

Dams:

Customer guide to
frequently asked questions



**Environment
Canterbury**
Your regional council

What is a Dam?

Definition of a Dam

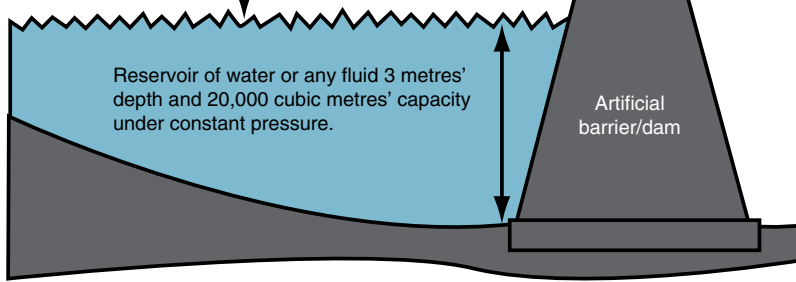
- (a) means an artificial barrier, and its appurtenant structures, that—
 - (i) is constructed to hold back water or other fluid under constant pressure so as to form a reservoir; and
 - (ii) is used for the storage, control, or diversion of water or other fluid;
- (b) includes—
 - (i) a flood control 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 retains 3 or more metres depth, and holds 20 000 or more cubic metres volume, of water or other fluid.

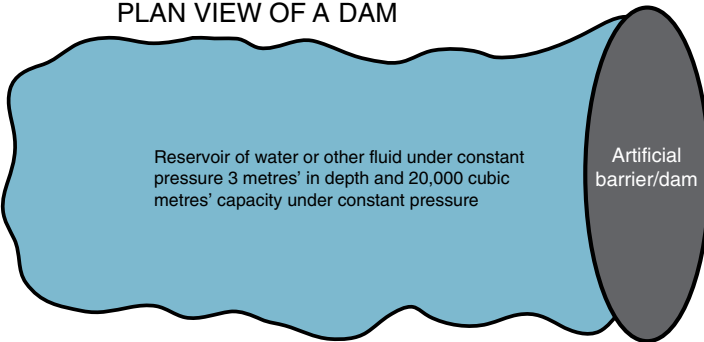


CROSS SECTION OF A DAM

Full supply
Level



PLAN VIEW OF A DAM



What is an Appurtenant Structure?

An appurtenant structure, in relation to a dam, means a structure that is integral to the proper functioning of the dam.

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 the consent and associated plans and specifications, provided all other requirements have been met.

ECan is responsible for 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. This work is specified in the first schedule of the Building Act 2004.

If further clarification is required, contact your local BCA Co-ordinator.

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

Building Consents

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

Resource Consents

Resource consents may be required for dams when taking, using, damming and diverting of water and controlling 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.

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 obtainable from the Council Offices.

If the Council is prepared to accept an 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 suggest you apply for the PIM before lodging your Building Consent Application.

How do I apply for Building Consent?

In accordance with the Building Regulations, applications for Building Consents must be submitted on the prescribed form which is available from ECan; this can be acquired through mail, walk-in, email correspondence or phone request.

To apply for a Building Consent, you will need to

- Provide all information require in the prescribed application form (Form 2)
- Supply 3 sets of drawings, 3 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 as part of this includes a check sheet to assist you with the preparation of your plans.

You can make your application via post or by delivering it personally to Environment Canterbury's customer services counter at 58 Kilmore Street, Christchurch or 75 Church Street, Timaru.

Once you have submitted your application to Environment Canterbury it will be vetted for completeness to ensure that enough information has been supplied to allow processing

to commence. 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.

Responsibilities of ECan and the Applicant

ECan is responsible for building consents for large dams. However, ECan is not able to act as designer or technical adviser. ECan 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.

An applicant of proposed building work has the responsibility to make sure enough detail is provided in the plan, specifications and other documentation for the building consent authority to consider and issue a building consent. Where gaps in the information exist, the applicant will be requested to fill these appropriately.

Requirement for PIM to be obtained from both the territorial authority and regional authority

The PIM is based on the information held by the respective councils. It informs the applicant of what information is held by the relevant regional or territorial authority in relation to the matters specified under Section 35 of the Building Act. The absence of information on, for example, natural hazards, does not necessarily mean that the subject land is not exposed to natural hazards. Information on matters such as natural hazards changes over time. Care needs to be taken to ensure that the information referred to on a PIM Remains current.

How much is it going to cost to get a building consent?

This varies on the amount and type of work you are carrying out and is set out in ECan's Schedule of Fees.

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

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

How is a Building Consent processed and approved?

ECan must decide within twenty (20) working days from formal receipt of all required information, whether or not to grant your application. ECan will contract expert consultants to assess your application to make sure that it complies with the New Zealand Building Code and Engineering Standards. If ECan rejects your application you will be advised in writing and reasons given for the decision. If your application is granted you will be advised 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 time-frames 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; and
- 24 months limitation period (to complete work).

Why has my building consent been suspended or put on hold?

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

Can I start building work before I have all of the necessary consents (Building, Subdivision or Resource Consents)?

Generally no building work may start without consent; however there are some situations where building work may proceed after obtaining permission from the Council. This must be discussed with one of the BCA staff, however they will need to see details of your plans prior to any decision being made.

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

Building work is to be completed within two years of the granting of the building consent unless an extension of time is agreed by the Council. Send your written request to the Council for consideration before the two years are up.

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

You have 12 months to commence your building work from the granted date.

If you have not completed the work within 2 years, an inspection will be carried out to determine if a code compliance certificate can be issued.

If you will not be starting or completing the work within the required time, you will need to request an extension of time from the Council.

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 also fulfils orders for 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. Hard copy of these can be purchased via the Vicbooks website, by email or by phone.
- ii. PDF can be bought and downloaded from the Vicbooks website as individual Clauses. Amendment.
- iii. CD-ROM can be ordered via the Vicbooks website, by email or by phone.

The Vicbooks website is at <http://www.bookcentre.co.nz/bia/>

Phone orders: 0800 370 370.

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

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 documents and all inspections have been carried out to the satisfaction of the Council.

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

Code Compliance Certificates (CCC's) are held in Council records.

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

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

A Certificate of Title can be obtained from Land Information New Zealand, for their locations refer to your local telephone book.

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

How is a project inspected and certified?

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

The CCC will be issued when ECan is satisfied 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, what do I need to do?

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

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.

Can I build over an easement on my property?

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

To facilitate the carrying out of 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 as 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.

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 the Council, 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 (BWOF) 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 one year). 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 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 IQP?

An IQP (Independent qualified person) is a person who is accepted by the Regional Authority as being appropriately qualified to undertake the inspection and maintenance of the feature concerned. This person should not have a financial interest in the building.

Can I view a property file?

The Council holds 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.

What is a Certificate of Acceptance?

A Certificate of Acceptance may be issued by the Council 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.

How do I make application for a Certificate of Acceptance?

The Council has discretion under the Building Act on whether or not to issue a Certificate. This may involve a pre-application interview which must be arranged with the Council's BCA Co-ordinator.

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 ECan may, as an RA, 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 prescribed form to ECan for a certificate for public use for the dam or part of the dam if a building consent has been granted for dam and no code compliance certificate has been issued for the work. ECan may issue a certificate for public use if it is satisfied on reasonable grounds that members of the public can use the dam safely.

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 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 Council
- Provide an annual dam compliance certificate if classified medium or high potential impact.

The "Act" includes the definition of a dam and a description of potential impact categories. The owner must classify the dam in terms of potential impact (rating low, medium or high) and submit to a Recognised Engineer for audit, this Engineer shall provide the necessary certificate which shall then be submitted to ECan for approval.

For owners of dams which have a classification of medium or high they 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 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 the Regional Council 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 persons, property, or the environment.

Existing dam owners will need to reassess the information they already supply to the Regional Council 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 Builders 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

Notes/Sketches

This booklet is intended as a guide only.

For further advice and information, please contact Canterbury Regional Council (Environment Canterbury) on 0800 EC INFO, or visit the Council offices at 58 Kilmore Street, Christchurch, between the hours of 8:00am to 5:00pm Monday to Friday

Additional relevant information can be found in the "Dams: What you need to know" pamphlet:



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