



# WAIROA DISTRICT COUNCIL

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## INFORMATION SHEET 5

# COMMERCIAL & INDUSTRIAL BUILDINGS

In addition to our Accepting and Processing Building Consents Information Sheet commercial buildings require further considerations by both the designer and 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, sanitary facilities and other matters over and above the usual issues checked in a single residential building.

## COMMERCIAL BUILDINGS

### 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 against 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 Ministry of Business, Innovation and Employment, 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 stage, 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 design and producer statements

Any building work outside the NZBC, B1 and/or B2 Acceptable solution, will require specific design by a suitably qualified engineer. A Producer Statement for Design (PS1) will be requested at application. The 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 New Zealand Building Code and/or relevant NZ Structural Design Standards and any assumptions (eg. 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 will be regardless of the supply of a PS1. 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 Wairoa District Council has an Earthquake Prone Building Policy which has been formally adopted by Council. An applicant is advised that if they are considering alterations to a building that may be subject to this policy, that they should first discuss this with the Council building team.

## Compliance schedules

Under the Building Act 2004, buildings require a compliance schedule if they contain certain systems or features (e.g. fire safety systems, lifts etc). These are called 'specified systems'. This applies mainly to commercial buildings, but if a residential dwelling contains a cable car it will require a compliance schedule. A list of 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 supply with your building consent application the maintenance, inspection and reporting conditions for each system.

Once in place, the systems will require a yearly Building Warrant of Fitness. Further information is available in council's information sheet Compliance Schedules and Building Warrant of Fitness.

## Fire rating behaviour and egress

Fire safety in a commercial building is assessed under the NZ Building Code, C Clauses. 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 (eg. 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 may have fire reports peer reviewed by an external consultant.

Council will provide certain Building Consent applications Fire & Emergency NZ (FENZ) for review. These applications are:

- Any design outside the C documents is regarded as an alternate solution
- Any modification or waiver to clauses C1-6, D1, F6 or F8 of the Building Code under Section 67 of The Building Act 2004, or
- Involves an alteration, change of use or subdivision and/or affects the safety systems, including any building work on a specified system relating to fire safety, except where the effect on the fire safety system is minor

In this case an additional full set of construction drawings will be required as the FENZ retain any plans sent to them. Visibility in escape routes is usually considered and supplied with fire reports.

## 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 (e.g. 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.

The potential discharge will be assessed at consent processing time; please contact the Council Trade Waste Officer early in the process as this may save expensive design review and changes (e.g. 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). Specialist reviews may be required for certain types or volumes of trade waste.

## 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. Please note that staff and family members are members of the public.

Application for a Certificate of Public Use can be found or made online at [www.wairoadc.govt.nz](http://www.wairoadc.govt.nz) or by calling the Consents team on (06) 838 7309

Your CPU application will need to show that all or part of the building (whatever you are applying for) can be used safely by members of the public. Supporting Information and an inspection may be required before the CPU can be issued.

## **Health**

A building consent containing food premises (e.g. 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. We 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 of food being prepared and served

A Health License for the premises will be required before the public is permitted to use the premise. Council has an Environmental Health Officer to assist you if required.

## **Heating, Ventilation & Air Conditioning (HVAC) and Lighting**

Spaces within buildings shall be provided with adequate ventilation consistent with their maximum occupancy and their intended use. Plans, specifications and details of these systems are required for building consent. The system is to be designed and specified by an experienced or qualified person. For larger installations the design engineer will provide a design producer statement PS1 and oversee the installation. A producer statement construction review would then be issued at the completion of the job once the commissioning test had been carried out and approved. If the system is ducted or has a cooling tower a compliance Schedule will be required.

Similar with lighting, a producer statement may be required to show compliance with the requirements of H1.