

Rebecca Watson

From: official information
Sent: Tuesday, 28 May 2019 09:39
To: [REDACTED]
Cc: official information
Subject: RE: LGOIMA 19122: Applications for CCCs
Attachments: 1991 BA CCC policy.pdf; CCC matrix.pdf

Kia ora

Further to your information request of 30 April 2019 in respect of the Council's policy or procedure documentation in relation to applications for CCCs where the time period has expired, and how the Council applies s112 of the Building Act to subsequent building consent applications, I am now able to provide Hamilton City Council's response.

You requested:

I also indicated yesterday I would be interested in receiving a copy of the Council's policy or procedure documentation in relation to applications for CCCs where the time period has expired, and how the Council applies s112 of the Building Act to subsequent building consent applications.

Our response:

1. Council's policy or procedure documentation in relation to applications for CCCs where the time period has expired
Please see the documentation attached.
2. How the Council applies s112 of the Building Act to subsequent building consent applications.
Section 112 is applied to new Building Consent applications whereby the impact of the proposed work is assessed against the existing building to ensure the existing building's compliance is not less than it was prior to the proposed alteration.

Kind regards,

Amy Viggers

On behalf of the Privacy Officer

DDI: 07 8386727 | Email: amy.viggers@hcc.govt.nz



Hamilton City Council | Private Bag 3010 | Hamilton 3240 | www.hamilton.govt.nz

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From: official information
Sent: Wednesday, 22 May 2019 8:49 AM
To: [REDACTED]

Cc: official information <officialinformation@hcc.govt.nz>
Subject: RE: LGOIMA 19122: Applications for CCCs

Kia ora,

I can confirm that your request has not yet be completed and that staff are treating your request as urgent. We will respond as soon as practicable.

Kind regards,

Amy Viggers

On behalf of the Privacy Officer

DDI: 07 8386727 | Email: amy.viggers@hcc.govt.nz



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From: [REDACTED]

Sent: Tuesday, 21 May 2019 2:08 PM

To: official information <officialinformation@hcc.govt.nz>

Subject: RE: LGOIMA 19122: Applications for CCCs

Hi,

Just following up on my request noting it was requested with urgency. I have not received a reply as yet. Also, could you clarify whether your response that it will be provided as soon as practicable means you are declining my request for urgency or whether that is still under consideration.

Thanks very much for providing your Privacy Officer's details.

[REDACTED]

From: official information <officialinformation@hcc.govt.nz>

Sent: Thursday, 16 May 2019 3:11 PM

To: [REDACTED]

Cc: official information <officialinformation@hcc.govt.nz>

Subject: RE: LGOIMA 19122: Applications for CCCs

Kia ora,

Please be advised that your request has been passed on to the relevant team within Council for response. We do note your request for this to be completed urgently and will respond as soon as practicable.

Please find below the contact information for Lee-Ann Jordan Privacy Officer and options available to make an official information requests.

- **Use our online form:** [Official Information Request form](#)

- **Phone our Customer Service Centre:** 07 838 6699
- **Ask in person at our Customer Service Centre:** Municipal Council Building, Garden Place, CBD
- **Post your request to:** Information Requests, Privacy Officer, Governance, Hamilton City Council, Private Bag 3010, Hamilton 3240
- **Email us:** officialinformation@hcc.govt.nz
- **Tweet or direct message us on Twitter:** www.twitter.com/CouncilHamilton
- **Send us a Facebook message:** www.facebook.com/HamiltonCityCouncil

Kind regards,

Amy Viggers

On behalf of the Privacy Officer

DDI: 07 8386727 | Email: amy.viggers@hcc.govt.nz



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From: [REDACTED]

Sent: Thursday, 16 May 2019 9:23 AM

To: official information <officialinformation@hcc.govt.nz>

Cc: [REDACTED]

Subject: RE: LGOIMA 19122: Applications for CCCs

Hi Amy,

Thanks for acknowledging my request. Please note I request this be responded to with urgency as I have been instructed to apply for a determination with MBIE on the matter at issue. The Council's policy or procedure documentation will be important information for the determination, and given this request has been with Council since 30 April it is not unreasonable to request it be given urgent priority.

Could you also provide me with contact details for the Council's Privacy Officer.

Thanks.

[REDACTED]

From: official information <officialinformation@hcc.govt.nz>

Sent: Thursday, 16 May 2019 8:27 AM

To: [REDACTED]

Cc: official information <officialinformation@hcc.govt.nz>

Subject: Re: LGOIMA 19122: Applications for CCCs

Kia ora,

I write to acknowledge your information request of 30 April 2019 in respect of the Council's policy or procedure documentation in relation to applications for CCCs where the time period has expired, and how the Council applies s112 of the Building Act to subsequent building consent applications.

Please be advised that your request has been passed on to the relevant team within Council and you will be informed of the outcome.

The Local Government Official Information and Meetings Act 1987 requires that we advise you of our decision on whether the Council will provide the requested information or not “as soon as reasonably practicable”, no later than 20 working days after the day we received your request. We will respond to you no later than 28 May 2019.

Kind regards

Amy Viggers

On behalf of the Privacy Officer

DDI: 07 8386727 | Email: amy.viggers@hcc.govt.nz



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From: [REDACTED]
Sent: Wednesday, 15 May 2019 8:34 PM
To: official information <officialinformation@hcc.govt.nz>
Cc: [REDACTED]
Subject: [REDACTED]

Hi,

Please see the email below. I am uncertain whether [REDACTED] has forwarded this to you but I have not received an acknowledgment of the request being made. Could you please confirm whether you have been notified of this request and it has been recorded as one with you.

Regards

[REDACTED]

From: [REDACTED]
Sent: Tuesday, 30 April 2019 9:26 AM
To: [REDACTED]
Cc: 'building@hcc.govt.nz' <building@hcc.govt.nz>
Subject: 12 Northpark Drive (Consent # 97,1995)

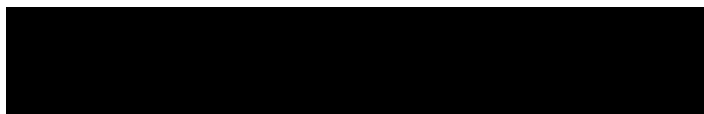
Hi [REDACTED]

Thanks for your time talking to me yesterday. I reviewed the property file yesterday at the HCC offices.

I am going to submit an application for a CCC form today and provide supporting information. I've been looking for the B2 Durability Waiver form on the Build Waikato website but cannot locate it. Could you please send me a copy urgently so we can get this application in.

I also indicated yesterday I would be interested in receiving a copy of the Council's policy or procedure documentation in relation to applications for CCCs where the time period has expired, and how the Council applies s112 of the Building Act to subsequent building consent applications. This may not be your department, so feel free to forward to the appropriate part of the Council to address this request.

Thanks.



No CCC issued due to age of building

Code compliance certificates (CCC) will not be issued for outstanding building consents (those that have not been issued with a CCC) where the building consent was issued prior to the Building Act 2004 (either before the Building Act 1991 or in terms of the Building Act 1991) because :

Council may not be satisfied on reasonable grounds that the provisions of the building code for:

1. Durability on terms of B2 and /or
2. Weather tightness in terms of E2 and / or
3. Other appropriate provisions of the building code.

Have been met and maintained in the period since the issue of the building consent.

When you make an application for a code compliance certificate (CCC) council will inspect the building to assess any Health & Safety Issues and you may be issued with a "Notice to Fix" in the event we may find matters that require some attention.

In the event we do not issue a CCC we suggest that you have 2 options that you can follow:

1. Make application to the Department of Building and Housing (DBH) www.dbh.govt.nz if you disagree with the Councils decision not to issue a CCC.
2. Or, obtain a building report from an independent expert and submit a copy of the report to Council to file against the property register. (We recommend you use someone who is a current member of a recognised professional organisation such as the Institute of Building Surveyors or has an appropriate professional qualification in the building sector).

In accordance with the Local Government Official Information and Meetings Act (LGOMIA), Council will disclose any information held on the property file through a Land Information Memorandum or written request in terms of the LGOMIA. We may however be forced to withhold information for reasons of confidentiality, or the like.

CCC decision matrix for consents over 2 years from granting.

Description	<5 years	5 – 10 years	>10 years
Pay outstanding fees and levies	✓	✓	✓
Supply all documents	✓	✓	✓
Building Surveyors report	E3 Wet areas (<i>see note 1</i>)	X	✓
	E2 Monolithic Claddings	X	✓ **
	E2 Risk Score >6	X	✓ ***
Complete inspections	✓	✓	✓
B 2.3.1 Modification (<i>see note 2</i>)	X	✓	✓
CCC decision by Competent Officer	✓	X	X
CCC decision by Senior Inspector or above	✓	✓	✓

Notes:

- (1) E3 wet area report is only required if the building consent contains a new shower.
 (2) Modification applies to building elements with a durability of 5 or 15 years.

Exclusions

- * Exclude building consents which do not contain cladding, or have a classified use of Ancillary or Outbuildings.
 ** Exclude building consents which do not contain cladding.