

Restricted Building Work – What you need to know

Guidance information for property owners, owner's agents and tradespeople

Introduction

These notes of guidance have been compiled to help you understand the process of completing your building project and satisfying your legal requirements. Your building project contains elements that are deemed to be 'Restricted Building Work' (RBW). Throughout the application and construction process, Council must ensure that suitably licensed and competent people are carrying out the RBW.

Your legal requirements

Under the Building Act 2004, the owner is responsible for the following relating to RBW during the construction process:

- *Including in the building consent application the names of all the trade Licensed Building Practitioners (LBP) who will be carrying out or supervising the construction of the RBW (if known at the time, otherwise providing the names to the Council before RBW construction starts);*
- *Engaging only tradespeople to carry out RBW who are themselves an LBP, or are under the supervision of an LBP;*
- *Notifying the Council if any trade LBP leaves the project and is replaced;*
- *Notifying the Council if any trade LBPs join the project;*
- *Making sure that each trade LBP provides you with a Memorandum (Record of Building Work) when their part of the RBW construction is complete;*
- *Submitting an application to the Council for a Code Compliance Certificate (CCC), and making sure the Memoranda (Records of Building Work) have been provided to Council.*

An LBP has a different set of responsibilities relating to RBW, including:

- *Carrying out or supervising only RBW that is within the scope of their respective licence class(es);*
- *Producing their LBP identification card when requested by any person;*
- *Providing a Memorandum (Record of Building Work) to the owner and the Council when their part of the RBW construction is complete.*

The process

The owner must ensure right from the first stage of the project, that they have engaged an appropriately licensed LBP or someone being supervised by an LBP to carry out the works.

Inspections shall be requested at the stages indicated on the 'Schedule of Site Requirements' document enclosed within the Building Consent pack. Booking inspections can be done by phoning (09) 430 4224.

Please ensure that you know the name of the LBP carrying out the works to be inspected when you call, as this information will be requested and the inspection will not be booked if the information is not supplied.

At the time of inspection, the Building Officer will confirm the details of the LBP(s) carrying out RBW if they are on site. This will be done by sighting LBP licence cards. Memoranda for RBW elements must be supplied to the Building Officer at the nearest time of inspection after the works have been completed - i.e. memoranda for claddings shall be supplied at the preline inspection. Failure to provide memoranda once the element is complete may result in a Notice to Fix being issued, which will stop the job. Blank copies of the memorandum are included within the Building Consent pack for your use.

If an LBP leaves the project and their building element is partially completed, a memorandum must be supplied by that LBP clearly outlining the extent of their work, and the next LBP supply another memorandum covering the remaining work.

Once the job is finished, Please make application for a Code Compliance Certificate. A copy of the application form will be supplied to you by the Building Officer when they are satisfied that all works are complete. Please include with your application any documentation requested on the Schedule of Site Requirements that you have not previously supplied to Council. Ensuring that the correct documentation has been supplied will avoid unnecessary delays in receiving your CCC.

If you are concerned about the conduct / workmanship of a LBP involved with a project, you could consider making a complaint to the LBP Licensing Board. Further details on the complaint process can be found on the Department of Building and Housing website, www.dbh.govt.nz/lbp-complaints .

Further information regarding the Licensed Building Practitioners scheme can be found on the Department of Building and Housing website, www.dbh.govt.nz