

CONSUMER INFORMATION - BUILDING CONSENT APPLICATION GUIDANCE

**Building Consent User Guide v 4.5 -
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Mackenzie
DISTRICT COUNCIL

Consumer Information - Building Consent

REVISION HISTORY

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BUILDING LEGISLATION

The Building Act

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

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

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

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



What is a Building Consent?

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

When is a Building Consent required?

A building consent is required before you undertake any building work, such as additions alterations or constructing new buildings, and pool barriers, unless exempt. Please view the Ministry of Business, Innovation and Employments guidance publication “A guide to building work that does not require a building consent”. This can be viewed at their website www.building.govt.nz

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

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

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

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

Licensed Building Practitioners include, but are not limited to:

- Designers
- Carpenters
- Roofers
- External Plasterers
- Bricklayers and/or
- 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 (do-it-yourselfers) allowing them to carry out Restricted Building Work (RBW) on their own home and build their own home. There are certain criteria for this and details can be found at <https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/choosing-the-right-people-for-your-type-of-building-work/use-licensed-people-for-restricted-building-work/restricted-building-work/>

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

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

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

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

What is a Building Consent Authority?

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

What is a Project Information Memorandum (PIM)?

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

This is information on special land features, including potential:

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

A PIM also identifies any additional approvals required such as:

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

The memorandum also includes:

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

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

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

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

Important: A PIM does not give any form of approval under the District Plan or Building Act. Contact the Mackenzie 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, available from the Mackenzie District Council in the Fairlie or Twizel offices or visit our website <http://www.mackenzie.govt.nz/>

This form must be completed in full and signed and dated before being submitted. To submit your PIM application, please email to building@mackenzie.govt.nz. If you are unable to submit your application electronically, please contact the Building Control Team on 03 685 9010 to discuss your options.

Documentation required

All applications must be accompanied by a copy of:

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

How long does it take?

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

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

How long does it take to get a Building Consent?

Building consent processing time depends on the complexity of your project and whether or not you have provided all site-specific information. Building consents must have a decision made to either

grant or refuse the application within 20 working days. However, if information is found to be lacking, the time clock is suspended and not restarted until all the requested information is provided.



How do I apply for a Building Consent?

You need to complete an application form and provide information relevant to your building project. You can access the forms from either:

- our website www.mackenzie.govt.nz, or
- collect from Council offices in Fairlie or Twizel.

How do I lodge an application?

Once you have gathered all the necessary information, you can email the application to building@mackenzie.govt.nz. If you are unable to submit your application electronically, please contact the Building Control Team on 03 685 9010 to discuss your options.

It is important to ensure that the designer provides site and project specific documentation that clearly show Building Code compliance. Poor quality applications may result in the application not being accepted by the BCA.

Please note: When emailing an application please use dropbox (or similar) to submit large files. Always follow up your submission with an email requesting confirmation of receipt.

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 as required by [section 45](#) of the BA04 this is not a technical check. Your application may be rejected at this time, if insufficient information has been provided.

Providing key aspects of the application form have been completed, the application will be entered into the system as lodged. The BCA has 2 working days to vet the application and either request further information or formally receive the application. If the application is formally received and requested information is received and accepted [if applicable] the 20-working daytime clock will commence from the receipt of a complete application. The application is then allocated to the various disciplines within the building consent authority for processing, i.e., Planning, Building and Assets. Each discipline will review your application and assess it for compliance against the requirements of the Building Code as prescribed in the Building Act. If there are any questions or concerns, you will be requested to supply further information/clarification. The 20-working daytime clock is suspended until this information is provided in full.

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

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

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

Payment of Fees

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

Once payment has been received, the building consent will be issued, Fees can be paid at the office or by internet banking.

Receiving Your Building Consent?

Your building consent and approved plans along with any supporting documentation will be sent via a dropbox link to the property owner or nominated person. You will be advised to download and securely save the documents as the link will be deleted in 10 days.

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 projects 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.

Assessment against relevant legislation

Your application will be distributed to different areas within Council to check for compliance with Mackenzie District Council bylaws, District Plan, and other legislation (such as the Health Act 1956, Resource Management Act 1991 etc). These checks will include matters relating to vehicle access, earthworks, water reticulation, public drainage, trade waste, building warrant of fitness and backflow prevention.

Our building officers will evaluate the various aspects of your building consent application to ensure it meets the requirements of the Building Act and the Building Code. Occasionally, due to complexity or nature of the building design or resourcing, Council may opt to use an external consultant to help with processing. In these situations, the consultant is working on Council's behalf.

How long is my building consent valid for?

The Building Act provides that if work to which the consent relates has not 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 following information [if applicable]

- 1 **Certificate of Title** – 1 copy - no older than 3 months old. Please include any Consent Notices listed under Interests.
- 2 **Plans** – (one complete set)
 - 2.1 **Site Plan** - Scale 1:200 (recommended scale). The site plan must show the proposed building work in relation to the property boundaries, existing buildings, drainage and water supply systems, spot levels and datum.
 - 2.2 **Floor Plan** - Scale 1:100. To be fully dimensional, including wall and partition sizes, designation of rooms, doors and window openings, sanitary fittings, fixed units, appliances such as wood-burners, cooking and heating units.

- 2.3 **Cross Section** - Scale 1:50. To show full details of construction of foundations, reinforcing, floor structure, wall and roof structure, insulation, and height above ground level.
 - 2.4 **Elevations** - Scale 1:100. Four elevations of the proposed building are required to show all doors, windows, roof heights and external materials and finishes.
 - 2.5 **Drainage Plan** - Scale 1:200. To show means and location of sewage and stormwater disposal systems and any existing drains on site. Water supply details must be shown. (Only a certifying plumber/craftsman 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 sections.
 - 4 **Snow Loads and Wind Zones** – The Mackenzie District has extreme weather conditions that must be taken into consideration for all building undertaken with the district. The measure of compliance for the BCA will be what is indicated within the means of compliance section of the application form for Building Code clause B1
 - 5 **Engineering calculations/fire report** (if applicable) – (one complete set) If designs are from a CPEng engineer a site/project specific PS1 will be required.
 - 6 **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)
- 7 **Roof truss** (if applicable) – (1 set) Manufacturer's Truss Design and Producer Statement
 - 8 **E2 risk matrix** (demonstrating weathertightness features) - (1 set).
 - 9 **H1 analysis** (demonstrating insulation requirements) (1 set)

Information related to specified systems and the compliance schedule

If the building contains specified systems, you must ensure it has the required Inspection, maintenance and reporting procedures indicated within the application and consider the appropriateness of the performance standard for the proposed specified system/s.

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, refer to the applicable links below for further clarification:

The relevant sections of the Building Act are:

- [Section 115](#) Change of use of a building
- [Section 116](#) Extension to specified intended life of a building
- [Section 116A](#) Subdivision of existing building

What if my application is for a heating appliance only?

You must complete the Building Consent Application form and provide all the relevant information regarding the heating appliance, such as the make, model and 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, <https://www.ecan.govt.nz/data/authorised-burners/>.

Where can I get a current Certificate of Title?

Contact Land Information New Zealand on 0800 ONLINE/0800 665 463 or www.linz.govt.nz

Is there other information that I might need?

New Vehicle Access - Any building which requires a new vehicle access must be approved. Contact the Council Asset Department on 03 685 9010 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 Mackenzie District Council. Please phone 03 685 9010 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)
- vehicle crossing (if applicable); and

- water meter connection (if applicable).

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

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

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

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

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

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

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

Can I change my plans later?

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

Amendments

Amendments are those 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 application [form 2] 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 will need to provide an applicable application and 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 via the inspection process (remote inspection or onsite inspection) or within the Mackenzie District Council office via a processing officer.

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

What are building consent conditions?

Once you have made an application for building consent and before the application can be granted (approved), Council must identify any relevant conditions applicable to your project. These conditions relate to specific sections 67, 72, 75, 90, 113 of the Building Act 2004 and will be identified on the building consent.

Waiver and modifications (Section 67)

Waivers and modifications allow the tertiary authority ('TA' or Council) to exercise judgement when dealing with unusual building compliance situations. A waiver or modification of the Building Code may be subject to any conditions the Council considers appropriate and these conditions are identified within the building consent.

Building on land subject to natural hazards (Section 72-73)

Your consent application may be subject to natural hazards, Council is required to assess whether your project will be subject to one or more of these hazards (identified in Section 71 Building Act).

1. Erosion (including coastal, bank and sheet erosion)
2. Falling debris (including soil, rock, snow and ice)
3. Subsidence
4. Inundation (including flooding, overland flow, storm surge, tidal effects, and ponding)
5. Slippage.

New building work or major alterations should be designed with any natural hazard in mind. You can apply for a building consent to carry out work on land with hazards; however, you will need to demonstrate how you will protect the building, the land, and any other properties potentially affected by the work.

Section 72 of the Building Act 2004 requires Mackenzie District Council to consider building consents for new buildings or major alterations on land that is subject to a natural hazard and refuse to grant the building consent if the situation is made worse or grant the building consent subject to Section 72 if the building work is subject to a natural hazard.

When a building consent is issued subject to section 72, the Council must notify the Registrar-General of Land to arrange an endorsement on the Certificate of Title advising that the consent has been issued pursuant to section 72 of the Building Act 2004.

Construction of building on 2 or more allotments (Section 75, 77)

If your building project involves building work that comprises of (crosses the boundary) 2 or more allotments, the council is required to undertake certain obligations. The territorial authority (council) must issue a certificate (section 77 certificate) stating that, as a condition

of the building consent for the building work to which the application relates, 1 or more of those allotments specified by the territorial authority (the specified allotments) must not be transferred or leased except in conjunction with any specified other or others of those allotments. Therefore, the building consent cannot be granted until the certificate has been issued or at least a copy of the certificate has been lodged with the Register-General of Land (LINZ). This condition will be noted within the building consent.

Inspections by building consent authorities (Section 90)

Every building consent is subject to the condition allowing agents (staff or contractors) that are authorised by council to carry out inspections during normal working hours for the purpose to inspect.

- a) Land on which building work is being or is proposed to be carried out; and
- b) Building work that has been or is being carried out on or off the building site; and

- c) Any building.

In this section, inspection means the taking of all reasonable steps to ensure that building work is being carried out in accordance with a building consent.

Buildings with specified intended lives (Section 113)

When you make an application for a building consent, either a new build or an alteration to an existing building and you have stated that the intended life is to be less than 50 years, council may grant (approve) the consent which will be subject to:

- a) The condition that the building must be altered, removed, or demolished on or before the end of the specified intended life; and
- b) Any other conditions that the territorial authority (council) considers necessary.

These conditions will be noted within the building consent. These are conditions imposed on your building consent which are deemed necessary to ensure compliance.

What are building consent/advice notes

Building consents often have advice notes indicated as an attachment by the BCA to remind the building owner about specific aspects of construction to achieve compliance. For example a note may be added regarding specialist inspections that may be required. It is important that you read and understand all advice notes of the building consent before commencing work. If you do not understand any of the advice notes, please contact us to discuss.

THE INSPECTION PROCESS

When can work begin?

The granting and issuing of the Building Consent will enable the building work to begin on the allotment but it is conditional on enabling the building work to be inspected. If a Resource Consent is required and not yet obtained you may also need to wait until that is also issued, this will be identified on the Building Consent as an attached certificate that has restrictions on commencing building work under the Resource Management Act 1991.

What inspections do I need?

Council uses two different types of inspection methodology, onsite or remote inspections.

When your application is processed, the building officer will determine what inspections are necessary and what inspection methodology will be applied and this will be articulated within the "Required Items Letter" attached to the Building Consent (Form 5)

Remote Inspections:

These may include but not limited to foundations, concrete masonry, concrete floor slab, pre-cladding, cladding, pre-line building and plumbing, post-lining, drainage, and fireplaces. The suitability of a remote inspection is also determined on the available connectivity of the allotment where the building work is being performed.

Onsite Inspections:

These may include but not limited to wastewater drainage, complex cladding designs, complex alteration design, commercial pre-line related to specified systems, large scale commercial projects, residential and commercial finals.

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

Typically, the inspector will record the inspection by making notes and taking photos.

Non-standard inspection types will be noted on the "Required Items Letter" attached to the Building Consent (Form 5) and indicate inspection methodology required.

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 within the "Required Items Letter" attached to the Building Consent (Form 5). Generally, these inspections are necessary to confirm ground stability or specific design by a chartered professional engineer.

It is the owner's responsibility to ensure that the BCA is contacted at the appropriate times to undertake the required inspection. Please ensure that you or your agent are on site for the inspection (applicable to both inspection methodologies) and that you have the consented plans and documentation with you (including any amendments). The inspection will not be carried out if the approved documentation is not available. Building Inspectors are authorised to conduct inspections at all times during normal working hours. Safe access to all areas to be inspected must be provided

to officers carrying out inspections. Our officers may refuse to carry out an inspection if health and safety risks are not being adequately managed on site.

Please ensure you read the 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.

What is the process for Remote Inspection?

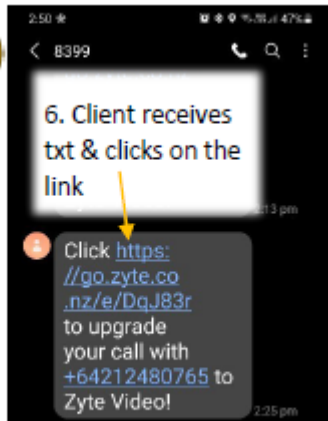
The BCA performs some inspections remotely via the use of a software program (Zyte). This system will be introduced for use from the 20th of February 2023

For building consents issued **after** the 7th of February 2023 the remote inspections will be recorded within the “Required Items Letter” attached to the Building Consent (Form 5). For building consents issued **before** the 7th of February 2023 the suitability of a remote inspection will be determined at time the inspection is booked. We will advise whether a remote inspection is available for your specific inspection requested.

The Building Inspector will call the contact person (builder/agent/owner) before commencing the inspection to confirm their availability and connectivity for the inspection and to indicate that they will be sending a text to the contact person. The contact person will need to ensure the following:

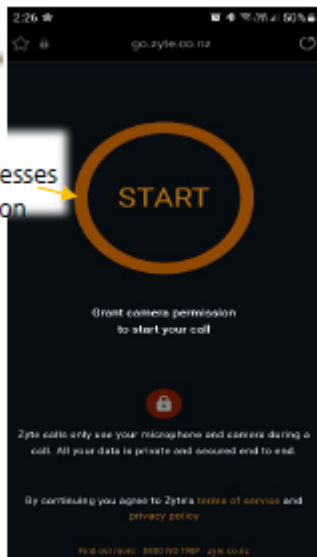
- Consented Plans and Specifications are on site.
- Their phone has “Location Services” turned on.
- When text is received, they click on the link and then they press the start button.

2)



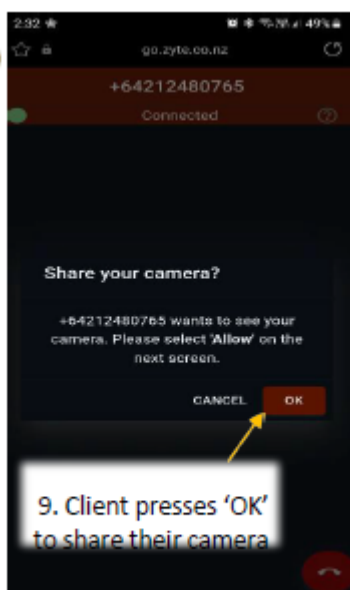
3)

7. Client presses 'Start' button



- When the BI requests the contact person to share their camera, they press OK.

5)



NOTE: The program only uses the camera and microphone during the connection, the phones data is private and secure. There is no requirement for the contact person to install software to their phone.

The BI will perform the inspection instructing the contact person the areas of building work that they require to view, they are measuring compliance to the building consent which The BI has available to them during the inspection. A series of photos may be taken to support the inspection record which the BI will complete within the BCA system.

Moisture Meter: Pre-line inspection

In order for this type of inspection to be completed, the BCO maybe required to confirm the moisture content percentage of the timber to confirm that a product [example: plasterboard] can be installed to the requirements of the manufacturer of the product/s in question:

The contact person has two options on site for this verification:

1. Have their own moisture meter calibrated by MDC or appropriate organization and a date stamp recorded on the back of the meter every six months. This calibration can be either preformed at the MDC office in Twizel or Fairlie by the BCO within the office or by the BCO onsite at an onsite inspection.
2. MDC have two moisture meters available for use, 1 at Twizel office and 1 at Fairlie office which can be picked up by the contact person for the inspection and returned to the same office that day or the following morning.

At the completion of the Inspection the BI will confirm the outcome with the contact person and email a copy of the inspection report at the end of the working day.

How do I book an inspection?

Building inspections are booked through the administration team by phoning 03 685 9010 (do not contact the building inspectors directly). Inspections are undertaken Monday - Friday 8.30am to 4.00pm (excluding public holidays).

You must provide the following information when booking an inspection:

- site address.
- building consent number.
- name and telephone number of contact person on site.
- Email address of where the site inspection result will be sent to.
- date and time the inspection is required; and
- Type of inspection, i.e., plumbing, drainage, foundation, pre-slab, pre-line, etc.
- Confirmation of inspection methodology (onsite or remote)
- If RBW please provide the names of any relevant LBP's including licence references

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

How do I know if the inspection has been passed?

At the conclusion of all inspections the outcome of the inspection is recorded on the site inspection report and emailed to the nominated person. It is a requirement that the owner or an agent is available on site for all inspections (onsite and remote) 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 report. 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 a minor variation or 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, most 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 <https://www.mackenzie.govt.nz/rates-building-and-property/building-consents-and-applications/building-consent-documents>.

Once the application has been accepted 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 as an attachment to the building consent. If all building work complies and all of documentation and relevant supporting documentation (required plans, certification/verification documents) has been supplied a code compliance certificate may be issued. If CCC cannot be issued either due to a failed inspection/s or

relevant information [Section 93[4] and 94] not provided the 20-working day clock is stopped, and further information may be sought or the CCC will may be refused

If a request for further information [RFI] is sought the clock will re-start on the receipt of all of the requested information and the consideration of issuing the CCC will be provided.

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 or refused until any outstanding fees for the likes of additional inspections etc are paid. Fees can be paid by internet banking or at the Council offices.

Note: The non-payment of fees is not considered to be an RFI and does not effect the 20 working day clock.

Producer Statements

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

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

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

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

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 engineeringnz.org or by contacting the 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 considered to be 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 completed 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. The request for further information process is the same as if it was not a multi-proof application.

COMMERCIAL AND INDUSTRIAL PROPERTIES

Section 363 Public Premises

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

In certain circumstances it may be possible to apply for a Certificate for Public Use (CPU) <https://www.mackenzie.govt.nz/rates-building-and-property/building-consents-and-applications/building-consent-documents>, 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:

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

What is a Compliance Schedule (CS)?

A Compliance Schedule is a document issued by the building consent authority for buildings which contain specified systems. Specified systems as per schedule 1 of the Building (Specified Systems, Change the Use, and Earthquake-prone Buildings) Regulations 2005 include:

1. Automatic systems for fire suppression
2. Automatic or manual emergency warning systems for fire or other dangers
3. Electromagnetic or automatic doors or windows
4. Emergency lighting systems
5. Escape route pressurisation systems.
6. Riser mains for use by fire services
7. Automatic back-flow preventers connected to a potable water supply.
8. Lifts, escalators, travelators, or other systems for moving people or goods within buildings.
9. Mechanical ventilation or air conditioning systems
10. Building Maintenance units providing access to exterior and interior walls of buildings
11. Laboratory fume cupboards
12. Audio loops or other assistive listening systems

13. Smoke control systems
14. Emergency power systems for, or signs relating to, a system or feature specified in any of the clauses 1 to 13.
15. Any or all of the following systems and features, so long as they form part of a building's means of escape from fire, and so long as those means also contain any or all of the systems or features specified in clauses 1 to 6, 9 and 13.
 - a. Systems for communicating spoken information intended to facilitate evacuation; and
 - b. Final exits (as defined by clause A2 of the building code); and
 - c. Fire separations (as so defined); and
 - d. Signs for communicating information intended to facilitate evacuation; and
 - e. Smoke separations (as so defined).

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 Territorial Authority (TA) and states the specified systems contained in the building and notes where the Compliance Schedule is kept.

A Compliance Schedule Statement is issued on Form 10 of the Building (Forms) Regulations 2004 by the Territorial Authority.

It is required to be publicly displayed for the 12 months after the first Compliance Schedule is issued.

Note – It is not a statement about the performance of the specified systems listed.

How do I obtain a Compliance Schedule?

A compliance schedule may be issued with a Code Compliance Certificate (CCC) by the Building Consent Authority (BCA) for:

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

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

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

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

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, 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:

- meeting statutory time frames.
- lodging or vetting of building consent applications.
- processing of building consent applications.
- inspection of work under construction.
- issuing of a notice to fix;
- issuing of code compliance certificates.
- issuing compliance schedules.
- failure to provide appropriate information or advice.
- fees and charges; and
- failure to meet legislative or Building Code requirements.

How do I make a complaint?

You can make a complaint in person; however, it must be accompanied by a written statement. Complaints not made in writing or made anonymously will not be acted upon. The policy can be accessed at <https://www.mackenzie.govt.nz/rates-building-and-property/building-consents-and-applications/building-consent-documents>

Complaints should be addressed to:

Building Control Manager

Mackenzie District Council

53 Main Street

Fairlie 7925

What information is required?

- date incident occurred.
- nature of complaint (guidance information, vetting, lodging, 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 by:

- an initial response is provided within two working days acknowledging receipt of the complaint and advising a timeframe for investigation and response.

- The complaint will be acknowledged by the Building Manager within 5 days, they then have 28 working days to do something about the complaint.
- The complainant will be informed of the outcome within 28 working days of the initial complaint.

All complaints will be acted upon within 28 working days of the initial 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

Mackenzie District Council

53 Main Street

Fairlie 7925

What else can I do?

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

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

USEFUL WEBSITES/TELEPHONE NUMBERS

Organisation	Website	Phone
Ministry of Business, Innovation, and Employment (formerly DBH)	www.dbh.govt.nz	04 472 0030
Environment Canterbury	www.ecan.govt.nz/	0800 324 636
BRANZ	www.branz.co.nz	0800 80 80 85
Consumer Build (Independent advice)	www.consumerbuild.org.nz/publish	
Land Information New Zealand	www.linz.govt.nz	
Building Research	www.buildingresearch.org.nz	
Engineering New Zealand	engineeringnz.org	04 473 9444
Fire and Emergency New Zealand – Building Design for Fire Safety	fireandemergency.nz/	04 496 3600
Fire and Emergency New Zealand – Home Sprinklers	fireandemergency.nz/at-home/home-sprinklers/	



Mackenzie

DISTRICT COUNCIL