

DAMS:

*Customer guide to
frequently asked questions*



Everything is connected

CONTENTS

What is a dam?	1
What is an appurtenant structure?	1
When do I need a Building Consent?	2
Can I start building work before I have all of the necessary consents (Building, Subdivision or Resource Consents)?	3
How do I apply for a Building Consent?	3
What is a Code Compliance Certificate?	5
I want to book a building inspection, so what do I need to do?	6
What is a PIM?	6
What is a certificate of acceptance?	7
Can I view a property file?	8
What are a Compliance Schedule and a Building Warrant of Fitness? How will I know if my building requires one?	10
What are the ongoing responsibilities of the owner/applicant after the building consent is issued?	12
Useful websites	13
Complaints	
If you disagree with quality of service you can make written complaint to Environment Canterbury – ecinfo@ecan.govt.nz	
If you disagree with technical decision made in the Consent, Inspection / Certification process, there is a determination process available through MBIE - info@building.govt.nz	

WHAT IS A DAM?

Definition of a Dam (from the Building Act 2004).

A dam:

- (a) means an artificial barrier, and its appurtenant structures, that—**
 - (i) is constructed to hold back water or other fluid under constant pressure to form a reservoir; and*
 - (ii) is used for the storage, control, or diversion of water or other fluid;*
- (b) includes—**
 - (i) a flood control dam; and*
 - (ii) a natural feature that has been significantly modified to function as a dam; and*
 - (iii) a canal; but*
- (c) does not include a stopbank designed to control floodwaters.**

A large dam means a dam that has a height of 4 or more metres and holds 20,000 or more cubic metres of water of other fluid.

WHAT IS AN APPURTENANT STRUCTURE?

An appurtenant structure, in relation to a dam, means a structure that is integral to the safe functioning of the dam as a structure for retaining water or other fluid.

WHEN DO I NEED A BUILDING CONSENT?

A building consent is likely to be required for building work as defined in the Building Act 2004.

Some examples are:

- structural building, including large dams.
- sitework associated with a building.
- demolition of building work.
- internal alterations in a building.
- plumbing and drainage work.
- heating, ventilation and air conditioning systems necessary for the functioning life of the building.
- lifts.
- alteration to any of the above.

A Building Consent allows you to carry out building work in accordance with that consent and associated plans and specifications, provided all other requirements have been met.

Environment Canterbury is responsible for issuing building consents for large dams. Many of the listed structures are consented by your Territorial Authority, i.e. a city or district council.

Some minor work is exempted from building consent. Such work is specified in the first schedule of the Building Act 2004.

If further clarification is required, contact an Environment Canterbury Co-ordinator.

Do I need a Building Consent or a Resource Consent to construct a dam?

Building Consents

A building consent is required for all structures that meet the definition of a 'large dam', including flood control dams, significantly modified natural features, and canals. A building consent is also required for those structures that form part of the dam structure itself — such as appurtenant structures. Whether a building consent is required for the dam or not, landowners should also find out whether resource consents are required from both Environment Canterbury and the Territorial Authority.

Resource Consents

Resource consents may be required for dams when taking, using, damming and diverting water and control of the quantity, level and flow of water is anticipated. The works associated with the dam construction itself may trigger the requirement for a resource consent.

CAN I START BUILDING WORK BEFORE I HAVE ALL OF THE NECESSARY CONSENTS (BUILDING, SUBDIVISION OR RESOURCE CONSENTS)?

No building work may start without consent.

HOW DO I APPLY FOR A BUILDING CONSENT?

In accordance with the Building Regulations, applications for Building Consents must be submitted on the correct form (Form FOO2), which is available from Environment Canterbury. You can get this form from our offices, or by email, or you can phone us and we can post you a copy.

To apply for a Building Consent, you will need to:

- Provide all information required on the application form (Form FOO2);
- Supply two sets of drawings (all drawings must be to construction standard), two specifications, certificate of title and application forms.

To apply for a PIM you will generally need to supply the following: two sets of drawings, one copy of the Certificate of Title and completed application forms.

Please refer to the application form because part of this includes a check sheet to help you to prepare your plans.

You can make your application via post or by delivering it personally to Environment Canterbury's Customer Services counter at 200 Tuam Street, Christchurch or 75 Church Street, Timaru.

Once you have submitted your application to Environment Canterbury it will be checked for completeness, to ensure that you have supplied enough information for us to start processing your application. If there is information missing you may be asked to resubmit the application when the missing information is available.

When all required information is provided the application will be formally received for processing. You will be advised of this receipt in writing.

Alteration to existing dam

Alteration to existing building / dam, consider means of escape for fire, access and facilities for persons with disabilities and earthquake prone building requirements.

Special consideration for natural hazards

If proposed work is on land subject to a natural hazard eg floods, subsidence, erosion, inundation, slippage and falling debris your design will need to provide evidence of how this is mitigated. Environment Canterbury are required to notify the District Land Register, appropriate Minister and District Land Registrar, appropriate Minister and Surveyor-General if Crown Land or Registrar of Maori Land Court if Maori Land to include on Certificate of Title that building consent granted were a identified hazard exists.

Life of Building

Consideration of extending existing specified life or specifying an intended life of less than 50 years.

Specified System

If any system included then proposed inspection, maintenance and reporting procedures provided with application

How is a Building Consent processed and approved?

Environment Canterbury must decide within twenty (20) working days from formal receipt of all required information, whether or not to grant your application. Environment Canterbury will contract expert consultants to assess your application to make sure that the completed dam when constructed to consent will comply with building code. If Environment Canterbury refuses your application you will be advised in writing with reasons given for the decision. If your application is granted you will be advised that the building consent will allow you to carry out the work associated with it. The consent itself will be issued only upon payment of fees incurred during processing.

What are the timeframes for the building consent process?

20 working days to grant or refuse a building consent.

20 working days to grant or refuse a code compliance certificate.

12 months to start work from the date the consent was issued.

Why has my building consent been suspended?

It is not unusual for additional or amended information to be needed to confirm compliance with the Building Code. A request for information from the applicant may be made by telephone, fax, mail or email by the officer responsible for processing that part of the consent, and the consent processing timeframe will be suspended. The suspension will be lifted once requested information has been received.

This suspension effectively stops the 20 day period until the required information is provided.

Responsibilities of Environment Canterbury and the Applicant

Environment Canterbury is responsible for issuing building consents for large dams. However, Environment Canterbury is not able to act as a designer or technical adviser. Environment Canterbury and contractors engaged to undertake regulatory review work are not able to provide design or technical advice. Dam owners and Building Consent applicants should seek their own technical advice. This may include obtaining a peer review of the proposed design of the dam.

The applicant has the responsibility to make sure enough detail is provided in the plan of the proposed building work, the specifications and other documentation, for the building consent authority to consider and issue a building consent. If there are gaps in the information, you will be asked to provide more.

How much does it cost to get a building consent?

This depends on the amount and type of work you are doing. Costs are set out in Environment Canterbury's Schedule of Fees in the Annual Plan, which is available at www.ecan.govt.nz/annualplan.

The cost of processing a building consent is generally time-based. The quality of the information provided at application will affect the overall fees (i.e. poor quality drawings and details will take longer to process and it will cost more).

Environment Canterbury also are required to receive Building Levy and BRANZ Levy with Building Consent fee, and forward Levies to Government.

Payments are to be paid before consent is issued, and before CCC is issued.

You will need to discuss your requirements with the BCA Co-ordinator.

WHAT IS A CODE COMPLIANCE CERTIFICATE?

A Code Compliance Certificate is a certificate stating that consented building work has been completed in accordance with the approved Building Consent and associated plans specification and documents and all inspections have been carried out to the satisfaction of Environment Canterbury.

You need to apply for a Code Compliance Certificate as soon as work is completed and there will be specific documents to be provided that will be listed with the consent documents

How long after starting my building project do I have to complete the work?

Building work to be assessed for code compliance at the anniversary of two years of the granting of the building consent unless an extension of time is agreed by Environment Canterbury. If all building work is not likely to be completed within the two years, you should send a written request to extend the consent to Environment Canterbury for consideration before the two years are up.

The application form for CCC is provided with your building consent.

Environment Canterbury has 20 working days to process your CCC application and this time can be suspended if further information is required.

When do I require an extension of time for my building consent?

You have 12 months to start your building work from the issue date.

If you have not completed the work within 2 years, the Building Consent authority must decide whether to issue the Code Compliance Certificate. A further period can be mutually agreed to if an extension of time is required to complete the building works.

If you will not be starting or completing the work within the required time, you will need to ask for an extension of time from Environment Canterbury.



Where can I get a copy of the Code Compliance Certificate issued on my property?

Code Compliance Certificates (CCCs) are held in Environment Canterbury's records.

Before arranging a Code Compliance Certificate or a final inspection, a completed application form with relevant documents attached must be forwarded to Environment Canterbury.

How is a project inspected and certified?

When the Building Consent is granted, you shall be advised of any conditions and expectations of inspections. During construction there will be a number of on-site inspections. A final inspection is required on project completion, and this will be arranged by Environment Canterbury's BCA Co-ordinator. An owner is required to apply to Environment Canterbury for a Code Compliance Certificate (CCC) as soon as practicable after all building work is completed.

The CCC will be issued when Environment Canterbury is satisfied that the building work has been completed in accordance with the granted building consent. This document also confirms that the project has been legally constructed in accordance with the New Zealand Building Code.

I WANT TO BOOK A BUILDING INSPECTION, SO WHAT DO I NEED TO DO?

You will need to ensure that the inspection request is scheduled to suit all parties. You can book your inspection by phoning the consultant on the project. Ensure you have all your project details at hand before making your booking.

WHAT IS A PIM?

A PIM is a Project Information Memorandum report that provides a prescribed set of information on a specific property. This information may include, for example, details of any stormwater systems which relate to your proposal, potential natural hazards, any land classifications imposed on your property by organisations such as the Department of Conservation or the Historic Places Trust, and any resource consents that already apply to the property.

What information do I need to apply for a building consent/PIM (Project Information Memorandum)?

The Building Act 2004 divides the building control system into the following stages:

- Project Information Memorandum (PIM).
- Building Consent.

The Project Information Memorandum and Building Consent application form is available from the Environment Canterbury Offices and on our website (www.ecan.govt.nz).

If Environment Canterbury is prepared to accept a PIM application, it will be necessary to provide detailed plans and specifications of the work as you would for a building consent application. A standard application form is available.

A PIM and a Building Consent may be lodged at the same time. However, we strongly recommend you apply for the PIM before lodging your Building Consent Application.

Do I need to apply for a Project Information Memorandum (PIM)?

Although not mandatory, Environment Canterbury strongly recommends that you obtain a PIM before submitting a building consent application.

For building work in Canterbury, you should obtain a PIM from Environment Canterbury. In addition, you should obtain a PIM from the relevant district or city council. The two PIMs contain information held by the two councils that is likely to be relevant to your proposed building work. You can apply for the two PIMs at any time – you don't have to wait until you apply for a Building Consent but Environment Canterbury recommends that you obtain the two PIMs before lodging your building consent application. You should then review the information provided with the PIMs and consider this information during the building design. If applications are made without a PIM it is likely that further information will be required from the applicant, which can result in an increased processing cost and timeframe.

WHAT IS A CERTIFICATE OF ACCEPTANCE?

A Certificate of Acceptance may be issued by Environment Canterbury for work that required a building consent, but has been carried out without a consent having first been obtained.

It allows for certification of work that has for example been carried out urgently because of safety issues, and where there has not been time to apply for and obtain consent because of that emergency.



What is a Notice to Fix?

A notice to fix is a statutory notice requiring a person to remedy a breach of the Building Act 2004 or the Building Regulations. It can arise from identification of illegal building work or from work not undertaken in accordance with an issued building consent.

What is a Certificate for Public Use?

Sections 362A to 363C define the circumstances where dams are allowed to be occupied by the public during construction. Under section 363A Environment Canterbury may, as a Regional Authority, allow the public use of a dam before it has issued a code compliance certificate.

People who own, occupy, or control a dam may apply on the appropriate form to Environment Canterbury for a certificate for public use for the dam or part of the dam if a building consent has been granted for the dam and no code compliance certificate has been issued for the work. Environment Canterbury may issue a certificate for public use if it is satisfied on reasonable grounds that members of the public can use the dam safely.

CAN I VIEW A PROPERTY FILE?

The District or City Council hold property information for consented work that has been applied for/approved.

The following information could be on the file.

- Any consented work.
- Drainage information relating to any consented work.
- Resource Consent information.
- Correspondence relating to that property.
- People involved with consent work may be recorded, i.e. architect, designer, builder, plumber, drainlayer etc.

You may want to view this information if you are interested in purchasing a property or just want to know the previous history of your residence.

Where do I go to search for a title on a property?

A Certificate of Title can be obtained from Land Information New Zealand. To contact them, see your local telephone book.

You can access copies of these and other records through a variety of methods. These are explained on their website at www.linz.govt.nz.

Can I build over an easement on my property?

Only in some circumstances can buildings or structures be built within an easement. Contact your City or District Council for advice on this matter.

To allow either maintenance or replacement works on the site it is important that access is not impeded and that plant and machinery can be brought onto the site. For this reason it is critical that buildings and structures are not erected within easements created to protect services.

What is a Sea Spray Zone?

Sea spray zones are areas where a property may be affected by sea salts because it is close to the sea or an estuary.

The designer of a building will need to take this into account when selecting materials to ensure that the building will meet the durability requirements of the NZ Building Code. Many materials are affected by corrosion in this environment.

How do I obtain New Zealand Building Code Approved Documents?

The Department of Building & Housing website (www.dbh.govt.nz) has free PDF format downloads available of all Compliance Documents (previously known as Acceptable Solutions). This service is free.

The Victoria University Book Centre can also supply the Building Act and Regulations and for Compliance Documents for Building Code Clauses and the NZBC Handbook. Compliance Documents and the Handbook are available in three formats (note that this service is not free).

- i. A hard copy of these can be purchased via the Vicbooks website, by email or by phone.
- ii. A PDF can be bought and downloaded from the Vicbooks website as individual Clauses or Amendments.
- iii. A CD-ROM can be ordered via the Vicbooks website, by email or by phone.

The Vicbooks website is at www.bookcentre.co.nz/bia or for phone orders, call: 0800 370 370.

Please note that Victoria University Book Centre does not supply any other Department of Building & Housing publications. Other publications are available through the Department of Building & Housing website, and the Consumerbuild website.

WHAT ARE A COMPLIANCE SCHEDULE AND A BUILDING WARRANT OF FITNESS? HOW WILL I KNOW IF MY BUILDING REQUIRES ONE?

A **Compliance Schedule** is a document that is prepared by Environment Canterbury, which details the inspection maintenance and reporting of specified systems such as sprinkler systems and fire alarms. (See the full list below.)

A **Building Warrant of Fitness (BWOFF)** is the document that is prepared by the building owner and is a declaration stating that the specified systems have been maintained in accordance with the Compliance Schedule.

For new buildings, the Compliance Schedule process is automatically initiated and a Code Compliance Certificate will be issued together with a compliance schedule statement. (The compliance schedule statement is valid for 1 year). The proposed inspection / maintenance / reporting procedure and performance standard are to be provided with the application.

You are required to have a Building Warrant of Fitness if your building contains any of the following specified systems:

- Automatic systems for fire suppression (for example a sprinkler system).
- Automatic or manual emergency warning systems for fire or other dangers (other than a warning system for fire that is entirely within a household unit and serves only that unit).
- Electromagnetic or automatic doors or windows (for example ones that close on fire alarm activation).
- Emergency lighting systems.
- Escape routes pressurisation systems.
- Riser main for fire service use.
- Any automatic back flow preventers connected to a potable water supply.
- Lifts, escalators, travelators or other systems for moving people or goods within buildings.
- Mechanical ventilation or air-conditioning systems.
- Building maintenance units providing access to exterior and interior walls of buildings.
- Laboratory fume cupboards.
- Audio loops or other assistive listening systems.
- Smoke control systems.
- Emergency power systems for, or signs relating to, a system or feature specified in any of clauses above.

What is an LBP?

From 1 March 2012, LBPs (Licensed Building Practitioners) must be licensed in order to carry out or supervise any work on homes and small-medium sized apartment buildings that is critical to the integrity of the building.



WHAT ARE THE ONGOING RESPONSIBILITIES OF THE OWNER/APPLICANT AFTER THE BUILDING CONSENT IS ISSUED?

Once a landowner has secured the necessary building consents and resource consents to construct a dam, the Building Act requires dam owners to:

- Confirm classification of their dams against regulatory standards as having low, medium or high potential impact.
- Register the dam and its classification with the appropriate Regional Authority.
- Provide an annual dam compliance certificate if the dam is classed as having medium or high potential impact.

The Building Act includes the definition of a dam and a description of potential impact categories. The owner of a large dam must classify the dam in terms of potential impact using a Recognised Engineer to audit whether the dam's impact rating is low, medium or high. This Engineer shall provide the necessary certificate, which shall then be submitted to Environment Canterbury for approval.

Owners of dams which have a classification of medium or high are required to prepare and submit a 'dam safety assurance programme' and provide an annual 'dam compliance certificate'. A dam owner will need to employ the services of a recognised engineer to undertake this task on their behalf.

For owners of dams which are classified as having a low potential impact, dam safety assurance programmes and annual dam compliance certificates are not required.

Once a dam owner has assigned a potential impact classification they must review the dam's classification:

- Within five (5) years after Environment Canterbury approves, or is deemed to approve, the classification; and
- After the first review, at intervals of not more than five (5) years.
- The owner must also review the dam's classification if, at any time:
- Any building work, that requires a building consent is carried out on the dam; and
- The building work results, or could result, in a change to the potential impact of a failure of the dam on people, property, or the environment.

Existing dam owners will need to reassess the information they already supply to Environment Canterbury to determine whether it will meet the requirements of the Building Act 2004.

USEFUL WEBSITES

**Certified Builders Association
of NZ Inc (CBANZ)**

www.certified.co.nz

**Registered Master Buildings
Federation Inc (RMBF)**

www.masterbuilder.org.nz

**New Zealand Institute of
Architects (NZIA)**

www.nzia.co.nz

**Architectural Designers NZ
Inc (ADNZ)**

www.adnz.org.nz

**Association of Consulting
Engineers (ACENZ)**

www.acenz.org.nz

BRANZ Ltd

www.branz.co.nz

**NZ Institute of Quantity
Surveyors Inc (NZIQS)**

www.nziqs.co.nz

NZ Institute of Surveyors (NZIS)

www.surveyors.org.nz

**Department of Building and
Housing (DBH)**

www.dbh.govt.nz

**Institution of Professional
Engineers (IPENZ)**

www.ipenz.org.nz

**NZ Institute of Building
Surveyors Inc (NZIBS)**

www.buildingsurveyors.co.nz

**Consumers' Institute of
New Zealand**

www.consumerbuild.org.nz

This booklet is intended as a guide only.

For further advice and information, please contact Environment Canterbury on 0800 EC INFO (0800 324 636).