools every three years
- allowing safety covers to be used as barriers for spa pools and hot tubs
- indoor pools now requiring a means of restricting access
- introducing additional enforcement tools for territorial authorities, including NTFs.

For full information on the requirements for the fences/barrier please view the New Zealand Building Code - Section F9: www.building.govt.nz

You can also read Guidance for pool owners: www.building.govt.nz

Spas, hot tubs, and any other small heated pool with a surface area of under 5m² can have a different means of making the pool safe rather than a fence.

Read guidance here: www.building.govt.nz



NGĀ NAWE COMPLAINTS

What happens if I am unhappy about any decision the BCA has made?

You have the right to appeal any decision the BCA has made, or to complain about any building control function the 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:

- meeting statutory timeframes
- lodgement or vetting of building consent applications
- processing of building consent applications
- inspection of work under construction
- issuing of a NTF
- issuing of CCC
- issuing CSs
- failure to provide appropriate information or advice
- fees and charges
- 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 about our BCA functions can be made at:

www.mstn.govt.nz or in writing to:

Building Control Services Manager
Masterton District Council
PO Box 444
Masterton 5840

What information is required?

You need to include:

- 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)
- relationship (customer, regulator, or stakeholder).



How long does it take?

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

All complaints will be acted upon within two weeks of receipt of the complaint, unless an RFI is made.

Do I have a right of appeal?

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
Masterton District Council
PO Box 444
Masterton 5840

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 MBIE for a Determination. Visit www.building.govt.nz for further information on this service and to download the form (Form 14).

To lay a complaint with MBIE regarding a building control function, you should contact MBIE directly.

ĒTAHI ANŌ TAIPITOPITO

ADDITIONAL INFORMATION

Useful websites/ telephone numbers

**Ministry of Business, Innovation, and
Employment (MBIE) (formerly DBH)**

www.mbie.govt.nz

04 901 1499

Environment Canterbury

www.ecan.govt.nz

0800 324 636

BRANZ

www.branz.co.nz

0900 5 9090

Land Information New Zealand

www.linz.govt.nz

Building Research

www.buildingresearch.org.nz

Institution of Professional Engineers of NZ

www.engineeringnz.org

**Fire and Emergency New Zealand –
Building Design for Fire Safety**

www.fireandemergency.nz

**Fire and Emergency New Zealand –
Home Sprinklers**

www.fireandemergency.nz

NZ Homeowners' Building Guide

www.buildingguide.co.nz

09 360 8885

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)

Guide to Applying for a Building

Consent (Simple Residential Buildings) –
Department of Building and Housing

The Building Act and You

MBIE: www.building.govt.nz



KUPUTAKA GLOSSARY

ANARP	As nearly as is resonably practicable
BCA	Building consent authority
BRANZ	Building Research Association of New Zealand
BWoF	Building Warrant of Fitness
CCC	Code compliance certificate
CPEng	Chartered Professional Engineer
CPU	Certificate of Public Use
CS	Compliance Schedule
FENZ	Fire and Emergency New Zealand
IPENZ	Institution of Professional Engineers
IQP	Independent qualified person
LBP	Licensed building practitioner
MBIE	Ministry of Business, Innovation and Employment
NTF	Notice to Fix
PIM	Project information memorandum
RBW	Ristricted building work
RFI	Request for further Information
TA	Territorial authority



Phone

06 370 6300 - 9am to 4pm

Email

buildingadmin@mstn.govt.nz

Call into

Masterton District Council
Waiata House, 27 Lincoln Road, Masterton
11am - 2pm

Write to

Masterton District Council
PO Box 444, Masterton 5840
www.mstn.govt.nz