

Policy

Vetting and Acceptance of Building Consent Applications

Table of Contents

1.0	Introduction	2
2.0	Scope.....	2
3.0	Purpose	2
4.0	Legislation, Related Forms & Documentation	3
5.0	Content.....	3
6.0	Vetting Items.....	4
7.0	Application.....	5
8.0	Vetting Items Supplied	5
9.0	Site Assessment.....	5
10.0	Minimum Quality	6
11.0	Matters of Dispute or Doubt.....	6
12.0	Decisions made under this Policy.....	7
Appendix 1	8
	Site Suitability Assessment.....	8
	Soil and Ground Stability	9
	Flooding and Surface Water	10
	Site Contamination	11

Commencement and Review

Date Approved: _____

Date Policy takes effect: _____

Date of the next Review: _____

Approved by: _____

Signed: _____ Date: _____

Position: _____

1.0 Introduction

There has been a clear direction from the Department of Building and Housing (DBH) that applications that are incomplete should not be accepted for processing.

The reason for the “not accepting an application” approach, is to reduce the number of consents that are suspended and, consequently, to reduce the total time taken to grant Building Consents. When consents are accepted, irrespective of whether they are complete, the standard of applications will decline over time. This is clearly not acceptable.

This policy has been prepared to provide guidance, clarity and consistency to building owners, designers, builders, and building control officials on accepting building consents and to ensure that all decisions made are fair and reasonable.

2.0 Scope

This policy sets out the protocol to be followed by Council in the process of accepting a Building Consent application.

The majority of Building Consent applications are for combined applications of a Project Information Memorandum (PIM) and Building Consent. Because it is rare that an application is suspended for information required for the PIM, it was decided to continue processing the PIM irrespective of whether or not the application for a Building Consent is accepted. If and when there are significant missing items required to complete the PIM assessment, the PIM application will be accepted and suspended within the 10 days of being received.

A secondary reason for continuing with the PIM is because the PIM provides useful information for the Building Consent applicant. Hence this information should be provided to the applicant as soon as possible.

3.0 Purpose

This policy sets out the protocol to be followed by Council for vetting and acceptance of building consent applications received by Council.

Council will vet and either accept or not accept building consent applications in accordance with this policy, any other relevant Council policy, and any requirements of the Department of Building and Housing (DBH) and relevant legislation.

4.0 Legislation, Related Forms & Documentation

Section 45 of the Building Act 2004, sets out the requirements for building consent applications to be submitted to a BCA. The information to be supplied with a building consent applications, must:

1. Demonstrate compliance with each clause of the Building Code relevant to the application.
2. Meet the minimum operational requirements of the Rodney District Council.

5.0 Content

The vetting process is the process that either accepts or does not accept a Building Consent application.

There are two components to this vetting process:

- a) Administration Team checks basic items
- b) Technical team checks the technical information required has been supplied and that the quality of the information is acceptable for the application to be processed

If there are items missing in the application from an administration perspective these will be requested from the applicant prior to completing the vetting of the application.

Similarly, if there is further information required after the technical vetting has been completed, and these are minor items (as determined by the vetting officer), the administration team will request this information from the applicant before processing the application. In such a case, the start of the statutory time period for processing the application will commence one day after receiving the required information. This one day delay allows for re-checking the information and allocation to a processing officer.

There is a view that incomplete applications should simply be returned to the applicant and that the statutory time clock should restart when the complete application is re-submitted. While legally this may well be the correct approach, this Council's view is that, while the intent of the legislation is important, so is a reasonable level of customer service. Returning applications because minor issues have not been supplied appears unduly bureaucratic.

However it is important to note that this Council does not consider an incomplete application as an application for a building consent. Thus the statutory time period will commence when the missing information has been received plus one day to allow for vetting and allocation.

In the event that the additional information is able to be provided as a result of a telephone request, the application will remain as a combined PIM and building consent. This part of the process is managed by the administration team.

Key components of the vetting process are;

1. Administration check
2. Technical completeness/quality check
3. A decision to return an application to the applicant must be made within three days from the receipt of the file or two days after outstanding administration information requests have been received by Council.
4. When the Building Consent part of the application is returned to the applicant, the PIM process continues unless the applicant does not supply the items requested by the administration team, in which case the whole file returned.
5. The statutory time commences either
 - a) 24hrs after receipt of a complete Building Consent application in Orewa or
 - b) 24hrs after any additional information requested has been received and found to be satisfactorywhich ever is the later.

6.0 Vetting Items

The application will be vetted for completeness based on the following items as set out in the checklist in the application pack

- Admin
- Application Form completed and signed
 - Certificate of title and ownership checked
 - required copies of the plans and specifications submitted

- Technical
- Site suitability assessment
 - Quality of the plans
 - Site plan information
 - Floor plan information
 - Floor structure plan information
 - Elevation plan
 - Cross Sections
 - Roof plan
 - Bracing plan
 - Weathertightness Details

- Plumbing schematic/Plans
- Drainage plans
- Specification
- Specific design information and plans
- Fire design
- Second-hand report
- Onsite wastewater treatment and disposal
- Fireplace

The key considerations are as follows:

1. The application must be completed correctly
2. Vetting items are to be supplied
3. Site assessment information must be supplied
4. The minimum quality of plans and presentation requirements must be met

7.0 Application

The application pack provides information as to how the application is to be completed. The certificate of title plan must match the shape and size of the site plan and have an issue date no earlier than 1 month from the date the Building Consent application is first lodged with Council.

8.0 Vetting Items Supplied

While there are some items, such as “fire design” or “fireplace”, that will not always be relevant, there is a clear need to supply all the above listed vetting items. In the case of standard designs which have pre-approval, some plans may not need to be supplied.

The critical issue is whether or not full compliance with the Building Code is demonstrated in the plans and specifications supplied and, secondly, whether or not the information meets our record-keeping requirements.

9.0 Site Assessment

The site assessment consists of information requirements linked to specific Building Code clauses. The applicant must provide information to confirm that the site is suitable for the proposed development:

- a) Site soil assessment
- b) Site surface water assessment

- c) Site contamination assessment
- d) Corrosion zone identified

For ease of assessment, Council has provided a checklist assessment process which is attached to this policy as appendix 1. A more in depth investigation report may be required as part of the Building Consent application.

The site suitability assessment may also differ, depending on the type of building work and the proposed use of the building. These differences are identified in the checklist.

10.0 Minimum Quality and Size of Plans

For both achieving compliance with the Building Code and the requirements for record keeping, plans must be of a minimum quality. The key element to this requirement is that plans be clearly legible, with variation in line width for different features and/or services and drawn to recognised, drawing office standards

Plans should not be confusing or cluttered and must be drawn to scale. Drawings must be named, dated and uniquely numbered.

The checklist requirements are intended as a guide only. If the vetting officer is satisfied that the application meets the above and other objectives the application will be accepted. It is his/her judgement to accept the application.

It is Council policy to have a minimum size of A3 for plans supplied with a Building Consent application. It is important that it is easy to separate calculations and specifications from the set of plans.

The intention is to keep an electronic record of the A4 records and use only a hard copy of the A3 plans or larger for the Building Consent inspection process. It is therefore necessary to have a clear set of plans with details cross-referenced to the correct plans.

11.0 Matters of Dispute or Doubt

A party, in terms of section 176 of the Building Act 2004, may apply to the DBH for a Determination in relation to the Council's exercise of its powers under the sections of the Act in respect of one or more of the following matters and in relation to acceptance and vetting of Building Consents applications:

- Council's decisions in respect of the above.
- The refusal by Council to accept an application for a Building Consent

Should there be some doubt or dispute that cannot be resolved by negotiation between the parties, either of the parties involved, provided they are a party in terms of section 176 of the Building Act 2004, may apply to the DBH for a Determination in terms of section 177 of the Building Act 2004.

An application for a Determination must be made in writing and on the prescribed form¹, must contain the prescribed information (if any) and be accompanied by the prescribed fee.

12.0 Decisions made under this Policy

All decisions made in accordance with this policy are made on the individual merits of the specific situation and shall not be construed as setting any type of precedence for any future decisions.

Appendix 1

Site Suitability Assessment

In approving a Building Consent, Council staff assess the application based on the information submitted as part of the application. Aspects of the site obvious to the designer who has visited the site are not always obvious to Building Consent processing staff.

The Building Code, in a number of different clauses, expects a designer to make an assessment of site suitability. Sometimes this is a simple process and sometimes it is complex. The site suitability assessment process should be carried out by a competent design engineer.

The critical areas for the site assessment relate to;

- Soil/ground stability
- Flooding and surface water
- Site contamination

Information on any site that is already known to Council is available as part of the PIM and LIM process.

Soil and Ground Stability

You will need to provide a geotechnical assessment for the building site if;

1. The building site is close to a cliff, above or below the building site
2. The slope of the ground within the building site or section exceeds 1 in 4
3. The building site has known slope instability
4. The building site has expansive soils
5. The building site has Northern Allochthon Soils
6. The building site is within 20m of a stream and less than 3m above normal water level
7. the building site is within 50m from the foreshore

In the absence of the above features, you will need to indicate to Council which one of the following assessments have been carried out and relied upon in the design of the proposed work.

	Assessment - Soil Stability	Tick
A	The site is part of a recent subdivision which has provided a geotechnical assessment that has certified that there are "good ground conditions" meeting NZ3604, or	
B	The site is part of a recent subdivision which has provided a geotechnical assessment and the foundations have been designed in accordance with those requirements, or	
C	As none of the features 1 to 7 are present, it has been determined, after on site investigation, that the site has good ground conditions that allow the construction of a building meeting NZS3604, or	
D	It has been determined that one or more of the conditions listed 1 to 7 above exist and the foundations have been designed in accordance with the Geotechnical Investigation report attached to this application	
E	The expansive soils have been identified as being type B soils and the foundations have been designed to be grounded 600mm below ground level.	

Name* _____ Phone No. _____

Signature: _____

Date: _____

**the person who provided the assessment*

Flooding and Surface Water

It is not uncommon for large areas to flood as a result of heavy rain. Historical information is sometimes available as a result of flooding episodes, but more commonly information is held in Catchment Management Plans and Sea Inundation Reports.

You will need to provide a flooding assessment:

1. If you know of previous flooding events on your building site or section
2. If you are building within 50m of the foreshore or 20m of a stream and your building platform is within 3m above the normal water flow in the stream
3. If your building site is such that the floor level of your dwelling is less than 300mm above the lowest point on the road or boundary with your neighbour
4. If your property has been identified as having a risk of flooding in a Catchment Management Plan or Inundation Report
5. If your section or building site is in a hollow (ponding) or on a slope or valley (potentially subject to overland flow) or subject to sheet surface flow.

	Assessment – Flooding	Tick
A	The area of land on which the building platform is located is on a substantial slope and hence there is no possibility of the building platform flooding.	
B	The site is in the area of a Catchment Management Plan or Inundation Report and has been identified as not being subject to flooding.	
C	As none of the features listed in 1 to 5 above are present in respect to the building site, no further information is required	
D	It has been determined that one or more of the features listed in 1 to 5 above affect the site and hence a flooding assessment report has been provided with the Building Consent application.	

Name* _____ Phone No. _____
Signature: _____
Date: _____

**the person who provided the assessment*

Site Contamination

Clause F1 of the Building Code requires that, prior to making a building consent application, the owner or developer must make an assessment as follows:

F1.3.2 Sites shall be assessed to determine the presence and potential threat of any hazardous agents or contaminants.

Building sites in the rural areas could have been subjected:

- Chemical contamination as a result of horticultural activities
- Chemical contamination as a result of, for example, sheep dips
- Illegal fill with chemically treated timber or timber products
- Illegal fill with asbestos material

The site the subject of this information has been the subject of an investigation.

TABLE F1/1

Investigation	Tick if Yes
The site is in a recent subdivision with substantial earthworks.	
The site is an established residential area and no further investigation is required.	
The building project does not involve the addition of a residential unit and hence no further investigation is required.	

If all the answers to Table F/1 above are No, it should be noted that Council only holds records of contamination where Council has been advised. Hence very little reliance should be placed on the fact that the Project Information Memorandum did not identify any contaminants.

TABLE F1/2

The Investigation included:	Tick
Aerial photograph	
History and land title records	
Council/project information memorandum	
Land owners and adjacent occupiers	

TABLE F1/3

The above investigation has revealed no contamination and hence it is safe to build on this site	
The above investigation has revealed contamination and an investigation report is attached. The recommendation of this report will be followed and hence it is safe to build on this site.	
Name*: _____ Phone No. _____ Signature. _____ Date _____	
* The person who provided the assessment.	

