

On the Level

YOUR GUIDE TO BUILDING AND PLANNING

Issue 40 June 2010



How to avoid rejection and delays

Have you submitted an application for a building or resource consent recently? Was it sent back? Was it suspended during the process and further information requested? Here are some hints that may help you avoid these experiences.

Rejected applications

Applications are rejected when all the required documentation is not submitted. To help you put together the relevant documentation we have a number of checksheets listing the information needed for building consents, and the resource consent application form has a list of information required.

If in doubt, please contact our building consent or planning staff for clarification before lodging an application. The more robust your documentation is, the less likely we are to reject the application.

Suspended applications

Building and resource consent applications are suspended when our officers require clarification or further information relating to the proposal.

When further information is requested, customers will be told by phone or email and this request is usually followed up in writing. At this point, the application would be put on hold and processing would not continue until the requested information is received and assessed as being satisfactory.

The most common reasons for rejecting **building consents** are:

- no second copy of documents
- lacking E2 external moisture details
- lack of product information
- no fees included in mail applications
- specification deficiencies
- site-specific wind design/wind assessment insufficient
- timber treatments unsatisfactory or not specified
- pipe sizes/plumbing unsatisfactory or not specified

In addition, non-residential applications are often missing:

- accessibility report
- fire report and completed and signed Design Review Unit (DRU) form
- specification for existing /proposed system in the building.

The most common reasons for rejecting **resource consent** applications are:

- incorrect amount for fees
- providing Computer Freehold Registers (Certificates of Title) more than three months old
- not providing consent notices listed as interests on the Computer Freehold Register
- not assessing all aspects of non-compliance for a proposal
- not discussing the effects of the non-compliances in the Assessment of Environmental Effects
- not addressing Plan Change rules in the Assessment of Environmental Effects
- not showing sunlight access planes on elevations
- plans provided are not to the scale noted on the plans (this often occurs when plans are reduced in size to fit on A4 or A3 pages).

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WELLINGTON CITY COUNCIL

Wellington

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The most common reason for suspending Building Consent applications relate to insufficient or missing information such as:

incorrectly completed documents and checklists

generic specifications or specifications that are not tailored to the project

manufacturer's information for products not provided or not complete (these are needed to clarify correct installation and scope of product use)

insufficient details and documentation for alternative solution proposals, including specific design wind zones outside of NZS: 3604. (All alternative solutions must have evidence of how the proposal will comply).

wind speed confirmation and fixing type

timber grades and/or treatment to match with Wellington's wind zone and exposure to the elements

glass balustrade fixing and design details

insufficient details about how balustrades comply with F4 & B1

tanking and membrane details

method used for establishing compliance with H1

windows breaching the clearance from shower heads (refer E3)

safety glass clarification needed for bathrooms (F2)

ventilation details (note minimum five percent of room area)

natural lighting compliance with G7 (10 percent of room area)

smoke alarms (F7)

reports of how section 112 (alterations) and 115 (change of use) of the Building Act are complied with (non-residential),

CPU not applied for but required before work can start (non-residential).

The most common reason for suspending Resource Consent applications relate to insufficient or missing information such as:

The planner considers the effects to be more than minor and the applicant must obtain written approvals from affected parties; re-design the proposal; or decide whether to proceed with a notified application.

Further detail or clarification or changes to the design are required.

It's important to remember that applications that are rejected or suspended create delays and rework for everyone. Note that a change to working day calculations for resource consent will come into effect in July 2010. There will be a change to when the clock starts ticking for a Resource Consent application, and following any suspensions, in July, and you will need to factor this into your timeframes.

If you require assistance with the consent process or information requirements, please call the Building Consent team on 801 4311, and the Planning team on 801 3590.

Rugby World Cup – Events Managements Act

The clock is counting down to Rugby World Cup (RWC 2011) and there are now less than 500 days to the tournament.

We are working hard to prepare for the events and the large number of visitors expected.

We're encouraging everyone to make a special effort to present our city at its best. People in the construction industry can help by giving consideration to their construction programmes from August to November 2011.

Although not yet confirmed, we anticipate that the events for RWC 2011 will require restrictions on certain construction activities, such as

connection to infrastructure and work on, over or next to public footpath permits.

Our intention is that the tournament will have minimum impact on normal business activity, but with the scale of the events planned and the expected visitor numbers, it is very likely that some concessions will be required.

An area of legislation that will be important for businesses to understand is the Major Events Management Act (MEMA). Briefly, this legislation is designed to protect corporate sponsorship for major events.

For more information about MEMA visit www.med.govt.nz

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Fee changes from 1 July 2010

On 1 July 2010 the fees related to resource consents and building consents will increase.

Examples of the changes for resource consent are:

- the deposit for a non-notified consent will go up from \$1150 to \$1195
- the cost for our compliance unit to monitor your consent will go from \$130 to \$135 per hour.

You will be able to see the new charges online after 1 July by logging onto the Council website, at Wellington.govt.nz/services/reconsent/fees/fees

You can also visit our Wellington offices at 101 Wakefield Street and pick up the 'Resource consent fees' sheet from first floor reception. This form shows all the fees for the Council's resource consent unit.

The way we calculate building consent fees is changing, and most building consent fees will increase, although some will either not change or be reduced. For further information ask for our fees booklet (applicable from 1 July) or go to Wellington.govt.nz

Both building and resource consent fees will increase again on 1 October this year when GST increases to 15 percent.



Contact us for planning and resource consent queries

We offer a range of options for getting more information from us about planning and resource consent questions.

For general enquiries, the most direct method is to phone our friendly and helpful staff in the Planning Customer Services team on 801 3590. You can also email us at planning@wcc.govt.nz or come to our office and talk with one of our Planning Technicians.

If you would like to discuss your options or a proposal in more detail, you can make an appointment to meet a planner, as part of our Planning Clinic service. This service is free and is available every Thursday morning. Half hour appointments for this service can be made by contacting our Customer Services team on 801 3590.

We also provide pre-application meetings, where applicants can discuss their proposals in detail, and seek feedback before an application is lodged with us.

The first two hours of these meetings are free. Appointments can be made by contacting our Customer Services team on 801 3590 or online at: Wellington.govt.nz/services/reconsent/preapp/preapp-terms

An overview of Wellington's planning rules can be found at Wellington.govt.nz/services/reconsent/index. The District Plan can be accessed online at Wellington.govt.nz/plans/district/volume1/vol1



Help applying for your building consent

There are two options available to you when you apply for a building consent:

1 An appointment to lodge your application

You can phone our friendly customer service team on 801 4311 and arrange an appointment to talk about your application. During this 30-minute appointment, a building officer will check your application to ensure it includes the documents we require. If any are missing, the checklist will be highlighted with the items you need to obtain before the consent can be accepted. Once you have those documents you can deliver your application to the BCLS counter for checking. If it meets the approval of the building officer it will be entered and given a service request number.

2 Mail application

If an appointment doesn't suit you, mail your application or drop it in to the BCLS counter. It will go through the same checking process described in point 1. If any documents are missing the application will be posted back to you, with a letter listing what further documents are required.

Fees

A payment for estimated fees must be paid at the time of application.

If you submit your application by mail you can call our customer service team on 801 4311 for an estimate, which they will email to you. You can then attach a cheque to the estimate sheet and send it in with the application.

If you use the appointment system, the building officer will calculate an estimate, which you can pay when your application is entered. This gives you more payment options than paying by mail, as you can pay by cash, cheque, eftpos, Visa or Mastercard.

We also provide a pre-application service where projects can be discussed at the design phase.

We recommend using pre-application meetings for all complex projects, and also smaller projects where innovative or unusual design is proposed. Contact our Customer Service team on 801 4311 to arrange a meeting time.

Resource management discount regulations

Details for discount regulations, due to come into effect in late July 2010, have been announced.

Under these regulations, local authorities will be required to provide a discount on processing charges for resource consent applications not processed within the timeframes set out in the Resource Management Act 1991 (RMA).

The regulations provide for a maximum of 50 percent discount, and the discount rate has been set at one percent a day up to 50 working days (10 weeks) for both notified and non-notified applications.

The regulations will apply to all administrative charges for processing resource consent applications, or applications to change or cancel conditions. This will include all changes for

receiving, processing, granting and declining applications. The regulations will not apply to certificates of compliance, existing use rights certificates or consent authority-initiated consent reviews.

When the regulations are released in early July, it is expected that they will identify the circumstances where a discount will not apply, to ensure that there is fairness in the process for obtaining a discount.

Keeping our officers safe

We take the need for health and safety in the workplace seriously.

It is all about prevention, and the Council's involvement extends to the sites and properties our building inspection, compliance and enforcement officers visit when they monitor building and resource consents and investigate complaints. As well as on-the-job training, our officers are 'site safe' certified and trained to identify workplace risk.

The Council's view, however, is that all consent holders, from private property owners and developers to contractors, are responsible for ensuring that they apply good health and safety practice in their own developments, and eliminate unsafe practices. This includes training in health and safety principles and regular proactive site reviews to identify and remove potential hazards.

The Council is aware that for larger sites, regular 'tool box' meetings are held. These provide contractors and others who work on a site the

opportunity to be informed of the particular dangers and hazards the site may present. We consider that these types of frequent meetings have real value, regardless of the numbers of people working on a site, as well-informed employees are safe employees.

In some cases, our officers may identify and suggest measures that should be given attention to make a site safe. In serious cases, our officers may report unsafe practices to the Department of Labour Occupational Health and Safety directorate. However, the final responsibility for safety on-site rests both with those undertaking the development and those doing the work.

A number of independent training organisations are accredited to provide specialised health and safety training courses. They can be found in the Yellow Pages or on the internet.

The Council urges any individual or employer involved in the construction or building industry to seriously consider the benefits of such training to ensure their employees and visitors return home safely everyday.



Building Act Review

In February this year the Department of Building and Housing released its discussion document "*Cost-effective quality: next generation building control in New Zealand.*"

The document is the result of a review started because of public and sector concerns about the cost and complexity of the building consent process, and about consumer protection and the allocation of risk and liability.

This document contains a number of proposals that could change the way the construction and building control sectors operate. Although submissions are now closed, the document can still be viewed on the department's website.

The aims of the review were to achieve:

- quality homes and buildings through an efficient regulatory framework

- informed decisions by consumers, and increased confidence in the industry
- a productive construction sector
- efficient and cost-effective regulation.

The key proposals included:

- clarifying the purposes and principles of the legislation and the roles of the different parties in the process
- a more balanced approach to building control, including more work being exempt from the need to get building consent, and streamlined processes for some types of work
- building consumer confidence through warranty and surety.

Wellington City Council generally agrees with the direction of the proposals, and made a comprehensive submission combining support, concerns and new ideas.

Many of the proposals rely on licensed building practitioners (LBPs) stepping up and taking responsibility for the work they do.

The streamlined process for low-risk residential work relies on designer and site LBPs providing statements confirming compliance with the code. We are concerned that there are not yet enough LBPs registered to make some of the proposals viable.

There are also concerns that proposed warranty and surety schemes may result in a transfer of costs, with contractors having to provide warranties and insurance, and also that homeowners may not gain any savings from the changes.

We support educating consumers so that they enter into building projects better informed and have robust dispute resolution procedures to fall back on if things don't work out as they should.

Consultation on the review closed in April and we expect to see changes to legislation later this year. Regardless of the eventual changes, and their timing, we hope they will lead to cost-effective construction, a productive construction sector and happy consumers.