



Purpose

The purpose of this document is to describe the policy for producer statements.

Scope

This document is to be used in conjunction with all aspects of processing a producer statement.

References

Information on the use of producer statements – Building Act 1991: Revised in accordance with the Building Act 2004.

Policy

The Building Act 2004 provides no reference to the use of producer statements. Producer statements will ultimately be superseded by the licensed building practitioner ‘certificates’, provided for under the 2004 legislation. This scheme will not be in place until 2007 at earliest (voluntary licensing). During the intervening period, Auckland City will continue to accept and use the current Auckland City Author of Producer Statement Register. The approval of individuals on this register and any new authors will continue until the national registration scheme for licensed building practitioners (LBPs) is in place in 2009.

1. Section 33(5) of the Building Act 1991 entitled council, at its discretion, to accept producer statements submitted to by or on behalf of the building consent applicant to establish compliance with all or any of the provisions of the building code.
2. The acceptance of producer statements by the council to assist it in determining compliance of the design of building work or the construction of building work with the requirements of the Building Act 1991 and the Building Regulations 1992 is discretionary and at the option of the council.
3. Producer statements will generally be accepted by council (on a project specific basis) as a means of assisting in determining compliance on conditions that:
 - (a) All information required to enable the council to assess the suitability of the proposed use of producer statements is provided either before or at the time, the building consent application is lodged.
 - (b) The application form for the use of producer statements is completed by or on behalf of the applicant and if not given to the council earlier, provided with the building consent application.
 - (c) The precise extent of the work subject to producer statement(s) is clearly stated by the applicant.
 - (d) The elements of the buildings/building work are included in those listed in the schedule of buildings/building work for which the acceptance of producer statements will be considered (refer to Part 4).
 - (e) Acceptance of producer statements should be sought from an authorised council officer prior to the work being undertaken.

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- (f) Persons preparing the producer statements are deemed suitable by the council to prepare statements. Assessment criteria include:
 - i. Demonstrated competence in the type of and scale of project subject to the statement.
 - ii. Appropriate qualifications.
 - iii. Suitable experience.
 - iv. Membership of appropriate trade/professional organisations.
 - v. Standard of documented quality assurance procedures.
 - vi. Previous acceptability to prepare producer statements and demonstrated performance, except that for projects over \$1,000,000 a person will need to qualify for acceptance on a project specific basis, refer to Part 3 A.
 - vii. Appropriate levels of professional indemnity insurance, particularly in relation to producer statements covering design or design review.

Forms are included in Part 7 to record the information required to assess the suitability of persons preparing Producer Statements.
 - (g) The producer statement is in an identical form to that prepared by IPENZ/NZIA/ACENZ (ie. PS1, PS2, PS3 OR PS4). No amendment or endorsement is permitted.
 - (h) In addition to the producer statements, the full documentation required to support a building consent application, where producer statements were not provided, is supplied with the building consent application. This is necessary to ensure adequate building records are maintained by the council and for use if the project is to be audited.
 - (i) The owner or any person undertaking the authorised works, gives notice that building work is ready for inspection as required by the Building Regulations 1992 (Regulation 7).
4. The council may audit a random sample of work for which producer statements have been received, or for which acceptance has been agreed, for compliance with the Building Act and building code. The extent of the audit will be as determined by council officers in each case. Applicants will be advised if a full audit is to be carried out. Other random auditing of selected elements may also be carried out.
5. Council's charges for building consent services will be reduced where the acceptance of producer statements results in less time spent confirming compliance.