

**1. POLICY**

The Rotorua District Council will audit 25% annually all buildings with a Building Warrant of Fitness to ensure that specified systems in buildings remain operational and contribute to the health, wellbeing and facilitate means of escape for building occupants.

**2. PURPOSE**

The purpose of this procedure is to ensure the Rotorua Lakes Council is taking all reasonable steps to ensure that the inspection, maintenance and reporting has been correctly performed over the previous 12 months.

**3. RESPONSIBILITIES****Manager Consent and Compliance Solutions**

- Responsible for ensuring the Territorial Authority has the appropriate systems and procedures in place for auditing of all buildings with a building warrant of fitness
- Ensuring the technical and administrative staff have the appropriate levels of competence to fulfil their functions and duties
- Ensuring the Territorial Authority has current and relevant technical reference documentation to enable effective processing of building warrants of fitness.

**Building Compliance Officer**

Auditing buildings with a building warrant of fitness to ensure compliance has been achieved over the previous twelve months

- Liaising with building owners to obtain correct information
- Liaising with Independent Qualified Persons to obtain correct information
- Entering information relating to building warrants of fitness in the computer system
- Enforcement of non-complying buildings.

**Business Support**

- Responsible for sending reminder letters / notices to owners of buildings
- Entering information relating to the building warrant of fitness in the computer system
- Liaising with Building Compliance Officer on non-compliant issues.

## **4. BACKGROUND**

4.1 Section 100 requires buildings with specified systems to have a compliance schedule.

4.2 Section 103 requires the compliance schedule to state:

- The specified systems that are covered by the compliance schedule
- The performance standards for the specified systems
- The inspection, maintenance and reporting procedures to be followed by the licensed building practitioners in respect of the specified systems to ensure that those systems are capable of, and are, performing to the performance standards.

4.3 Section 105 sets out the obligations of an owner if a compliance schedule is issued and that the owner must ensure that:

- Each of the specified systems stated in the compliance schedule is performing and will continue to perform to the performance standards for that system
- The compliance schedule is available for inspection and the building warrant of fitness is displayed in a prominent place
- The building owner provides the Territorial Authority with an annual building warrant of fitness in accordance with Section 108.

4.4 Section 108 states the requirements surrounding the annual building warrant of fitness and requires:

- The owner to supply the Territorial Authority with a building warrant of fitness
- The purpose of the building warrant of fitness is to ensure that the specified systems stated in the compliance schedule are performing, and will continue to perform, to the performance standards for those systems that are consents
- The building warrant of fitness must be issued annually on the anniversary of the compliance schedule
- Must state that the inspection and maintenance and reporting procedures of the compliance schedule have been fully complied with during the previous twelve months
- Have all certificates in the prescribed form issued by a licensed building practitioner certifying that all inspection, maintenance and reporting has been complied with over the previous twelve months.

4.5 Section 110 states the owner has the following responsibilities:

- To obtain written reports relating to inspection, maintenance and reporting procedures for those systems on the compliance schedule and these shall be signed by the licensed building practitioner

- Keep records with the compliance schedule for a period of two years and have them available for certain organisations to inspect.

4.6 Section 111 permits the Territorial Authority the necessary authority to:

- During normal working hours inspect buildings for which a compliance schedule has been issued and any specified system
- May charge a fee for any inspection
- Sections 108 and 110 are complied with.

## 5. PROCEDURE

### 5.1 Risk Analysis

5.1.1 Existing and new premises with compliance schedules will be categorised as either High, Medium or Low risk relevant to its intended use.

#### High Risk

High risk premises are those that contain

- Sleeping purpose groups as the occupants are at more risk when subjected to an emergency in the middle of the night and who rely on the correctly operating early warning systems, smoke control and emergency lighting for example. Typically SC, SD, SA and SR.
- Premises that contain medium and high fire loads because of the risk to occupants, rescue service personnel and other property in the event of a fire. Typically WM, WH and WF.
- Premises that contain crowd activities in excess of 500 people due to the scale of the operation and the need to ensure correctly operational and maintained systems or features contribute to the occupant's health when using the premise and safety in the case of an emergency. These buildings fall within category CL.

#### Medium Risk

Medium risk premises are those that contain

- Crowd activities >100 people, retail shops (single level) and spaces that contain offices and are reliant on correctly operating and maintained systems to ensure occupant's health is not compromised when using the premise and they can safely exit the building in case of an emergency. Occupants are generally aware of their surroundings and are capable of making their own way to safety.

#### Low Risk

Low risk premises are those that contain

- Crowd activities <100 or premises that are not used or frequented each and every day or contain one or two specified systems that while important are not necessarily life safety features for example a range hood over a vat.

## 5.2 Scheduling Audits

5.2.1 The scheduling and frequency of audits are determined according to risk or reactively where non-compliance is identified. Based on risk categorisation the frequency of audits are typically as follows.

### High Risk

- Annually for buildings >2 stories or those with high fire load and fast or ultra fast fire growth rates
- On a two yearly rotational cycle for buildings that contain sleeping facilities (excludes day care)

### Medium Risk

- On a four yearly rotational cycle.

### Low Risk

- On a six yearly rotational cycle.

## 5.3 Building Warrant of Fitness and Compliance Schedule Audited

5.3.1 Building Compliance Officer, audits buildings to which a compliance schedule relates as per annual schedule or where records show incomplete inspections, maintenance or reporting for the previous twelve months. Owners are not generally notified of a pending audit as the Territorial Authority believes the un-announced arrival allows a true and accurate set of records to be viewed and a snap shot of internal procedures. An officer, warranted under Section 111 of the Building Act 2004, undertakes inspections.

Outcomes of the audit will be recorded on the [On Site BWOFF Audit Checklist](#)

5.3.2 Where further information or clarification is required, Building Compliance will seek this from the owner or Independently Qualified Person (IQP).

5.3.3 Where a full twelve-month inspection, maintenance and reporting regime has not been completed the Building Compliance Officer will alert the owner to this fact and outline the requirements of the Act prior to implementing a follow-on auditing if non compliance warrants this for example, where an alarm has not been checked or maintained. This action is designed to ensure the deficient process is rectified.

Where systemic or blatant non-compliance is identified and a formal request for co-operation in rectifying the breach has not been successful the Building Compliance Officer may serve a Notice to Fix or where this latter action has been unsuccessful or extent of non compliance dictates an Infringement Notice may be issued in accordance with internal policy.

Action through the courts remains a backstop where non-compliance continues.

- 5.3.4 Once the inspection, maintenance and reporting for the previous 12 months is found to be correct the inspection check sheet will be recorded as such and the owner will be informed of the outcome.
- 5.3.5 Compliant building warrant of fitness audits will have this status recorded in the computer system (and the hard copy will be sent to Records for inclusion on the property file).

### END OF PROCEDURE

**Reference:**

Use	Spaces or Dwelling	Examples
CS	enclosed spaces (without kitchens or cooking facilities) where 100 or fewer people gather for participating in activities	cinemas (with qualifying spaces), art galleries, auditoria, bowling alleys, churches, clubs (non-residential), community halls, court rooms, dance halls, day-care centers, gymnasia, lecture halls, museums, eating places (excluding kitchens), taverns, enclosed grandstands, indoor swimming pools
CL	enclosed spaces (with or without kitchens or cooking facilities) where more than 100 people gather for participating in activities, but also enclosed spaces with kitchens or cooking facilities and where 100 or fewer people gather for participating in activities	cinemas (with qualifying spaces), schools, colleges, and tertiary institutions, libraries, night-clubs, restaurants and eating places with cooking facilities, theatre stages, opera houses, television studios (with audience)
CO	spaces (other than those below a grandstand) for viewing open air activities	open grandstands, roofed but unenclosed grandstands, or uncovered fixed seating
CM	spaces for displaying or selling retail goods, wares, or merchandise	exhibition halls, retail shops, supermarkets, or other stores with bulk storage or display
SC	spaces in which people are provided with special care or treatment required because of age, or mental or physical limitations	hospitals, or care institutions for the aged, children, or people with disabilities
SD	spaces in which people are detained or physically restrained	care institutions for the aged or children and with physical restraint or detention, hospitals with physical restraint or with detention quarters, detention quarters in Police stations, prisons
SA	spaces providing transient accommodation, or where limited assistance or care is provided for people	motels, hotels, hostels, boarding houses, clubs (residential), boarding schools, dormitories, halls, wharehous

SR	attached and multi-unit residential dwellings, including household units attached to spaces or dwellings with the same or other uses, such as caretakers' flats, and residential accommodation above a shop	multi-unit dwellings, flats, or apartments
WL	spaces used for working, business, or storage—low fire load <sup>1</sup>	places for manufacturing, processing, or storage of non-combustible materials or materials having a slow heat release rate, cool stores, covered cattle yards, wineries, places for grading, storage, or packing of horticultural products, places for wet meat processing, banks, hairdressing shops, beauty parlours, places for provision of personal or professional services, dental offices, laundries (self-service), medical offices, business or other offices, Police stations (without detention quarters), radio stations, television studios (no audience), places for small tool and appliance rental and service, telephone exchanges, places for dry meat processing
WM	spaces used for working, business, or storage—medium fire load <sup>1</sup> and slow, medium, or fast fire growth rates	places for manufacturing and processing of combustible materials not listed in the rows relating to WL, WH, or WF, including bulk storage up to 3 m high (excluding foamed plastics) <sup>2</sup>
WH	spaces used for working, business, or storage—high fire load <sup>1</sup> and slow, medium, or fast fire growth rates	chemical manufacturing or processing plants, distilleries, feed mills, flour mills, lacquer factories, mattress factories, rubber processing plants, spray painting operations, places for plastics manufacturing, or bulk storage of combustible materials over 3 m high (excluding foamed plastics) <sup>2</sup>
WF	spaces used for working, business, or storage—medium or high fire load <sup>1</sup> and ultra fast fire growth rates	areas involving significant quantities of highly combustible and flammable or explosive materials which because of their inherent characteristics constitute a special fire hazard, including bulk plants for flammable liquids or gases, bulk storage warehouses for flammable substances, and places for bulk storage of foamed plastics <sup>2</sup>