



BUILDING SECTION



# **A GUIDE TO OBTAINING A BUILDING CONSENT *COMMERCIAL BUILDINGS***

This document sets out in simple terms what is required to obtain a building consent for commercial or industrial buildings. This guide has been produced to assist those who are proposing to submit a Building Consent for alterations to a commercial building or a new building altogether. In most instances professionals in their respected fields are engaged to consult with building owners and/or tenants, prepare documentation and submit the proposed works to the local council. They will engage the consultants and prepare the necessary specifications, reports and drawings for building consent.

It is recommended that building owners engage the appropriate professionals in their fields to be well advised and ensure the required information is provided for consent. This can save the client time and money during the building consent process.

## **WHEN IS A BUILDING CONSENT REQUIRED?**

A building consent is required for most building work. There are some exceptions listed in the Building Act. Please ask a Council building inspector for advice.

## **HOW DO I GET BUILDING CONSENT**

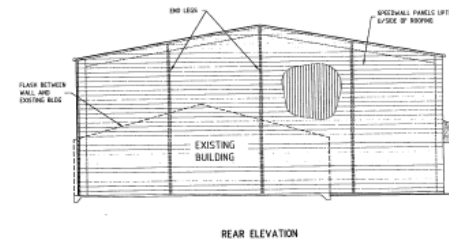
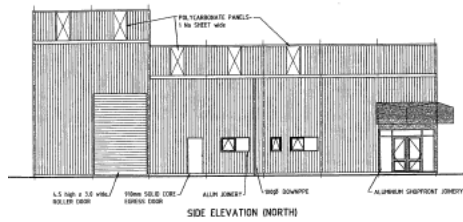
The Councils Building Inspectors and other officers involved in the processing of Building Consent applications need to know in detail the type and the extent of the building work you wish to undertake. Council must be satisfied on reasonable grounds that any proposed alterations or new building work meets the requirements of the New Zealand Building Act 2004, the NZ Building Code and relevant New Zealand Standards.





## **Elevations** Scale 1:50 or 1:100

Provide an elevation of each exterior wall showing all openings For new buildings,

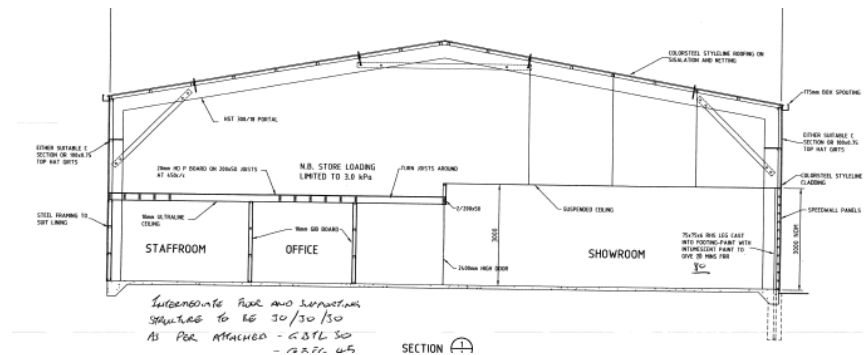


and substantial additions, a weathertightness matrix may need to be supplied for each elevation. This matrix is a scoring system that determines if your choice of exterior cladding must have a drained and ventilated cavity behind it or not.

*A fact sheet on the weathertight matrix is available on request.*

## **Cross Sections** Scale 1:50

Supply cross sections of the building which clearly show the method of construction, details of the materials intended to be used and accurately show floor levels and adjacent ground levels.



## **New Buildings or Major Extensions**

When erecting a new building or a major extension, the following additional information is normally required.

- Full bracing and/or engineers calculations.
- Drainage plans for both sewerage and storm water. If the property is rural a septic tank assessment form completed by a Council approved assessor. *A fact sheet on septic tank systems is available on request.*
- Specifications
- Details of all Insulation.
- Penetrometer test confirming ground bearing capacity – these apply to all lined building and any other building greater than 100 m<sup>2</sup> Tumu type pole sheds do not generally require this information. *A fact sheet on penetrometer tests is available on request.*
- Specific construction and engineering details.

## **COMMERCIAL & INDUSTRIAL BUILDINGS**

Commercial buildings require additional considerations by the Council as they frequently, by their very nature, are accessible to the public and/or have large numbers of occupants. The Council is required by the Building Act to consider access for people with disabilities, fire egress, structural behaviour, and other matters over and above the usual issues checked in a single residential building.

### **Access and facilities for people with disabilities.**

The *Building Act Section 118 and Schedule 2* outline a large range of commercial buildings to which access and facilities for people with disabilities are to be provided for. This schedule describes most commercial buildings and/or building use. The objective of NZ Building Code section D1.1 (c) is to '*ensure people with disabilities are able to enter and carry out normal activities and functions within buildings*'. They are not to be discriminated due to their disability, which may be a short-term accident or long-term disability. Council cannot waive this requirement and any disagreements must be decided by the Department of Building and Housing by way of a Determination (a quasi legal opinion on a Building Act related matter). Facilities may include (but are not limited to) accessible shower and/or toilet compartments, ramps, handrails, reception counters, corridor widths etc. It is advisable to check what will be required at design change as many of these features take up considerable space and expensive redesign may be required if they are not detailed on the submitted plans.

### **Structural**

Any building work outside the NZBC, B I Acceptable solution, will require specific design by a suitably qualified engineer. A Producer Statement of Design (PS1) will be requested at application and building consent stage. Building Consent will not be issued until these are received and approved for the project. Engineering plans and details for the structural design are required to be submitted and signed by the engineer providing the Producer Statement. The engineer will state on the Producer Statement that the structural design will achieve the requirements of the NZBC and/or relevant NZ Structural Design Standards and any assumptions i.e. 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 may be whether or not a PS1 has been supplied. 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 producer statements and technical reports.

### **Earthquake Prone Buildings**

The Gisborne District Council has an earthquake prone building policy which has been formally adopted by Council. Any building built prior to the implementation of New Zealand Structural Standard 4203 (1976) will be subject to this policy. An

applicant is advised that if they are considering alterations to a building that may be subject to this policy that they should discuss the issues with a Council officer as it may be prudent (or necessary) to incorporate strengthening elements in the building work. Buildings undergoing a change of use will require strengthening regardless of where they fit within the strengthening schedule.

### **Change of Use**

The change of use of a building, whether that change requires building work or not, will trigger the 'change of use' provisions of the Act. Section 114 and 115 stipulate the matters that must be considered for any change of use of a building. The applicant will need to consider all the requirements of section 115(b). The specific degree of structural strengthening required (if any) cannot be assessed until a comprehensive evaluation of existing building strength is made. It should be noted that the Act specifies that any work required must be '*as nearly as is reasonably practicable*' to the modern code. This allows for discretion on the part of the Territorial Authority should there be features of the building that would preclude full strengthening to be completed. In the case of structural strengthening the Gisborne District Council has historically required that buildings be strengthened to withstand a force of .54g which equates to approximately .66 of the modern code.

### **Fire rating behavior and egress**

Fire safety in a commercial building is assessed under the NZ Building Code, C Clauses, C/AS 1. 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. Any fire rated construction, i.e. walls, floors or ceilings are to be shown on the plans and sections and construction details provided. The proposed work may be 'just an office fit-out' but this can impact on means of escape and the positioning of sprinkler and smoke alarm heads. Council has all fire philosophies checked by an **external consultant**. Any design outside the C documents will be regarded as an 'alternative solution' and the Building Act requires that they be sent to the New Zealand Fire Service Design Review Unit (DRU). In this case an additional full set of construction drawings will be required as the DRU retain any plans sent to them.

### **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.

### **Trade Waste**

Trade waste issues are more likely to arise in industrial and commercial activities where products are being manufactured, processed or refined, i.e., 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. Council has a 'Trade Waste Bylaw' which governs discharges to the sewer system from commercial and industrial premises. The potential discharge will be assessed at consent processing time however if you consider that discharges from the proposed premise may require a tradewaste permit please contact the Council

early in the process as this may save expensive design review and changes.

*Example: 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 and then collected and disposed of without contaminating the stormwater or sewer system.*

## **Health**

A building consent containing food premises, i.e., cafes, restaurants, bars etc will require approval under the Food Hygiene Regulations 1974 and the Sale of Liquor Act 1989. This will be reviewed at 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(s) will require specifications, plans and elevations detailing the following:

- Surface finishes
- Ventilation
- Wash hand facilities
- Food storage facilities
- Cooking and cleaning facilities, sinks, dishwasher
- Grease trap and backflow devices
- Menu specifying type food being prepared and served in the premises.

A Health License for the premises will be required before the public is permitted to use the premise.

## **Compliance Schedules**

Under the Building Act 2004, all buildings except single residential dwellings require a Compliance Schedule if they contain certain systems or features (e.g. fire safety systems, lifts etc). These are called 'specified systems'. A list of these specified systems is available under the compliance schedule section of the building consent application form. The items discussed above will require regular maintenance to ensure that they retain their efficiency and effectiveness. If your building contains specified systems, you must complete council form T-27.s1 Schedule of Specified Systems and supply with your application the maintenance, inspection and reporting conditions for each system. The form can be downloaded on our web site [gdc.govt.nz](http://gdc.govt.nz) or from our Fitzherbert Street office.

Once in place, the systems will require a yearly Building Warrant of Fitness. Further information is available in councils pamphlet: *"Do you need a Compliance Schedule or Warrant of Fitness for your building?"*.

## **Use by the Public**

If the building is classified as a building for public use under the Building Act 2004 it is illegal for members of the public to use the building until the Code Compliance Certificate has been issued or a Certificate of Public Use applied for and granted by the Council. Please check with the Council when submitting the consent whether this restriction will apply.

## **WHAT HAPPENS NEXT?**

Your application may need to be seen by several Council Officers. For example Planning, Environmental Health Inspector, Flood Height Officer, or maybe a Structural Engineer. Your application form is rechecked for completeness and then programmed for this purpose shortly after you make your application. Incomplete applications, or ones 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. Normally Building Consents are issued within a ten working day period from the time of application. The Building Act 2004 requires Council to process consents (if not suspended for further information) within 20 working days.

### **Fees**

Some building consents have set fees and are paid at the time of application. For other consents fees are charged on an actual and reasonable basis. As your application is processed charges are accrued. Then the inspections required are scheduled and charges added for these. Depending on the value of work there may be Government levies. When the consent is approved you will be notified by mail. An invoice for the building consent fee will accompany the notice. The building consent cannot be uplifted until the invoice is paid.

### **After your consent has been approved...**

#### **Stamped & approved plans must be kept on site.**

Together with your application you are required to submit two sets of drawings. One set will be sent back to you with your consent showing details of any amendments that are needed to ensure that the building complies with the New Zealand Building Code. These drawings will be stamped with the GDC stamp must be kept on the job.



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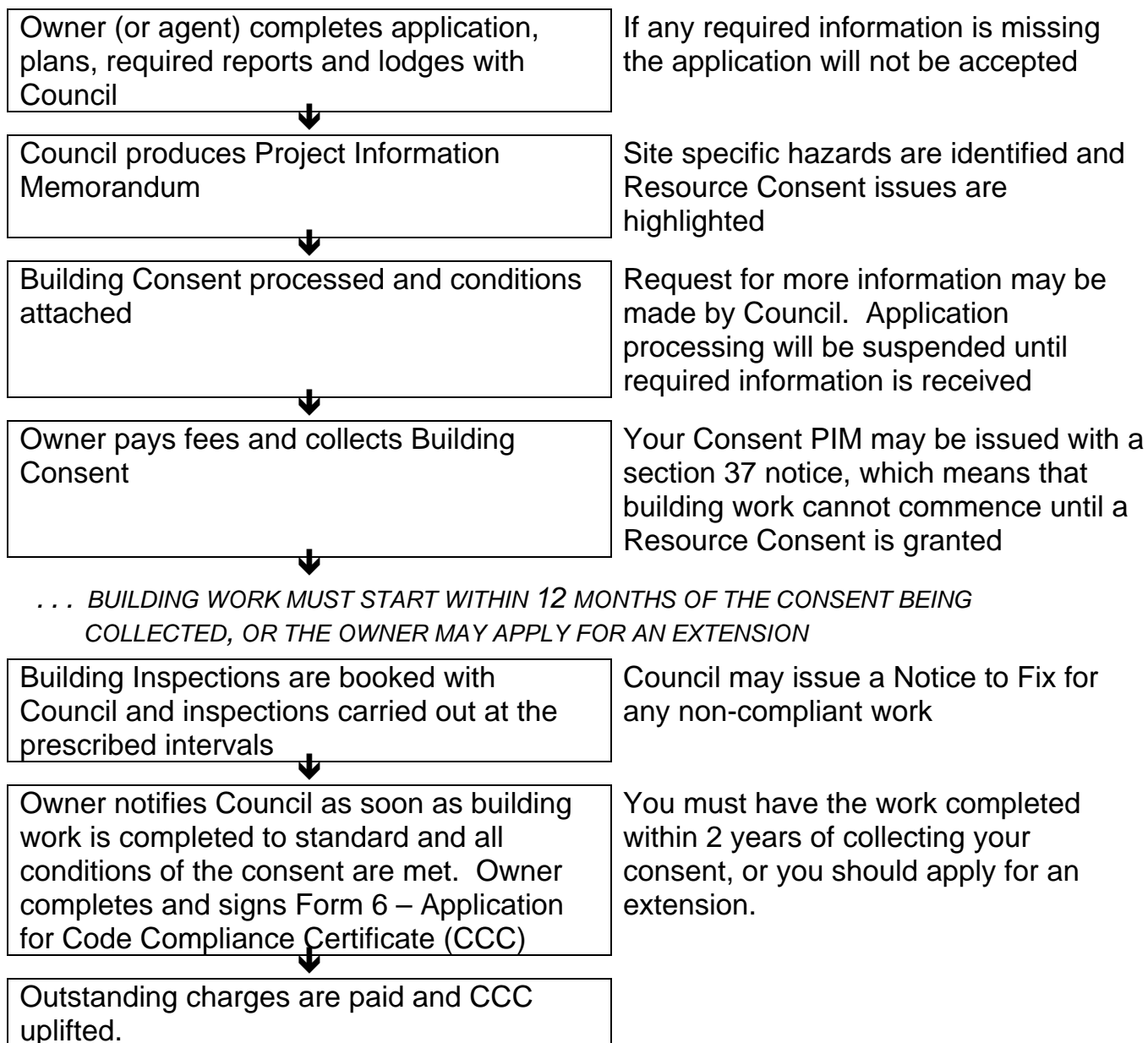
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#### **Work must start within 12 months and be completed within 2 years.**

Your consent becomes 'issued' on the date you collect it. Building work should begin within twelve months of this date or your consent will lapse and no longer be valid. You should complete the work and apply for a 'Code Compliance Certificate' within 2 years of the issue date. In either case you may apply to the Council for an extension, but must do so within the given time frame.

## HOW IT ALL WORKS

The chart below summarises the building consent process.



**If you have any queries regarding building consents please do not hesitate to contact a Building Inspector. We are here to help you.**