

This practice note is designed to provide guidance to staff when assessing building work relating to temporary structures.

The term temporary structures means but is not limited to, tents, marquees, stages, stalls, pavilions, event hosting, etc.

1. Background

Industry feedback has been received about the impracticality and time delays associated with the requirements for building consents associated with public events. In many instances, these events are of a repetitive nature and are held in premises that have been specifically designated for hosting such events. Venues include the Epsom Show-grounds, Ellerslie Convention Centre, Mt Smart stadium, the Big Top, Eden Park, the Domain and the Viaduct Basin.

The hosting of such events sees the use of not only existing purpose-designed buildings, but also supplementary structures with the erection of marquees, seating, bleaches, stalls, stages and temporary ablutions. Events are usually of a short duration with structures being erected and dismantled over a 24-hour period.

Building consent requirements associated with these events are repetitive, and focus on the structural safety of structures and safety relating to means of escape from the “building”. The building could be a permanent structure or temporary structure such as a marquee.

2. Legislative requirements

Recent changes to Schedule 1 of the Building Act 2004 relaxed some of the requirements for some temporary structures that can be erected without a building consent, such as marquees up to 100 square meters, where the tent or marquee will be in place for less than 30 days.

The requirement for a building consent when these parameters are exceeded, however, remains under section 40 of the Act. Further, the Act requires that buildings that provide access for the public are not to be occupied until such time as a code compliance certificate has been obtained for the building work. Alternatively, that a section 363 certificate for public use is applied for, and issued prior to the occupation of the building.

3. The issues

The Act requires building consent authorities consider and issue building consents when satisfied on reasonable grounds that the building work will meet the provisions of the Building Code unless this work is deemed exempt under Schedule 1.

The time frames associated with the build up of temporary structures for events is usually short, and the duration of use can vary from one day to a number of weeks.

The lodgement, through to issuing of a building consent, and subsequent time frame associated with the issue of the code compliance certificate prior to occupation, in many instances is a challenge. Building work is sometimes not completed until the event is about to commence. The requirement for a code compliance certificate to have been issued prior to occupation may not be achievable.

4. Policy

This policy provides the opportunity for event organisers to develop and implement management plans for staging standard events where the layout of stalls bleaches, seating and means of escape is based on previously designed layouts that do not compromise the safety of the public.

There is provision under exemption (2) of Schedule 1 of the Building Act 2004, for the Council to exempt building work where building work is unlikely to be carried out otherwise than in accordance with the Building Code.

Council believes that in certain circumstances that it is appropriate to consider and grant exemptions for this type of building work.

Applicants must formally apply for an exemption from the requirement to obtain a building consent. The application for an exemption needs to include a management plan; this plan maybe resubmitted where events are repetitive and there is no change to circumstances.

The application must be accompanied by:

- a floor plan showing the means of escape, and the width and number of final exits
- fire report indicating the fire safety protection afforded in the building
- a producer statement design for B1 Structure¹
- construction details of the structure in question showing compliance with the New Zealand Building Code
- seating scaffolding and staging
- fire evacuation plans, if required, which must be approved by the New Zealand Fire Service (NZFS)
- any additional safety measures that may be applicable such as safety barriers to the edge of wharves or ramps for compliance with the F4 Safety from falling

The complexity of the proposed temporary structure will have a bearing as to whether an exemption for a building consent can be granted.

5. Guidelines when considering whether an exemption should be approved

The following aspects should be considered when determining whether an exemption can be approved:

- Has a tent or marquee with an occupancy less than 250 persons
- Has stands exceeding 2.4m in height and inherently stable or producer statement
- Does not require a fire report for occupancy loading or flammability index matters
- Has been granted a previous application for the same location, same size, same occupancy level criteria
- Has seating arrangement with less than 250 persons
- Christmas tree or similar with a producer statement
- Statues over 2m in height

Note: Applications outside the above criteria will require a building consent and it is recommended that these applications be made as earlier as possible, to enable the processing to be completed well in advance of the event.

¹ The producer statement must be provided by a CPENG structural engineer and include structural calculations associated with the temporary structure such as dead weights used for tie down points on marquees

6. Approving applications for exemption, which have previously been approved

Previously submitted information, where exemptions have been granted, can be used again for future automatic exemptions. Where events are held, which adhere to previously approved layouts, no further processing will be required, and an exemption can be granted but will be subject to an inspection on site; however:

- the location must be the same as the previous event
- the tent, marquee or seating structure must be of the same size, shape and occupant capability

An application, accompanied by supporting information must be submitted

6. Documentation required for building consent

Two copies of the following information is required to accompany applications for building consent. A completed building consent application for temporary structures, a copy can be obtained from Councils website at:

<http://www.aucklandcouncil.govt.nz/SiteCollectionDocuments/Form17ApplicationTempStructure.pdf>

- site plan, this must include distances from boundaries, other structures on the site
- a description of the event, this should include details of the anticipated maximum occupancy, type of activity and audience
- a floor plan, which should detail internal layouts, identifying exhibitors' stands layout, stages entrances, final exits and escape routes (and their respective widths) throughout the proposed occupied area, as in the case of a tent, marquee or exhibition hall
- Note: Where exhibitors partitions exceed 2.4m in height, and are not self supporting, a specific approval is required. Structural stability and visibility of exit signage are an immediate safety issue.
- producer statement design (PS1) and construction details for temporary tents, marquees or seating structures because these structures have implications for public safety if they should collapse, the PS1 must be provided by a CPENG, who specialises in structural engineering
- where intermediate floors are proposed, a PS1 must be provided from a CPENG engineer
- details of the 'flammability' index, flammability properties of tent and marquee material ('flammability' index must be under 12) must be supplied by the tent or marquee manufacturer or supplier
- fire summary report is required in the following circumstances:-
 - if the proposed tent, marquee or seating structure is attached to or inside a building
 - if the occupancy exceeds 100 people
 - if there is a change of use of the building
 - where an intermediate floor is proposed in a tent or marquee
- the fire report must address the following items for compliance with New Zealand Building Code C for fire protection:
 - means of escape within the building or the event
 - required exit signage
 - emergency lighting or visibility in escape routes
- temporary seating structures, where temporary seating structures are to be erected and where there is provision for more than 50 people, or where a person could fall more than 1m, structural calculations, a producer statement and fire safety report will be required from a CPENG engineer
- sanitary facilities, a description of sanitary facilities to be provided, their number, location and nature of "single sex or unisex", including toilets provided for people with disabilities
- fire evacuation procedure, if the intended occupancy is over 100, a fire evacuation plan may be required to be approved by the NZFS
 - NZFS can provide advice on when a fire evacuation procedure is required and approve it, visit: www.fire.org.nz or phone fire information on 09 302 5199 or 0800 347 346

- a deposit is required on lodgement of the application; the balance of remaining fees will be required to be paid prior to the issuing of the building consent
- prior to granting and issuing the building consent Council will require a PS3 for supervision of the erection of the structure, alternatively Council will arrange to inspect the work
- the expert must agree to supervise the erection of the structure under their control and confirm compliance with the Building Code

7. Inspection of the structure

A PS4 is required for supervision of the erection of the structure; alternatively, Council will arrange to inspect the work

- the PS4 must be issued by a CPEng experienced in this type of work
- the inspection is required prior to the event commencing and before the structure is occupied
- confirmation is also required confirming that all safety features, as indicated in the building consent, have been installed and will be maintained in accordance with the Building Code for the duration of the event

8. References

<http://www.aucklandcity.govt.nz/council/services/guides/docs/4085.pdf>

<http://www.aucklandcouncil.govt.nz/SiteCollectionDocuments/Form17ApplicationTempStructure.pdf>

<http://www.fire.org.nz>

New Zealand Building Code B1 Structure

New Zealand Building Code F4 Safety from Falling

Schedule 1 of the Building Act 2004