

that the structural design will achieve the requirements of the NZBC and/or relevant New Zealand Structural Design Standards and any assumptions e.g. ground bearing capacity.

Council may require that the design is peer reviewed to confirm the structural design meets the requirements of the relevant structural standards. This peer review will be regardless of the supply of a PS1. All peer review costs are borne by the applicant.

If site investigation has included a geotechnical investigation and subsequent specific foundation design, that geotechnical report may be subject to a separate peer review.

The Act stipulates that Council must be 'satisfied on reasonable grounds' that any building element or design meets the provisions of the various codes. As such, Council has sole discretion on acceptance of Producers Statements and technical reports.

Commercial Buildings – Fire Rating Behaviour and Egress

Fire safety in a commercial building is assessed under the NZBC, C Clauses. Any work in a commercial building will require a fire report (sometimes termed a fire philosophy) detailing compliance with these clauses. This will be required at application stage. Section 112 of the Building Act 2004 must also be addressed for any alterations to an existing building.

Any fire rated construction e.g. walls, floors or ceilings, are to be shown on the plans, sections and construction details provided. The proposed work may be 'just an office fit-out', but this can affect means of escape and the positioning of sprinkler and smoke alarm heads.

Some applications will be sent to Fire and Emergency New Zealand if they meet the criteria outlined in the [New Zealand gazette, No 49 3 May 2012](#) (See Page 1406).

Commercial Buildings – Lift Requirements

A lift may be required depending on the area of the upper floors or the occupant loads of the upper floors. If the use or occupant load changes, the building will be assessed to determine whether it complies for lift requirements.

Commercial Buildings – Trade Waste

Trade waste issues are more likely to arise in industrial and commercial activities where products are being manufactured, processed or refined e.g. meat and dairy processing plants, timber treatment plants, furniture manufacturers etc. However, these issues can also apply to smaller uses such as restaurants, paint shops and truck yards.

The potential discharge will be assessed at consent processing time. However, if you consider that discharges from the proposed premises may require a trade waste permit, please contact the Council early in the process as this may save expensive design review and changes e.g. a truck wash bay and slab may require an oil interceptor sump/trap to contain oil washed from the vehicles. The oil is required to be contained, then collected and disposed of without contaminating the storm water or sewer system.

Tararua District Council has a Trade Waste Bylaw that governs discharges to the sewer system from Industrial and Commercial premises.

Commercial Buildings – Health

A Building Consent containing food premises e.g. cafés, restaurants, bars etc., will require approval under the Food Regulations 2015 and the Sale and Supply of Alcohol Act 2012. This will be reviewed at the Building Consent stage.

The use and occupant load of the building will be required to assess the safety and facilities in the building. Most of the previous sections discussed will apply for the consent review and the Environmental Health Officer will require specifications, plans and elevations detailing the following:

- Surface finishes
- Ventilation
- Hand wash facilities
- Cooking and cleaning facilities e.g. sinks, dishwasher
- Grease trap and backflow devices
- Menu specifying type of food being prepared and served

An additional application form is required for a Health Licence before the public is permitted to use the premises.

Hairdressers, Funeral Directors and Camping Grounds also require an application to the Environmental Health and Licensing team for approval.

Dams

Regional Councils are required by the Building Act 2004 to accept, process and issue Building Consent applications for large dams within their area.

Large dams are defined as “any dam that impounds more than 20,000m³ of water and has a wall higher than 3 meters”. Dams smaller than this are not large dams and are exempt under Schedule 1 of the Building Act 2004.

Lodging Your Application

Once you have completed your online application form your Building Consent application will be automatically sent to one of our vetting officers.

One of the Vetting Officers will check the application to ensure it meets the required standard. Applications that do not meet the required standard will be rejected. Your application and plans will be returned to you and our Vetting Officer will clearly explain what is required before the application can be accepted.

Once the documentation is in order the application can be lodged. The date that a complete application is received, including the formal vetting process, is the date that the 20-day statutory clock starts. Only GoShift will notify the successful applicant.

Consent Fees

This depends on the type of application, the cost of work involved and the level of detail provided.

Our charges are based on the length of time it takes to process an application and include costs such as:

- Levies payable to MBIE (payable on all applications \$20,444 and over)
- Levies payable to BRANZ (payable on all applications \$20,000 and over)
- Time spent processing the application
- Number of inspections required (type and number vary depending on the project)
- Issue of Code Compliance Certificate
- Issue of Compliance Schedule (if applicable)
- Development contribution (if applicable)
- Vehicle crossing (if applicable)
- Street damage deposits (refundable on completion)
- Water and sewer connection (if applicable)

An estimate of the fees involved may be provided, however the final cost will not be known until the application is processed. If, after you have applied for consent, you decide not to go ahead the Council will require a request to cancel the application in writing from the owner or agent. The Council will calculate how much of the application fee will be returned.

Timeframes for processing

Once accepted, the Council has 20 working days to process your Building Consent to determine if the Council can grant or refuse the application. A working day is defined in the Building Act 2004 and is Monday to Friday excluding statutory holidays and the days between the 20 December and 10 January inclusive.

The working day 'clock' may be put on hold if further information is required for the Building Officer to ensure your project meets the requirements of the NZBC. The number and length of these deferments is mainly in your control. A fully completed application form with good quality supporting information will help in minimising any deferment delays.

MultiProof Building Consents – Timeframes for Processing

A MultiProof consent is a Building Consent for a standardised design that is intended to be replicated many times. MultiProof approvals are issued by the Ministry of Business Innovation and Employment.

MultiProof is a statement by the Ministry that a specific set of building plans and specifications complies with the NZBC. Under the Building Act 2004 (as amended in 2009), Building Consent Authorities must accept a MultiProof as evidence of Building Code compliance.

A Building Consent is still needed for a building with MultiProof approval. The role of Building Consent Authorities is to:

- Approve site specific details, including foundations and utilities;
- Ensure that any MultiProof conditions have been met; and
- Undertake normal inspections during construction.

The Council has 10 working days to issue a MultiProof Building Consent, based on information from Ministry of Business Innovation and Employment website.

Processing Your Building Consent

Requirements of the New Zealand Building Code (NZBC)

Once the documentation has been accepted, it will be scrutinised by the Building Department to ensure that when the project is complete it will meet the requirements of the NZBC.

Section 49 of the Building Act 2004 stipulates that the BCA must be satisfied on reasonable grounds that the provisions of the [Building Code](#) would be met if the building work were properly completed in accordance with the plans and specifications that accompanied the application.

However, a building consent authority is not required to grant a building consent until it receives:

- any charge or fee fixed by it in relation to the consent; and
- any levy payable under [section 53](#).

The Building Code requirements can be met in several ways:

- By way of an acceptable solution:

An acceptable solution is a method contained in the compliance documents issued by the Ministry of Business Innovation and Employment. The documents can be found on the department's website:

www.building.govt.nz/compliance-documents

A building element constructed in the way specified in the compliance documents is deemed to comply with the requirements of the NZBC.

- By way of an alternative solution:

This method of meeting the NZBC requirements is by way of an alternative solution. An alternative solution requires proof of compliance. It is your responsibility to provide the proof, not the Building Consent Authorities task to find it.

Who Processes Your Consent?

Your application may need to be seen by several Council officers. For example, Planning, Environmental Health Officer or perhaps a Structural Engineer. Applications with inadequate details will be deferred for further information. No work will be done on your consent until this information is received. The time required for these officers to check your proposal varies and has a bearing on how long it takes before your consent is issued.

The Council utilises the National BCA Competency Assessment System when allocating applications for processing. If the Council does not have the required competencies available we will approach another Building Consent Authority or a Contractor to carry out the assessment. There are no extra charges for this.

Resource Management Act Requirements

An important part of the checking of your Building Consent is the identification of any Resource Management Act requirements under the various Plans that contain rules to minimise effects on the environment.

The Plans that will have most influence are the Tararua District Plan and Horizons Regional Plan (for on-site wastewater disposal issues). The Planners check that the building and activity are permitted and comply with the relevant standards such as earthworks, on-site parking, noise, maximum height, shading, outdoor living and service courts, lighting and setbacks.

A building activity that is not a permitted activity, or is a permitted activity but does not comply with the relevant standards, may be required to obtain a Resource Consent as well as a Building Consent to authorise the building consent process and activity. If the Building Consent is ready before the Resource Consent the Building Consent will be issued with a Certificate (Section 37) that prevents the commencement of the building work before the Resource Consent is issued.

Council May Refuse to Issue a Building Consent

Occasionally, in cases where Council is not satisfied after requesting further information that either the information has not been supplied within a reasonable timeframe, or the details supplied are not sufficient proof that the work will comply with the Building Code, Council may refuse the Building Consent. A letter explaining the reason the Consent has been refused will be sent to the applicant with an invoice for processing costs.

Identifying the Required Inspections

After checking the documentation for conformance with the NZBC, the Building Officer will identify what inspections are required to ensure that the building is erected to comply with the stamped approved plans.

These inspections are at key stages and usually checks are done at a point in the building process that cannot be checked at a later stage. For example, the mesh and reinforcing bars in a concrete floor slab must be checked before the concrete is poured. If such an inspection is missed, it is often impossible to go back and the Building Consent Authority will not be able to issue a Code Compliance Certificate.

As well as the checks by the Council Building Officers, there may be third party inspections required. These will typically be by a geotechnical professional, to confirm ground conditions; an engineer, to confirm the engineering design is being constructed to plan; or an inspection body, such as Fire Protection Inspection Services, to check fire alarm installation. Once again, these inspections must occur at the scheduled stage of the project.

A Building Act condition (s90) will be placed on the consent that stipulates the entitlement for the BCA, or its nominated agent, for the purposes of this section are entitled, at all times during normal working hours or while building work is being done, to inspect

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

Granting the consent

This is when all requested information (if any) has been received and the technical check has been completed and the building officer checking the application is “*satisfied on reasonable grounds*” that sufficient information has been provided to adequately demonstrate compliance with the relevant performance provisions of the Building Code. Reasonable grounds means the building officer has been reasonable in any requests for information and that the information is readily available and able to verify compliance. Granting a consent is conditional on enabling the building work to be inspected.

The building consent is granted to the applicant upon the payment of all fees, levies and charges and that all the required conditions have been actioned and/or placed on the consent.

Issuing the consent

A building consent will be issued in the prescribed form and will include:

- The Project Information Memorandum (if any),
- A Development Contribution Notice under Section 36 (if any),
- A certificate issued under Section 37 (if any),
- Confirmation that Heritage New Zealand Pouhere Taonga has been notified under Section 39 (if applicable),
- A compliance schedule or amendment to an existing compliance schedule stating the specified systems and performance standards required by the building code (if any).

All building consents are issued on the condition that the BCA, or agents authorised by the BCA, are entitled at all times during normal working hours or while building work is being done to inspect the land or building work.

Invoices and Payments

Once your consent has been approved, a letter/email confirming the outcome will be sent to you. An invoice for the balance of payment due will be attached.

Council Will Not Grant Your Consent until Fees and Levies Have Been Paid

You can choose to make payment at our Customer Services Centre or via Internet banking and the consent will be issued and sent back you in the manner in which it was received by Council (electronically via the online portal or in hardcopy). You will need to ensure you print out all of the approved documentation and have this onsite for all inspections.

You will be advised if there are any Resource Consent issues that mean the work cannot start (Section 37 Building Act 2004), otherwise once you receive the Building Consent document, work may begin. You should keep the stamped approved document on-site at all times.

How long is the Consent Valid?

Work must start within 12 months after the date the consent issued. If work has not started within the 12 months, the consent will automatically lapse and you will need to apply for a new consent.

You may apply for an extension of time to start the work but your application must be submitted to Council before the lapse date.

Please note that if the project has not been completed and signed off with a Code Compliance Certificate within 24 months of the consent being granted, the Council must at that point make a decision to either issue or decline the Code Compliance Certificate. Please refer to the 'Inspecting and Certifying Building Consent Work' booklet for more information.

Content of Your Building Consent Document

The issued Building Consent will be in a number of sections:

- The Building Consent Authority Building Consent:

This is the document at the front of all documentation. It will have the project address, the type of building project, the legal description of the lot and the date of issue. The attached typed pages will list the Building Consent Conditions and Advice Notes, the schedule of required inspections and a Form 6 – Application for Code Compliance Certificate. The application for a Code Compliance Certificate is to be filled out and returned to Council when the work is completed.

1. The Specifications:

The designer's requirements on what must be used during the build process. For example, '30mpa concrete is to be used when constructing the floor slab'.

2. The Plans:

These will have the Council's approved stamp on them. These are the plans that have been checked against the NZBC requirements and approved as meeting the code. They are the plans that must be used as construction drawings and should be kept on-site at all times. The stamped plans may also contain notes of clarification from the processing officer. An item that is unclear of the plans but explained in the text may be overwritten to ensure it is constructed as the designer intended.

Complaints or Enquiries

If you require further specific information or you would like to lodge a complaint about the building consent process this can be done either in person, by phone, email or fax. Contact our Customer Service Team in the first instance who will relay your queries or complaints to the appropriate staff member/s.

Determinations

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

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

In these cases, the parties to the determination are the building/land owner (even an affected neighbour) and the Council.

All parties to a determination are treated equally.

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

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

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

However, a Determination can be applied for by the Council itself or a neighbour who is affected by building work. A determination can be about building work that is planned, partly done or completed.

The Ministry of Business, Innovation and Employment charges a fixed fee for determinations. These are in two categories;

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

More information and how to apply for a determination can be found on MBIE's **website**.

The Building Consent Process

This booklet covers the first two steps of a four-step process. Our booklet 'Inspection and Certifying Consented Building Work' will guide you through the final steps. The booklet includes information on arranging for inspections at set stages during construction and how to apply for your Code Compliance Certificate when the building work is complete.