

G03 Public Information and Enquiries

Contents

1. Introduction.....	1
2. communication with external persons.....	1
3. ENQUIRIES – HOW TO APPLY FOR A building consent	8
4. ENQUIRIES – HOW APPLICATIONS ARE PROCESSED	8
5. ENQUIRIES – HOW BUILDING WORK IS INSPECTED AND CERTIFIED.....	9
6. Enquiries DIRECTED TO LEAD CONSULTANTS	9

1. INTRODUCTION

ORC provides customer information in relation to how to apply for a building consent for a dam, how an application is processed, how work is inspected and how work is certified. ORC also provides information on how to apply for any necessary resource consents, for activities in Otago. Customer information is available on the ORC website.

Publicity and information to be provided to the public is determined by the Manager Consents in consultation with the Manager Communications.

Guides G01, G04, G05, G07, G08 and G09 are available on the ORC's website. The ORC will also make available upon request its Guidance Documentation, policies and procedures. Public information is also available on the website of the Ministry of Business, Innovation and Employment.

The policy on public access to BCA records is described in M02. Information is provided in accordance with the ORC's policy on fees and charges, as specified in the LTP or Annual Plan.

Customer enquiries are received by various media, including phone, face to face, written and electronic. The ORC does not provide technical advice. In these cases the customer shall be advised to seek appropriate professional advice. The ORC does not recommend particular consultants or advisers, but refers enquirers to the registers maintained by the Institution of Professional Engineers New Zealand (IPENZ). Those registers are available to the public through the internet.

Customer enquiries in relation to a particular dam (e.g. query as to whether it requires a building consent for proposed building work) are saved in Objective in the folder for that particular dam.

The procedures defined in this section describe how the ORC complies with items contained within Regulations 7(2)(a)(i) to 7(2)(a)(iv), and 17(2)(j) of the Building (Accreditation of Building Consent Authorities) Regulations 2006.

2. COMMUNICATION WITH EXTERNAL PERSONS

Stakeholder and linkages with other external persons are described in Section 6 of M01. The procedure for communicating with external persons is described in the following table.

There is a range of potential enquiries and who may deal with them. The second table below identifies for typical enquiries who will deal with them, the record created, and the escalation path if these are not resolved. For example:

- Enquiries relating to administrative matters, such as requests for Forms and the schedule of fees may be directed to and handled by reception or BCA Administration staff;
- More technical enquiries will usually be directed to and handled by the Consents Officer. The Consents Officer will clearly establish what the customer is enquiring about. If the enquiry is of a technical nature, in relation to a current building consent application, then the Consents Officer may forward the enquiry to the relevant Lead Consultant dealing with the project.

Customer Services (this includes ORC offices outside of Dunedin and other RA's) and Records staff (the latter controlling inwards correspondence) and other staff performing BCA functions will be briefed on the routing procedure by the Manager Consents and the Manager Support Services respectively.



External Person	How	Frequency	Purpose	Responsibility	Records
Dam owners and the general public	Long Term Plan, Annual Plan, Annual Report	Annually	Report on planned and actual activity and performance in relation to ORC's Building Act functions	Director Corporate Services	Published documents, held in ORC Library
	Activity Report to ORC Regulatory Committee	Six-weekly	Summarise BCA PIM, consent, CoA and CCC activity for the preceding six-week period	Manager Consents	Report saved into Objective and published on website
	Activity Report to ORC Regulatory Committee	Six-weekly	Summarise BCA compliance activity for the preceding six-week period	Legal Counsel	Report saved into Objective and published on website
	Directors Report to ORC Policy and Submissions Committee	Six-weekly	Outline significant matters in relation to Building Act and ORC's responsibilities and functions (e.g. changes to legislation)	Director Policy Planning and Resource Management	Report saved into Objective and published on website
	Selected ORC BCA Guidance documents and supporting information on ORC website	Continuous, updated as necessary	Assist dam owners in fulfilling their responsibilities under the Building Act	Manager Communications	ORC Website
	ORC media releases	As required	Assist dam owners in fulfilling their responsibilities under the Building Act	Manager Communications	Copy saved into Objective and published on website
	Advertorials in industry publications	As required	Assist dam owners in fulfilling their responsibilities under the Building Act	Manager Communications	Copies saved into Objective
	MBIE/DBH Publications on dam safety scheme	Provided upon request and displayed at Reception at Dunedin, Alexandra and Queenstown	Assist dam owners in fulfilling their responsibilities under the Building Act	Coordinator Records and Information	Published documents held in ORC Library
	Enquiries	As received	Assist dam owners in fulfilling their responsibilities under the Building Act	See table below	See table below
	Complaints	As received	Receive feedback and improve customer service where necessary	See G10 Complaints	See G10 Complaints
NZSOLD and its members	Participation in NZSOLD including attendance at AGM	Ongoing	Maintain linkages with dam owners and their advisers and the profile and role of the ORC as a BCA	Director Engineering, Hazards and Science	Minutes of AGM saved into Objective
	NZSOLD Newsletter (electronic version)	As received	Maintain awareness of developments in relation to dams in NZ and internationally	Director Engineering,	Saved into Objective

External Person	How	Frequency	Purpose	Responsibility	Records
				Hazards and Science	
	Attendance and presentation of technical papers at NZSOLD Symposium	Biennially	Maintain linkages with dam owners and their advisers and the profile and role of the ORC as a BCA	Director Engineering, Hazards and Science/Manager Consents	Proceedings of Symposium held in ORC Library.
IPENZ	Attendance at relevant Otago Branch meetings	Monthly	Maintain linkages with engineering profession and the profile and role of the ORC as a BCA	Director Engineering, Hazards and Science	Online CPD Register and Personal File
	IPENZ Newsletter to Members (electronic version)	Monthly	Receive information on matters relating to engineering practice and the Building Act for dams	Director Engineering, Hazards and Science	IPENZ Newsletter (electronic)
	Meetings and correspondence with IPENZ Senior Management	Ongoing and as required	Wider awareness and resolution of issues relating to engineering practice and the Building Act for dams	Director Engineering, Hazards and Science	Minutes and letters saved into Objective
Regional Councils and Regional Council BCAs	Meeting of the three BCAs	Annually (sometimes part of NIRCBATWG meeting – see below)	Maintain linkages between BCAs, resolve common issues, standardise practices	Director Policy Planning and Resource Management/Manager Consents	Minutes saved into Objective
	Correspondence	Ongoing and as required	Matters deemed to be relevant to the exercise of Building Control functions, such as interpretations of the Building Act	Director Policy Planning and Resource Management /Manager Consents	Saved into Objective
	Attendance at Resource Managers Group Meetings	Quarterly	Wider awareness and resolution of issues relating to the regulation of dams and related activities	Director Policy Planning and Resource Management	Minutes saved into Objective
	Attendance at Regional Authority Chief Executives Meetings	Quarterly	Wider awareness and resolution of issues relating to the regulation of dams and related activities	CE	Minutes saved into Objective
	Attendance at North	Annually	Wider awareness and resolution of issues	Director	Minutes saved into

External Person	How	Frequency	Purpose	Responsibility	Records
	Island Regional Council Building Act Transfer Working Group meetings		relating to the regulation of dams and related activities	Engineering, Hazards and Science/Manager Consents	Objective
Transferring regional authorities (Southland and West Coast Regional Councils)	Letter	Six-monthly	Report on ORC's exercise of scheduled functions and (by 1 January each year) advising the annual maintenance charge for the next financial year (as per clauses in Transfer Agreements)	Project Manager	Letter saved into Objective
	Meetings	Ongoing and as required (may be part of wider joint Executives meeting)	Matters deemed to be relevant to the exercise of Building Control functions, such as expected workload and new dams	Director Policy Planning and Resource Management /Manager Consents	Minutes saved into Objective
	Correspondence	Ongoing and as required	Matters deemed to be relevant to the exercise of Building Control functions, such as changes in legislation	Director Policy Planning and Resource Management /Manager Consents	Correspondence saved into Objective
Territorial authorities in Otago, Southland and West Coast	Joint meeting and presentation by ORC	Commencement of ORC's functions (mid-2008) and ongoing as required	Identify and resolve issues associated with handover and exercise of responsibilities	Director Policy Planning and Resource Management	Copies of letters and PowerPoint presentations saved into Objective
	Letter	Ongoing and as required	Resolve issues associated with handover and exercise of responsibilities, particularly the handling of legacy consents	Director Policy Planning and Resource Management	Letter saved into Objective
	Meetings of Southern Building Cluster Group	As invited	Issues to do with the Act and its application, including regulatory reform and accreditation	Manager Consents	Agenda and Minutes saved into Objective
Government	Submissions on proposed changes to legislation	Ongoing and as required	Express ORC opinion on legislation as it affects its role and functions under the Building Act	Director Policy Planning and Resource Management	Copy saved into Objective
MBIE	Meetings and correspondence	Ongoing and as required	Resolution of issues associated with ORC's Building Act functions	Director Engineering, Hazards and Science	Emails, letters and minutes saved into Objective

External Person	How	Frequency	Purpose	Responsibility	Records
	"BCA Update" published by DBH	Five or six issues each year, received by electronic link	Updates on legislation and guidance on interpretation and application	Manager Consents	-
IANZ	Correspondence	Ongoing and as required	Resolution of issues associated with accreditation and reassessments.	Manager Consents	Emails and letters saved into Objective
Lead Consultants	Correspondence	Ongoing and as required (see G06)	Administration of contract agreements (see G06)	Manager Consents	Correspondence saved into Objective
	Correspondence	Ongoing and as required (see G06)	Liaison on individual projects (e.g. consent applications) as per G06	Consents Officer	Saved into Objective as per ORC Technical Guides
Media and Press	Correspondence	As required	Issues relating to current consented or non-consented dams.	Senior Media Advisor	Objective

Type of Enquiry	Record created				
	Customer Services Officer	BCA Administration	Manager Consents/ Consents Officer	Lead Consultant	
Request for forms/brochures	✓	✓	✓		None, unless entered as correspondence on correspondence database).
Request requiring some explanation of Building Consent process		✓	✓		For basic requests no record needs to be created unless entered as correspondence on correspondence database.
Enquiry about ORC's role as BCA			✓		Correspondence entered into correspondence database.
Pre-application meeting		(✓) Only where applicant wants to verify basic requirements	✓	(✓) Only as part of approved brief from ORC	File note or correspondence saved in dam (DS) folder. (established in advance of application).
Enquiry about current building – not from applicant		✓	✓		Correspondence entered into correspondence database. Where enquiry generates a complaint any file note created or correspondence is saved in dam (DS) folder and the Complaints folder.
Enquiry from applicant (or agent) in relation to an existing application		✓	✓	(✓) Only as part of approved brief from ORC	Correspondence entered onto Project file. File note will be created and saved in dam (DS) folder for all matters (except where of a trivial nature e.g. checking progress etc.).
General escalation of enquiry (if cannot be dealt with by recipient)	⇒ To BCA Admin	⇒ To Consents Officer or Manager Consents	⇒ To Consents Officer	⇐ To Consents Officer	N/A

3. ENQUIRIES – HOW TO APPLY FOR A BUILDING CONSENT

ORC will identify if a building consent is required having regard to the definitions of dam and appurtenant structures and exempt building work (Schedule 1) as described in Guide G01. ORC will explain statutory timelines for the building consent process as follows.

- 20 working days to grant or refuse a building consent;
- 20 working days to issue or refuse to issue a Code Compliance Certificate;
- 12 months to start work from the date the consent was issued unless ORC has agreed to an extension prior to the end of the 12 month period;
- Owner must apply for a code compliance certificate when the building work is complete. ORC must make a decision on whether to issue a code compliance certificate within 2 years of building consent being granted if no application for code compliance certificate has been received.

ORC will advise the customer that they can (but are not legally required to) apply for two project information memoranda (PIM), one from the regional authority, and one from the territorial authority (Section 31). The customer will be encouraged to apply for both PIMs and to do so before preparing and lodging the Building Consent application. This is because each PIM may have information that could influence the proposed design.

The customer will be advised that an application form must be completed, and that it must contain all the essential information identified on the application form otherwise the application will not be accepted. The customer will be advised that drawings are to be to a construction standard and that they should not be annotated with “Not for Construction” or similar. The customer will be advised that plans (drawings) and specifications shall be sufficient to result in building work that (if built to those plans and specifications) complies with the building code (Section (4)(2)(q(ii) of the Act). ORC will provide the customer with the necessary application forms(s) and information on fees and charges, or direct them to the ORC’s website.

If the application includes both a dam and other building work, the applicant will be advised that a separate building consent application must be completed for each. Applications for dams and their appurtenant structures are processed by the ORC. Building consents for other building work must be obtained from the relevant territorial authority. In this instance ‘other building work’ refers to work that is not part of the dam and any appurtenant structures (see G01).

ORC will inform customers that resource consents may also be necessary from the ORC and/or the RA and/or the TA. ORC will provide information on resource consents required from the ORC (as distinct from the TA) for activities in Otago. If appropriate, BCA staff shall involve the duty resource officer to deal with matters relating to ORC resource consents.

4. ENQUIRIES – HOW APPLICATIONS ARE PROCESSED

The ORC will explain the following matters;

- The distinction between “receiving” and “accepting”, and between “granting” and issuing”, and that applications can only be “accepted” at the ORC’s Dunedin office;
- The ORC’s use of a Lead Consultant;
- The matters to be considered when assessing a consent application, in particular compliance with each and every clause of the Building Code (Building Regulations 1992), and the distinction between “technical” and “regulatory” review;
- Drawings are to be to a construction standard and should not be annotated with “Not for Construction”, “Draft” or similar. Drawings and specifications shall be sufficient to result in building work that (if built to those plans and specifications) complies with the building code;
- The purpose and relevance of the PIM;
- That applications will be suspended and the processing clock will be stopped for incomplete information;

The relationship and distinction between Building Act and Resource Management Act issues and considerations;

- ORC's policy on costs, which is to recover in full all costs from the applicant including the costs of the Lead Consultant, irrespective of whether a consent is granted;
- The distinction between the service charge and the deposit;
- That consent, if granted, will only be issued once all fees and levies have been paid in full;
- That building work including site work must not start unless and until the necessary building consent has been granted even if the "interim" depth and volume of the dam are less than the thresholds for a large dam set out in Clause (da) of Schedule 1.

5. ENQUIRIES – HOW BUILDING WORK IS INSPECTED AND CERTIFIED

The ORC will explain the following matters;

- The purpose and scope of the inspection undertaken by ORC as opposed to the inspection and supervision responsibilities and requirements of the dam owner;
- The ORC's use of a Lead Consultant;
- The matters to be considered by the ORC during inspection;
- The requirements to be satisfied before issue of a Code Compliance Certificate, including that a Certificate may not be granted if the inspection schedule specified in the building consent along with any holdpoints have not been fully complied with;
- The ongoing responsibilities of dam owners in relation to dam safety (Part 2, Subpart 7 of the Act).

6. ENQUIRIES DIRECTED TO LEAD CONSULTANTS

Where a Lead Consultant responds to customer enquiries, the Lead Consultant shall record details of the information provided within the project file.

Note that a Lead Consultant will only provide advice for pre-application meetings, or for an existing application/projects where approved as part of their brief (see G06 for how this is controlled). Advice will also be only in relation to how customers/applicants meet their regulatory requirements, and not on technical design matters. For example, a Lead Consultant can advise on the level of detail that may be required in the plan documents, but shall not propose technical solutions. The Lead Consultant is acting as a regulatory reviewer, and not as a design reviewer (refer IPENZ Practice Note 2 on the distinction between the two types of review).

The Lead Consultant shall make it clear that they are not expressing a view on the decision that will be made by the ORC as they (the Lead Consultant) do not have the authority to make a decision – they only have the authority to make a recommendation. The decision on whether to grant (or refuse) is made by the ORC having regard to the Lead Consultant's recommendation.