



# CARTERTON DISTRICT COUNCIL

BUILDING CONTROL

A guide to building control and the building consent process.

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## A General Guide

This guide contains important information about applying for a building consent from the Carterton District Council. It covers the entire process, from applying for a building consent, through to the application and issue of a code compliance certificate.

The guide is primarily designed to help those that are new to the building consent process and Council's building controls. However, it also contains valuable information, for those with some knowledge and experience of building control and Council's building controls processes and procedures.

## What is a Building consent

A building consent is the formal approval issued by a building consent authority (Council (BCA)) that certain works meet the requirements of the New Zealand Building Act, Building Regulations, and Building Code.

Building consents are concerned primarily with health and safety of the building occupants or users. New building work or alterations to buildings are subject to national rules and regulations. However, buildings must also comply with the Resource Management Act and the Council's District Plan. There may be circumstances when you will require a resource consent before you can commence any building work, despite a building consent having been issued for the work. In such cases the building consent will have a notice attached in terms of Section 37 of the Building Act 2004.

## When is a Building consent required?

For most building, plumbing and drainage work, a building consent is required. Works exempt from building consent requirements tend to be of a small scale, being within certain dimensional or volume limitations.

Before starting your project, you will need to consult Schedule 1 of the Building Act 2004 to clarify whether your project fits within the exemptions. If you are unsure whether you will need a building consent or not, please check with Council or talk to a builder or designer.

The Ministry of Business, Innovation and Employment has produced a guide to what work is exempt for the need for a building consent and can be found here:

<https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/check-if-you-need-consents/building-consent-exemptions-for-low-risk-work/schedule-1-guidance/>

Remember, it is the owner's responsibility to ensure that the correct decision is made whether building work is exempt or not. You may need certain technical or legal advice before making that decision and it must be noted that even though some building work does not need a building consent, the building work proposed must still comply with the New Zealand Building Code. Also, even if the work is exempt, you may still obtain a building consent for the work so as to provide a consented record of work on your property file.

If your project requires a building consent, it must be obtained before any of the work starts, so please make sure that you start the application process well before building is due to start.

## What happens if I do Building Work without Consent

Undertaking work that requires a consent without one is illegal building work. The person undertaking the illegal work, and the owner of the property involved, are in breach of the Building Act 2004. A notice to fix may be issued and prosecution may follow if the notice is not complied with. You cannot obtain a building consent for work already completed.



A certificate of acceptance may be applied for under Section 96 of the Building Act 2004. However, this may not necessarily be granted and nor will you necessarily be immune from repercussions.

## Why can't I Just do the paperwork when the project is finished?

In law, building consents are only for proposed work and cannot be issued after the work is undertaken. More frequently now, homeowners are finding out that a previous owner has carried out building work without building consent and this usually surfaces when the property is offered for sale. If this is the case with you, you should discuss the matter with a building inspector as it may be possible for Council to issue a certificate of acceptance. A Certificate of Acceptance is not the same as a building consent and may not provide the same assurances.

## Building Code Compliance<sup>1</sup>

Your proposed building work has to comply with the Building Code. The Building Code is a performance based code which allows designers some flexibility when designing buildings or parts of buildings.

A designer may use compliance documents such as acceptable solutions which are deemed to comply with the Building Code.

Methods of complying with the Building Code are:

- Acceptable solutions
- Alternative solutions
- Verification methods
- CodeMark products
- Simple house acceptable solution
- Multi use approved design

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<sup>1</sup> Indications and guidelines issued by the Carterton District Council are provided with the intention of helping people to understand the legislation. They are offered on a "no liability" basis, and in any particular case those concerned should consult their own legal advisers

## Application Process

You can apply online for a building consent via the '[Simpli](#)' web page (formally GoShift). The electronic application form provides advice and guidance on what is required.

If you are not familiar with building plans and compliance with the building code you may need to engage a design professional (an architect for example) to supply the required drawings and information and to apply for a building consent on your behalf.

You may apply using a paper copy of the application and consent documents (dropped in or posted to the Council) but please note that an additional fee for the handling of the documents is required.

## What to Include With the Application

Applications can be complex. We recommend that you engage a professional to help with the design work and drawings.

Below is a list of what you may need to upload with your building consent application.

- a) Certificate of title: recent search copy less than three months old, or a sale and purchase agreement if the title is not in the applicant's name. If the site is new and does not yet have a title, then the subdivision scheme plan is required.
- b) Site plan, showing buildings, ground and floor levels, and separation dimensions.
- c) Outline floor plans (for all floors).
- d) Outline elevations.
- e) Outline cross sections.
- f) Foundation plans (timber or concrete slab).
- g) Detailed drainage plans.
- h) Detailed floor plans.
- i) Detailed elevations.
- j) Cross sections.
- k) Timber treatment.
- l) Framing details.
- m) Construction details.

- n) Weather-tightness details and risk matrix for each elevation.
- o) Internal waterproofing details.
- p) Plumbing details.
- q) Specifications for the work.
- r) Bracing design.
- s) Roof truss design.
- t) Engineer's details and producer statements.
- u) Specified systems noted along with the maintenance, inspection, and reporting procedures.

**Please Note:**

Any application lodged after **2pm** will carry the **next day's date**.

## Checking the Application

A customer services officer or the building administration officer at the Council will check your application to ensure that the right documents have been provided. (This is not the technical check.)

If the application is incomplete, it will not be accepted by the Council, and you will be advised to re-lodge the application with the correct documentation.

If the application is verified as complete we will accept the application.

The application is then forwarded to a building control officer to determine if there is enough technical detail and information to continue the detailed processing.

If there is insufficient detailed information on the application, Council will not accept it for processing (i.e. will refuse it) and will say why it has been refused. You may reapply when you have addressed those issues.

Incomplete or poor quality applications take a lot of time to work through and this slows the process for other people. Please be conscientious when submitting your application and specifications that information is all there and clearly identified.

The Council has 20 working days (10 working days for multi-use building consents) from the date the application is

formally accepted for processing, to decide whether to issue, or to refuse to issue the building consent.

## Natural Hazards

When a building consent is requested to build a dwelling or structure on a property, the local authority is required to consider if the work will create or make worse a natural hazard on a property.

The Building Act states a building consent authority must refuse a building consent if the land on which the building work is to be carried out is subject to one or more natural hazards, or the building work is likely to accelerate, worsen or result in a natural hazard on that land or any other property.

However the consent can be issued if adequate provision has or will be made to protect land from natural hazard damage.

The building consent is therefore issued pursuant to Section 72 of the Building Act which states that the consent authority must issue a building consent if it considers the building work will not cause or make worse a natural hazard on the property. However this is a conditional consent as a natural hazard has been identified.

This is what is shown on the Certificate of Title

### Why is the notification added?

The Building Act allows a council to grant a conditional building consent, in some circumstances, where the land on which the building work is to be carried out is subject (or likely to be subject) to one or more identified natural hazards.

A Section 74 notification (or 'entry') is added to the Certificate of Title by the Registrar-General of Land whenever the council has granted a conditional building consent.

The notification alerts prospective purchasers and others with an interest in the property – such as lenders and insurers – that the land is subject to a natural

hazard, and specifies what the natural hazard (or hazards) are.

## Granting and Issuing

Once the application has been vetted for completeness, a building control officer will review your application and assess it for compliance. The Council must grant a building consent if it is satisfied on reasonable grounds that the provisions of the building code would be met if the building work were properly completed in accordance with the plans and specifications that accompanied the application (Section 49 of the Building Act 2004).

If council have any questions or concerns, you will receive a notification requesting further information (**RFI**) or clarification. The 20-day clock is suspended until this information is provided.

The work for which you are seeking consent is also checked for other required permissions, for example the Resource Management Act or District Plan requirements. We also check for compliance with other requirements or legislation such as vehicle access, earthworks, water reticulation, public drainage and (in the case of commercial premises) areas such as health, trade waste, compliance schedule (specified systems) features and backflow prevention.

The granting of a building consent is subject to the payment of fees and may not be issued until they are paid.

A council officer will check the fees and generates an invoice. This will be mailed to you for payment and the building consent is placed on hold until all fees are paid.

You will receive your building consent via the portal. The building consent documents are stamped with the following stamps.



THESE PLANS AND SPECIFICATIONS MUST BE KEPT ON SITE AT ALL TIMES

### Important Note:

A building consent lapses and is of no effect if the building work to which it relates does not commence within:

- 12 months after the date of issue of the building consent; or
- Any further period that the building consent authority may allow.

In certain circumstances there will be conditions or guidance notes placed on your consent. You need to read these and be familiar with what you can, and cannot do.

Conditions are requirements imposed on your Building Consent, these are deemed necessary to ensure the compliance of the proposed building. The following are allowable conditions under the Building Act 2004 and regulations:

- Section 67(2) RE: Waivers and modification
  - Section 73 RE: Natural Hazards
  - Section 75(2) RE: Building on 2 or more allotments
  - Section 90 RE: Inspections by building consent authorities
- NOTE:** This can also include any third party certification that the building work complies with the plans and specifications, for example, Producer statements or memoranda.
- Section 113 (2) RE: buildings with specified intended lives

Advice or advisory notes may also be attached to the Building Consent. This information is provided to assist you. It is important that you read and understand all these requirements prior to commencing work. If you do not understand any

requirement imposed, please contact your Building Officer.

## Cost

The total cost depends on the type of application, cost of work involved, and the level of detail provided. The quality of information provided at the time of application will also affect the overall fees.

Fee components:

- a) Levies payable to BRANZ (payable on all applications of \$20,000 (building value) see fee schedule.
- b) Levies payable to Ministry of Business, Innovation and Employment, see fee schedule
- c) Building consent authority (BCA) levies see fee schedule
- d) Administration fees.
- e) Processing (time based).
- f) Inspections (type and number vary depending on the nature of the building project).
- g) Development contribution will be assessed at time of consent see fees and charges
- h) Compliance schedule fees (if applicable).

Some aspects of the application may be processed and/or reviewed by outside consultants. There is a requirement for some applications (generally commercial projects) to be sent to Fire New Zealand for comment. There will be additional fees to pay if your application needs to be sent to Fire New Zealand or to outside consultants. Note the building consent cannot be issued until these additional fees are paid.

While our staff can provide an estimate of the fees involved, the final cost will not be known until the processing is completed.

The consent is granted once the building officer is satisfied that the proposed building work complies with the Building Code. The consent can then be issued once all the fees are paid.

## Inspections

Part of your plans and specification requirements is to list the inspections

required for your job. This is the responsibility of the applicant.

The officer processing your application will do an assessment of the proposed inspections. A list of inspections and advisory notes will be attached to the building consent. Please ensure that you read the advisory notes and are familiar with them before starting building work.

The following are the types of inspections that may be required depending on the nature and complexity of building work:

Building Inspections:

- Site - location of the building on site (a surveyor's report or visible boundary markers).
- Foundation - before placing any concrete for foundation walls or footings.
- Piles - before placing any concrete for pile foundations (timber or concrete).
- Pre-slab - before placing any concrete for concrete floor slabs and any integral footings.
- Masonry - before placing any concrete or concrete block walls.
- Sub-floor - before covering any sub-floor framing.
- Pre-clad - upon completion of the building wrap with flashings/tapes installed and before fitting any external cladding.
- Brick - brick work at half height.
- Weather-tight - before applying any coatings to the external cladding system.
- Pre-line - before fitting internal linings or installing wet area membranes, airseals fitted internally around joinery, bracing connections complete.
- Post-line bracing - while fixings are still visible.
- Post-line wet area membranes – inspection of installed wet area membranes before installation of finish surfaces such as tiles.
- Final - final inspection on completion of all building work.

Plumbing Inspections:

- Drainage - testing any drainage work prior to back filling and before covering any field drains.
- Pre-slab - plumbing in/under the floor slab.
- Pre-line - plumbing systems before fitting any linings.



- Final - final inspection on completion of work.

On inspection day, you or your agent need to be on site with consented plans and associated documentation. The Council can refuse to undertake an inspection if a copy of the approved consent documentation is not available (i.e a failed inspection). Plans and specifications should always be on site to be used by your builder and/or other contractors.

You, or your representative, need to:

- respond to any requests from the inspector, so that they can give you approval to proceed;
- remediate minor problems that might be easily fixed or approved, and noted on the inspection record (part of the building consent documentation)
- submit plans to remediate major problems that might require a formal amendment through the council before work can proceed
- check the inspection record following an inspection, to see whether the work passed or failed and that all inspections performed are listed
- continue with your work if the work passed
- fix all areas of non-compliance and arrange another inspection within the advised timeframe if the work failed,

## Inspections by External Specialists

In addition to the Council's inspections, it may be necessary, in special circumstances, for external specialists to conduct inspections that fall outside the normal building inspection process. These may include a geo-technical engineer to confirm ground stability, or having an aspect of specific structural design checked by a chartered professional engineer or mechanical ventilation or specialist roofing application.

Any external specialist inspections are the applicant's responsibility to arrange and pay for. If a specialist inspection is necessary, you may be advised before the consent is issued. This could be included in the advisory notes in the building consent.

## Professional opinions (Producer Statements)

A producer statement (i.e. a professional opinion) is a document that may assist in Council making a decision whether or not to issue a certificate. It will be the discretion of the Council to accept the competency of the author. Council places a greater weight on producer statements from engineers that hold a current Chartered Professional Engineer's (CPEng) practicing certificate. Producer statements from other authors that are qualified and experienced in the specific field for which the producer statement is being issued, may be held in the same regard at Council's discretion.

Producer statements come in 4 forms:

- PS1 – Design
- PS2 – Design Review
- PS3 – Construction
- PS4 – Construction Review

Producer statements can be provided for a wide range of work and may in part satisfy Council that some aspect of the work complies with the Building Code and/or building consent. Refer also inspections by external specialists.

## Restricted building work and licensed building practitioners

Building consent applications that contain restricted building work must be carried out or supervised by licensed building practitioners who are licensed to carry out or supervise that kind of building work.

Restricted building work includes;

- Design work relating to:
- Primary structure or moisture management system in houses or small to medium apartment buildings Fire-safety systems for small-to- medium apartment buildings.

Building work involving the construction or alteration of the primary structure or moisture management system in houses or small to medium apartment buildings. For example:

- Bricklaying or blocklaying
- Carpentry
- External plastering

- Foundations
- Roofing

For design work that is restricted building work the licensed building practitioner must supply a 'Memorandum from licensed building practitioner: Certificate of design work' covering the design work that is restricted building work to the owner who must submit it to the Council with their application for building consent. This form and further information can be downloaded from

- GoShift (Simpli) Toolbox – Certificate Of Design Work Form
- GoShift (Simpli) Toolbox – Certificate Of Design Work Guide

## Owner-builder exemption for restricted building work

Owner-builders are able to carry out Restricted Building Work on their own home. Follow this link to find out about [Obligations and responsibilities of owner-builders - Ministry of Business, Innovation & Employment](#)

## Booking an Inspection

When you are ready for an inspection, please contact Council phone 06 3794030 and make sure you have the following information available:

- Site address.
- Building consent number.
- type of inspection required
- Name and phone number of the contact person on site.
- Date the inspection is required.

**Please give at least 24 hours advance notice of your inspection request.**

Council endeavours to arrange inspections as soon as possible, however in periods of high building activity or staff absence, the inspection may need to be booked several days in advance.

It is the owner's responsibility to notify Council that an inspection is required.

## The Inspection

Make sure that you have the approved plans and documentation on-site. If these

are not available when the inspector arrives, the inspection may not take place, and you may be charged extra for a re-inspection.

The safety of people (including building officers) on the construction site is your responsibility. This includes providing safe access to all parts of the site to allow work to be inspected.

**If the building officer feels unsafe on your worksite they will leave and the inspection will be failed.**

Ladder access must be securely founded and tied.

Appropriate scaffold access is likely to be required for larger buildings.

For works to pass inspection, the building control officer assesses the built works against the building consent documentation as well as the Building Code.

The owner, or builder, or agent (eg. architect) should be on site for all inspections.

## Result of the Inspection

Following the inspection the inspector will advise the person on-site if the inspection has been passed and record it. If the inspection fails the remedial work should be carried out and another inspection will be required to inspect this remedial work. You may be charged for a re-inspection; if so, this will need to be paid before the code compliance certificate can be issued.

## Notice to Fix

This 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 Building Code. If issued, a letter explaining the process will accompany it.

If a notice to fix is issued, you are required to address the issues identified within a prescribed timeframe (noted in the notice to fix), to prevent further action being taken. In some cases you may be able to continue work but these conditions will be clearly

stated on the notice-to-fix.

## **Amendments**

During the construction process, invariably there are changes made. These changes must be recorded.

A minor variation is a minor modification, addition or variation to a building consent that does not deviate significantly from the plans and specifications to which the building consent relates.

A minor variation can be simply recorded by the builder/ owner etc. on the plans and provided to council on the plans. The builder/owner etc. will need to advise clearly what has changed and seek the approval of the Council.

An amendment is a formal process and must be applied for in the same manner as the original building consent. The time frames for Council to process a major amendment are the same as the building consent.

Please ensure that when changes are made that the correct method for amendments is followed and notify Council as early as possible so the work onsite is not slowed down as a result of any changes.

## Final Inspection

All building consents require a final inspection. The building work approved in the building consent should be completed within two years of the date of the building consent.

If the building work is not going to be completed within two years, you need to advise the Council, and request an extension of time.

## Code Compliance Certificate

When all the building work is completed in accordance with the building consent (and Building Code), a code compliance certificate (CCC) can be issued. This is verification from the building consent authority that all works undertaken comply with the building consent and the NZ Building Code. It is an important document, and should be retained for future reference.

An owner must apply to Council for a CCC after all building work is completed

You can apply for a CCC by sending the Council the completed "Application for Code Compliance Certificate." You can find the application on the council's website.

Council has 20 days from application for a CCC in which to decide whether to issue, or refuse to issue, a CCC. Just like for a consent, if further information is required (RFI) then the clock will be suspended.

A review of fees paid for inspections will be made when the CCC has been approved for issue. Additional inspection fees will be charged if the inspection fee paid when the application was lodged is not enough to cover the inspection time actually used. The CCC will not be issued if there are any unpaid fees. In addition, Council may charge for additional correspondence, decisions, consultations, meetings and the like that have occurred during the construction process. These costs may be added to the final consent costings prior to the code compliance certificate being issued.

If the building consent was issued under the 1991 Act, Council may issue a CCC, if they are satisfied that the building work complies with the Building Code and the Building Act as it applied at the time of consent.

Older building consents do present Council with a problem when considering the issue of a CCC, particularly when we are looking at construction details and the maintenance history. If Council is not able to confirm the necessary details, they may refuse to issue a CCC.

If an owner does not apply for a code compliance certificate within two years after Council has issued the consent, then Council is required under law to either issue or refuse the code compliance certificate.

An owner can apply for an extension of time to extend this date or may elect to carry on with the building work and apply for a code compliance certificate when the work is completed.

Even if Council has refused the code compliance certificate at this two year period, the owner can apply at a later time for Council to reconsider whether a code compliance certificate can be issued or refused.

If the building officer is satisfied on reasonable grounds that work has been carried out in accordance with your consent and in compliance with the Building Code, the Council will issue a Code Compliance Certificate.

## Determinations

A determination is a binding decision made by the Ministry of Business, Innovation and Employment. It provides a way of solving disputes or questions about the rules that apply to buildings, how buildings are used, building accessibility, and health and safety.

Most determinations are needed because the person applying for the determination disagrees with the Council about decisions the Council has made about a building. In



this case, the parties to the determination are the building owner and the Council.

All parties to a determination are treated equally.

You can ask for, or be involved as a party to a determination, if you are:

- The building owner or the owner's agent.
- The Council that issued the building consent.
- The owner of other property when the determination is about the protection of that property (for example, the potential spread of fire from one property to another, surface water run-off or land stability).
- A government Ministry or Crown agency that has a statutory duty under the Building Act, such as the New Zealand Fire Service or Occupational Safety and Health.
- Anyone with a direct interest in the problem or question if it has to do with access and facilities for people with disabilities.

The Ministry can initiate a determination where it believes it is necessary to achieve the aims of the Building Act. The Ministry may ask other people or organisations to become involved if necessary.

A determination will normally be about an earlier decision made by one of the parties (usually the Council).

However, a determination can be applied for by the Council itself or a neighbour who is affected by building work.

A determination can be about building work that is planned, partly done or completed.

The Ministry of Business, Innovation and Employment can make a determination about:

- Whether a building or building work complies with the Building Code.
- A Council's decision on a building consent, a notice to fix, a code compliance certificate, certificate of acceptance, certificate for public use, or

a compliance schedule (including time extensions to building consents and code compliance certificate).

- A Council's decision to make a waiver or to modify the Building Code.
- A Council's decision on building alterations, a change of building use, subdivision of buildings and dangerous, earthquake-prone and insanitary buildings.
- A Council's decision on dams.

Those involved in a determination, including the person who applies for it, are called 'parties' to the determination. For example, a building owner may ask for a determination because they disagree with the Council's decision that also involves a neighbour.

The determination may:

- Confirm, reverse or modify the earlier decision (for example, a determination
- May say that the Council was correct in not issuing a building consent).
- Make waivers or modifications to the Building Code (for example, a determination may modify the time period for which the building must be durable).
- Make conditions that the Council may itself grant or impose (for example, a determination may require the Council to issue a building consent with certain conditions).

The Ministry of Business, Innovation and Employment charges a fixed fee for determinations. These are in two categories and are available from the Ministry of Business, Innovation and Employment website. The categories are:

- Single houses, attached houses, flats and apartments up to four units, and garages and sheds,
- All other buildings

A determination generally relies on the information you provide. Clear and complete documentation will help the Ministry assess and process your determination. The information should be:

- Clearly labelled (and indexed, if possible).
- Typed or neatly handwritten.
- Accompanied by a summary of the key points with references to the supporting documents. Information to support an application can include (not all of the following will be available or appropriate in every instance):
  - Correspondence about the dispute
  - Drawings.
  - Specifications.
  - Design calculations.
  - Reports.
  - Photographs.

## Complaints

If you have a complaint regarding any aspect of the building process or team you could lodge a service request on the CDC website or contact the building manager directly.

If your complaint is not resolved to your satisfaction through the Council process, you can discuss this with the building team at the Ministry of Business, Innovation and Employment. Through the ministry you may make a formal complaint about the building department of Council.

## Schedule 1 of the Building Act 2004

The Building Act includes types of building work that are exempt from the requirements to obtain a building consent. Schedule 1 lists building work that can be undertaken without a building consent.

These exemptions recognise that certain low-risk building work should not be subject to the normal requirements of the building consent approval process. Exempt building work is generally work that will not affect the structural integrity or safety components of the building. A guide to what building work does not require a building consent can be found on the Ministry of Business, Innovation and Employment's website.

<https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/check-if-you-need-consents/building-consent-exemptions-for-low-risk-work/schedule-1-guidance/>

Even if the proposed building work does not require a building consent, it is still a requirement of the Building Act that all building work complies with the Building Code (refer to section 17 of the Building Act). The building work may also be required to comply with other legislation, such as the Hazardous Substances and New Organisms Act 1996, the Resource Management Act 1991 (and any local district plan rules) and any relevant local government bylaw requirements. If you are unsure that requirements may apply to your project, Council recommends that you seek advice from your designer, builder or Council.

## Compliance Schedules

A compliance schedule lists specified systems within a building. These systems ensure a building is safe and healthy for members of the public to enter, occupy or work in.

The compliance schedule for a building must identify which systems are present, the performance standards for those systems, and how these systems will be monitored and maintained to ensure they will continue to function.

The Building Act 2004 allows for the administration of compliance schedules by Councils and the ability to charge a fee for services. The requirements include:

- A building consent authority can charge a fee for issuing a compliance schedule.
- A building consent authority must state in a building consent the specified systems that will be covered by a compliance schedule.
- A compliance schedule must be issued with the code compliance certificate, where applicable.
- A Territorial Authority and a building owner can agree to amend a

compliance schedule as required, at any other time.

- Territorial Authorities can charge a fee for issuing an amended compliance schedule.
- All buildings serviced by or attached to cable cars will require a compliance schedule.

The compliance schedule has been made more flexible to reflect that as systems age, monitoring and maintenance requirements change.

An application for a compliance schedule should be made as part of the building consent application, where building work include specified systems within a building.

Where an application for a building consent involves building work in an existing building, and that work includes modifying or adding to the specified systems, that work will require an amendment to an existing compliance schedule. The application must list each specified system or, if the building work is an alteration to an existing building, the application should list all specified systems in any way affected by the building work.

Examples of specified systems are:

- Automatic systems for fire suppression
- Automatic or manual emergency warning systems for fire or other dangers
- Electromagnetic or automatic doors or windows
- Emergency lighting systems
- Escape route pressurisation systems
- Riser mains for use by fire services
- Automatic backflow preventers connected to a potable water supply
- Lifts, escalators, travelators or other
- Systems for moving people or goods within buildings
- Mechanical ventilation or air conditioning systems
- Building maintenance units providing access to exterior and interior walls of buildings
- Smoke control systems
- Emergency power systems for, or signs relating to, any of the above systems
- Systems for communicating evacuation

- Final exists
- Fire separation
- Signs
- Smoke separators
- Cable Cars

Cable cars were not previously considered a specified system; however, after 31 March 2008 a compliance schedule must be issued for a building that has a cable car attached to it, or if it is serviced by a cable car. This includes dwellings that have a cable car.

## Building Warrant of Fitness

A building warrant of fitness (BWoF) is a statement supplied by a building owner, confirming that the systems specified in the compliance schedule for their building have been maintained and checked in accordance with the compliance schedule for the previous 12 months, and that they will continue to perform as required.

The Building Act 2004 requires:

- An owner to provide to the Territorial Authority, with their BWoF, copies of Form 12A certificates from IQPs, including any recommendations made by the IQP.
- The Territorial Authority to retain copies of the Form 12A certificates.
- The Territorial Authority to consider any recommendation to amend a compliance schedule made by an IQP and where necessary makes any changes to the compliance schedule after giving the owner an opportunity to provide comments.
- All buildings after 31 March 2008 serviced by, or attached to, cable cars will require a BWoF.
- A Territorial Authority can now charge a fee for undertaking a BWoF inspection.
- The owner to supply the BWoF to the Territorial Authority on each anniversary of the issue of the compliance schedule.
- A BWoF to be supplied on Form 12 of the Building (Forms) Regulations 2004. It must include the following information:
  - The location of the particular building

- Current lawfully established use including number of occupants per level and peruse (if more than one)
- The owner of the building
- Original date the building was constructed
- The highest fire risk category for building use
- Certificates relating to inspections,
- Maintenance and reporting procedures of the Compliance Schedule have been fully complied with for the previous 12 months.

A copy of each certificate issued by the IQP for each of the specified systems, along with any recommendations for amending the compliance schedule, must be attached to the BWoF provided to the Territorial Authority.

Building owners will be required to continue to engage IQPs to undertake the inspection, maintenance and reporting procedures listed on the compliance schedule.

IQPs provide building owners with a certificate verifying the inspection, maintenance and reporting procedures for each specified system have been fully complied with. IQPs will issue the certificates on Form 12A of the Amendment Regulations 2005.

## What is an IQP

An IQP (independently qualified person) is a person who is accepted by the Territorial Authority as being appropriately qualified to undertake the inspection and maintenance of the feature concerned. This person should not have a financial interest in the building.

## What are National Multiple-Use Approvals?

National Multiple-Use Approvals may be used for example in cases such as volume builders can apply to obtain NMUAs for building designs that will be replicated several times in any district, regionally or nationally. The benefit of NMUAs is that the Ministry can 'pre-

approve' these building designs for Building Code compliance. A MultiProof is not, and does not replace, a building consent. The holder of a MultiProof must apply with the local Council for a building consent each time they wish to construct the design to which the MultiProof relates. The use of a MultiProof and can speed up consents and reduce costs.

## What must be included in a building consent application that relies on a MultiProof?

Each application that relies on a MultiProof to demonstrate compliance with the Building Code must include:

- A completed copy of the building consent application form (including a statement of the project value for the whole project, not just the site-specific portion)
- Any applicable consent lodgement fees
- A copy of the MultiProof certificate, which will show any applicable conditions
- A complete copy of the plans and specifications to which the approval relates (these will bear the DBH's approval mark and will include any relevant approved customisations)
- Full details of any site-specific features proposed for the building (such as a site drainage plan or site-specific foundation details)
- Any technical information, calculations and design producer statements or other evidence needed to establish the Building Code compliance of the building's site-specific features (if applicable)
- A statement addressed to the BCA (your local Council) stating that the design for which the building consent is being sought complies with the approval issued by the Ministry of Business, Innovation and Employment, and meets all the conditions of the MultiProof (such as wind or snow loading restrictions) for the proposed site.

Further information is available from the Ministry of Business, Innovation and



Employment which has published further information about NMUAs on their website, [www.mbie.govt.nz](http://www.mbie.govt.nz), including the benefits, who are eligible, how to apply and the assessment process.

## Project Information Memorandum

A Project Information Memorandum (PIM) is a document issued by the Territorial Authority (Council). It assists in establishing the feasibility of a specific project on a piece of land, and is useful for clarifying at an early stage what will be involved in a project. It should not be confused with a Land Information Memorandum (LIM) which has a different use and purpose.

Applying for a PIM is voluntary. However for large projects it may be advisable to obtain a PIM at the early stages of a building project. This gives the designers or developers any valuable information about potential areas of concern before proceeding to full design and applying for a building consent. This can avoid time and money spent on costly re-design.

### What information is included in a PIM?

A PIM provides information that must be taken into account for the proposed project and the land on which it is to be built, including information on special features such as:

- Erosion
- Avulsion (removal of land by water action)
- Falling debris
- Subsidence
- Slippage
- Alluvium (the deposit of silt from flooding)
- Wind Zones
- Snow Loads

The PIM will also include information in relation to the presence of hazardous contaminants which are known to Council and may be relevant to the design, construction or alteration of your proposed

building project, details of water, storm-water or wastewater utility systems which relate to your proposed building work or to your building site.

It also identifies any additional approvals required such as:

- Resource Management Act requirements
- New Zealand Historic Places Trust (heritage buildings/sites)
- New Zealand Fire Service Commission

A PIM confirms that you may carry out the building work on the land subject to the requirements of the building consent and Building Act; and any other necessary authorisations being obtained such as resource consent.

### How do I apply for a PIM?

An application for a PIM can be made through your local Council using the building consent application form. The form is available from Council or online at [www.cartertondc.govt.nz](http://www.cartertondc.govt.nz)

### How long does it take?

Council is required to issue the PIM within 20 working days of the application being received. If further information is required, this period is suspended until the required information has been received. The PIM must then be issued within 10 working days.

### How much does it cost?

The fee is required at the time of application. Fees & Charges are listed in the back of the consent document.

### What do I do with my PIM?

A copy of the PIM should be given to your designer so that they can use this information to ensure that the building design is appropriate for the land on which you intend to build.

Please note that the PIM does not give any form of approval under the district plan or Building Act, or authorisation to commence

work. You should contact the Council Planner 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.

## Certificate for Public Use

A Certificate for Public Use (CPU) may apply to building work where the public are able to enter the building. For a building, to which the public would normally have access, the public cannot be permitted to enter until the code compliance certificate is issued. The only way a portion of the building can be used is to obtain a Certificate for Public Use.

This is a document issued by Council to allow parts of a building to be used by the public before the code compliance certificate is issued. The CPU will only be issued if the portions of the building involved are safe and safety features such as fire warning systems are in place and operational. CPUs are intended to allow significant development to be built and occupied in stages.

## Alterations to Existing Buildings (section 112)

Council must not grant a building consent for the alteration of an existing building (not just the building work!) or part of an existing building unless it is satisfied that after the alteration the building will:

- a) comply as nearly as is reasonably practicable with the Building Code provisions for means of escape from fire and access and facilities for people with disabilities (if required)
- b) continue to comply with the other provisions of the Building Code to at least the same extent as before the alteration.

Council may, by written notice, grant an application to allow alterations to take place

without the building complying with the relevant provisions of the Building Code if it is satisfied that:

- if the building were to comply with the relevant provisions of the Building Code, the alteration would not take place
- the alterations will result in improvements to the means of escape from fire or access and facilities for people with disabilities or
- the improvements outweigh any detriment likely to arise as a result of the other non-compliance with the Code.

## Change of Use, Extension of Life, and Subdivision of Buildings (sections 114-116)

An owner of a building must give written notice to the Council if they propose to change the use of a building, or extend the life of a building with a specified intended life. Notice must also be given if the owner of a building proposes to subdivide land in a manner that affects a building. If the owner fails to give written notice in these circumstances they commit an offence and are liable to a maximum fine of \$5,000.

## Change of Use

An owner of a building must not change the use of a building unless the Council gives the owner a written notice stating that the Council is satisfied that the building in its new use will comply with the provisions of the Building Code that relate to:

- a) means of escape from fire, protection of other property, sanitary facilities, structural performance, and fire-rating performance
- b) access and facilities for people with disabilities.

It must also comply with the other provisions of the building code to at least the same extent as before the change of use.

If the use of a building is being changed to include household units where these did not previously exist, the building must then comply as nearly as is reasonably practicable with the building code in all respects. This will require a significant assessment of the existing building across all relevant aspects of the building code, and decisions will need to be made about what constitutes 'as nearly as is reasonably practicable' about a range of Code clauses.

## Specified Intended Life

Only a territorial authority can grant a building consent for a building with a specified intended life. This is on the condition that the building must be altered, removed or demolished before the end of the specified life, and any other conditions the Council considers necessary.

## Extension of Life

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. The Council can only give its consent if it is satisfied that the building has been altered in accordance with the condition and it will comply with section 112 of the Act.

## Sub-Division of Buildings

Council must not issue a certificate under section 224(f) of the Resource Management 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 nearly as is 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 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.

## Additional sources of information...

Further information can be obtained from the following websites:

- Ministry of Business, Innovation and Employment  
<http://www.mbie.govt.nz/>
- Consumer build\_  
[www.consumerbuild.org.nz](http://www.consumerbuild.org.nz)
- Department of Internal Affairs\_  
[www.legislation.govt.nz](http://www.legislation.govt.nz)