

# Building Compliance Information Booklet



**SOUTH WAIRARAPA  
DISTRICT COUNCIL**  
*Kia Reretahi Tātau*



# BUILDING LEGISLATION

## The Building Act

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

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

To achieve this purpose, the Act requires anyone proposing to do certain building work to obtain a building consent from a Building Consent Authority (BCA) before commencing building work.

**building work** means work for, or in connection with, the construction, alteration, demolition, or removal of a building.

## What is a Building Consent?

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

## When is a Building Consent required?

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

## Building on land subject to natural hazards:

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

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

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

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

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

Foundations;	Framing
Roofing	Cladding
Active fire safety systems in small-medium sized apartment buildings	

Licensed Building Practitioners include, but are not limited to:

Designers	External Plasterers
Carpenter	Bricklayers
Roofers	Block layers

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

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-medium sized apartment buildings that is critical to the integrity of the building.

An exemption is available to owner-builders (DIYers) allowing them to carry out Restricted Building Work (RBW) on their own home and build their own home. There are certain criteria for this and details can be found at [Owner-builder obligations | Building Performance](#)

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

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

Further information can be found at [DIY, but build it right | Building Performance](#) Also check out [Get the right people for your project | Building Performance](#)

## What is a Building Consent Authority (BCA)?

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

### **What is a Project Information Memorandum (PIM)?**

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

This is information on special land features, including potential:

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

A PIM also identifies any additional approvals required such as:

- Resource Management Act;
- Heritage New Zealand
- Fire and Emergency New Zealand.

### **The memorandum also includes:**

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

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

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

- Drainage plans;
- Water supply plans;
- Other utility plans; and/or
- Any other information that Council holds that is relevant to your project.

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

### **Must I apply a PIM?**

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

## How to apply for a PIM

An application for a PIM must be made on the Project Information Memorandum/Building Consent application form in Simpli, available from the South Wairarapa District Council in Martinborough or visit our website [www.swdc.govt.nz](http://www.swdc.govt.nz) or call into the Greytown or Featherston service centres located at the Libraries.

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

### Documentation required

All applications must be accompanied by the following:

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

### How long does it take?

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

**NB:** Providing all fees are paid, the PIM will be posted 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.

### Other legislation that you may need to consider:

Depending on the proposed work you may also need to consider other legislation such as the Resource Management Act, the Sale of Liquor Act, the Health Act in your application.

### How long does it take to get a Building Consent?

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

If your consent relates to a national multiuse approval, the BCA has 10 days to approve that consent

### How do I apply for a Building Consent?

SWDC is one of more than 20 Councils around the country working together to bring consistency to the building consent process.

Building consent applications can be made using the Simpli portal here:

<https://simpli.govt.nz/>

Simpli provides the following:

- Standardised processes, forms, templates and checklists for building consent applications.
- An online service for submitting, viewing and managing your building consent applications.

If you are an existing user log in in the normal way.

If you are using Simpli for the first time you will need to register as a new customer using the signup tab at the top of the page.

Building consent applications can be completed for you by your builder or architect depending on your arrangement with them. If you want to apply for the building consent yourself you will need to know how to comply with the Building Act 2004, Building Regulations and the Building Code, all of which are essential for safe and healthy buildings in New Zealand.

Paper applications can still be made. You will need to contact the building team to obtain an application form

### **Recent changes regarding consent requirements for work on land subject to liquefaction.**

If you are planning on building a new house or a large addition you should discuss with your designer, the need to obtain a report from a suitably qualified person ( geotechnical engineer for example) showing that the land is or is not subject to liquefaction.

Obtaining the experts advice may add additional costs to your project. Depending on the experts advice, traditional foundation types may not be suitable. If this work is not done during the initial design, it could hold up your consent and result in significant design changes.

### **Specified systems.**

Where your building work includes work associated with specified systems you must supply information on the performance standards for the specified systems and the inspection maintenance and reporting procedures for those specified system's.

Where the Performance Standard is a recognised Standard this should be referred to by year. Where you are relying on a performance requirement of the Code this should be specific ie F8.3.1 as opposed to "F8" or "compliance schedule handbook". Alternatively, if you wish to rely on an acceptable solution for a performance requirement, you should identify the acceptable solution by date and version number for example f8/as1 - Amend 4 Jan 2017

### **How do I lodge an application?**

Once you have gathered all the necessary information, you should log in to Simpli and follow the easy steps.

If you want to apply on paper you can either post, or email the application or deliver it in person to our office. A fee schedule can be accessed at [www.swdc.govt.nz](http://www.swdc.govt.nz) Fee's can be paid either over the counter or via internet banking.

It is important to ensure that the designer provides site and project specific documentation that clearly show Building Code compliance. Poor quality applications hold your consent up and everybody else as well.

**Please note:** When emailing an application please keep the email below 10MB each and ring to confirm it has been received.

## **CONSENT PROCESSING**

### **How is my application processed?**

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

Once vetted, the application is then receipted and entered into the system as lodged. The following working day the 20 working day time clock will commence. The application is then allocated to the various disciplines within the building consent authority for processing, i.e. planning, engineering, building, water, drainage, etc. 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 additional information (RFI) will generally be sent to the person responsible for the consent. Clouding the area of drawings that have changed in response to an RFI, may help speed up the processing of your consent

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

Upon payment of any outstanding building consent fees, the consent will be issued.

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

### **How will I be notified of the approval?**

Where your application was lodged through Simpli the portal will keep you up to date with the progress of your consent via email.

If the application was made electronically, it will be issued electronically.

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

Work cannot start until the building consent has been granted.

### **External Parties**

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

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

The BCA may accept technical opinions from the likes of engineers' These are called producer statements. These are accepted on a case by case basis.

### **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 2 year anniversary of the grant of the building consent, the BCA is required to make a decision on whether or not to issue a CCC.

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

If the project has been delayed, you may apply for an extension to this time.

### **What sort of information do I need?**

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

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

**Wall bracing layout** (if applicable) - (1 set)

6 **Roof truss** (if applicable) – (1 set) Manufacturer's Truss Design and Producer Statement

7 **E2 risk matrix** (demonstrating weathertightness features)- (1 set).

8 **H1 analysis** (demonstrating insulation requirements) (1 set)

9 **Fee.**

## 10 Information related to specified systems and the compliance schedule

### **Change of use, extension of life and subdivisions:**

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

Typically you will need to provide a report(s) addressing matters such as access and facilities for people with disabilities, means of escape from fire, and other matters such as structural performance and fire spread/protection of other property, and sanitary facilities, fire rating performance.

### **What if my application is for a heating appliance only?**

You must supply the make, model and year of manufacture 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 if required, [Authorised wood burners list | Ministry for the Environment](#)

### **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](http://www.linz.govt.nz)  
Or alternatively, on payment of the prescribed fee Council can obtain a copy on your behalf.

### **Is there other information that I might need?**

**New Vehicle Access** - Any building which requires a new vehicle access must be approved. Contact the Council's Works and Services department 06) 3069611 to discuss this. A detailed plan showing the location of the proposed access will need to be supplied with your application.

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

### **What about a resource consent?**

Some proposals require a land use resource consent. If you are unsure if your proposal requires a resource consent, you can discuss the details with the planning department at the

South Wairarapa District Council. Please phone 06) 3069611 and ask for the planning department.

### **How much will my Building Consent cost?**

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

- levies payable to the Ministry of Business innovation and Employment (payable on all applications \$20,444 or more);( Building Levy Order gst inclusive)
- levies payable to BRANZ (payable on all applications \$20,000 or more);
- 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);
- development contribution (if applicable);
- vehicle crossing; and
- water meter connection (if applicable).

A schedule of fees is available from our website [www.swdc.govt.nz](http://www.swdc.govt.nz), or collected from Council's main office in Martinborough or from the Greytown or Featherston service centres located at the Libraries. Fee's can be paid at the office or by internet banking

Fee will be calculated at the time the application is received and all fees are required to be paid with the application. A cancellation fee may apply if you withdraw your application.

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

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

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

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

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

### **Can I change my plans later?**

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

### **Amendments**

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

### **Minor variations**

Minor variations are changes that do not usually affect compliance with the Building Code e.g. changes to types of taps, the position of kitchen joinery, and non-structural walls or doors. You may need to provide information to record the change however it is not necessary to complete

a new building consent application form. This may be able to be approved on site by the inspector.

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

To obtain a minor variation approval you are required to apply in writing explaining the change and providing updated drawings or documentation to show the minor variation.

### **What are building consent conditions?**

These are conditions imposed on your building consent which are deemed necessary to ensure compliance. For example, all building consents are issued subject to the condition that officers of the building consent authority are entitled at all times, during normal working hours, or while work is being done, to inspect building work which is being carried out. Other conditions may be in relation to building on a site subject to specific hazard conditions or building over two or more allotments for example.

### **Consent conditions**

Building Consent conditions will be included in certain circumstances. These can include the following sections of the Building Act 2004:

- Section 67: Waiver and Modification
- Section 73: Construction of building on land subject to natural hazards
- Section 75: Construction of building on two or more allotments
- Section 90: Inspections by Building Consent authorities
- Section 113: Buildings with specified intended lives.

Although not a condition of consent, if the proposed works requires Resource Consent approval and a resource consent has not yet been obtained, a form 4 will be attached to the building consent stating that no building work may proceed or that building work may only proceed to the extent stated in the certificate. This is a requirement of section 37 of the Building Act.

The conditions listed on your building consent are important and you should read them carefully.

If you have any questions you should discuss them with your design or building professional in the first instance.

### **What are building consent endorsements/advice notes/reminders?**

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

## THE INSPECTION PROCESS

### When can work begin?

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

### What inspections do I need?

In most cases a building officer from Council will need to visit the building at various stages during the work to ensure work complies with the consent.

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

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

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

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

It is the owner's responsibility to ensure that the BCA is contacted at the appropriate times to undertake the required inspection.

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 administration team by phoning 306 9611 (do not contact the building inspectors directly). Inspections are undertaken Monday - Friday 9.00am to 3.00pm (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;
- date and time the inspection is required; and
- type of inspection, i.e. plumbing, drainage, foundation, pre-slab, pre-line, etc.

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

### **How do I know if the inspection has been passed?**

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

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

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

### **What if the inspection is not approved?**

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

Re-inspections may incur additional charges.

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

### **What is a Notice to Fix (NTF)?**

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

### **Do I need a final inspection?**

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

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

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 including filling in details of who did the work and when the work was completed.

Once the application has been made the BCA has 20 working days to decide whether to issue a CCC. The BCA will complete an inspection, if a final inspection has not already occurred, and ensure all documentation has been received. The required documentation will be listed on the building consent. If all building work complies and documentation supplied a code compliance certificate may be issued. If 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 works undertaken complies with the building consent. You must apply for a CCC after all work has been completed. This is an important document and should be retained for future reference.

A CCC can be withheld until any development levies are paid or any other fee's for the likes of additional inspections etc. Fee's can be paid by internet banking or at the Council offices

A CCC must be applied for on the prescribed form found here: <https://simpli.govt.nz/tool-box>. In the case's where the consent was sought through Simpli the ccc application should be made through Simpli.

We have 20 days to process the application. We may suspend the application to seek additional information and the CCC will not be issued if there are any additional fees or development contributions to pay.

### **Producer Statements**

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

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

Before submitting a ps1 you should check to se if the designer is covering all or part of the work. If the engineer is covering part only, then there should be a clear description of what they are not covering. Depending on what is excluded Council may seek a review of the design at the owner's cost.

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

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

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

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

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

These details can be found at [www.engineeringnz.org/](http://www.engineeringnz.org/) or by contacting Engineering New Zealand on 04 473 9444.

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

Identified also are additional inspections required by the suitably qualified independent design professional that are to be carried out along with and including BCA inspection requirements.

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

#### **Site safety for inspectors**

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

#### **What are Multi-proof Approvals?**

Multiproofs are issued by the National Multiple-Use 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.

## COMMERCIAL AND INDUSTRIAL PROPERTIES

### Section 363 Public Premises

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

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

### What are public premises?

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

<ul style="list-style-type: none"> <li>• shopping malls;</li> <li>• cinemas;</li> <li>• marae</li> <li>• camping grounds</li> </ul>	<ul style="list-style-type: none"> <li>• garages and workshops;</li> <li>• funeral homes;</li> <li>• office and retail complexes; and</li> <li>• rest homes, etc</li> </ul>
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### What is a Compliance Schedule(CS)?

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

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

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

### What is a Compliance Schedule Statement?

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



### **How do I obtain a Compliance Schedule?**

On the building consent application form you will need identify the specified systems and ensure you have provided the performance standards and the inspection, maintenance and reporting procedure's

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

When applying for a CCC for a building that contains specified systems you should attach to the application relevant certification for the specified systems as well as details of the specified systems and plans showing specified system locations and or layout and confirms that the specified systems are performing to the performance Standards detailed on the building consent.

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

Your architect/designer should provide you with information relating to the performance standards for each specified system contained within the building at the time the application for building consent is made. The performance standards will identify the inspection, maintenance and reporting procedures required for each system.

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

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

### **What is a Building Warrant of Fitness (BWoF)?**

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

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

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

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

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

### **What is an Independent Qualified Person (IQP)?**

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

All IQP's are required to be registered with Council.

## COMPLAINTS

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

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

### What is a building control function?

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

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

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

Complaints should be addressed to:

Building Control Manager  
South Wairarapa District Council  
19 Kitchener St, Martinborough

### What information is required?

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

### How long does it take?

All complainants will be responded to within 72 hours of the receipt of the complaint, at which time you may be asked whether you wish to be heard in relation to the complaint or to provide further information.

All complaints will be acted upon within 10 working days of receipt of the complaint, unless a request for further information is made.

### Do I have a right of appeal?

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

All appeals should be addressed to:

Chief Executive Officer  
South Wairarapa District Council

19 Kitchener St, Martinborough

All appeals will be responded to within 10 working days.

**What else can I do?**

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

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

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## USEFUL WEBSITES/TELEPHONE NUMBERS

Ministry of Business, Innovation, and Employment (formerly DBH)	<a href="http://www.dbh.govt.nz">www.dbh.govt.nz</a>	0800 60 60 50
Environment Waikato	<a href="http://www.ew.govt.nz">www.ew.govt.nz</a>	0800 800 401
BRANZ	<a href="http://www.branz.co.nz">www.branz.co.nz</a>	0900 5 9090
Consumer Build (Independent advice)	<a href="http://www.consumerbuild.org.nz/publish">www.consumerbuild.org.nz/publish</a>	
Land Information New Zealand	<a href="http://www.linz.govt.nz">www.linz.govt.nz</a>	
Building Research	<a href="http://www.buildingresearch.org.nz">www.buildingresearch.org.nz</a>	
Engineering New Zealand	<a href="http://www.engineeringnz.org/">www.engineeringnz.org/</a>	04 473 9444
Ministry for the Environment (Warm Homes Project)	<a href="http://www.mfe.govt.nz/2-home-heating-and-energy-efficiency-in-new-zealand/">2 Home Heating and Energy Efficiency in New Zealand   Ministry for the Environment</a>	
New Zealand Fire Service – Building Design for Fire Safety	<a href="https://onlineservices.fire.org.nz/">https://onlineservices.fire.org.nz/</a>	
New Zealand Fire Service – Home Sprinklers	<a href="https://www.fireandemergency.nz/home-and-community-fire-safety/home-sprinklers/">https://www.fireandemergency.nz/home-and-community-fire-safety/home-sprinklers/</a>	
NZ Homeowners' Building Guide	<a href="http://www.buildingguide.co.nz">www.buildingguide.co.nz</a>	09 360 8885

## USEFUL PUBLICATIONS

**NZ Homeowners' Project Workbook – Your Guide to Building a Better Home** (order local copy at: [www.buildingguide.co.nz](http://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** – <https://www.building.govt.nz/building-code-compliance/how-the-building-code-works/building-act-2004/>