



Building Code Clause(s) ... B1, B2, C.

PRODUCER STATEMENT – PS1 – DESIGN

(Guidance notes on the use of this form are printed on the reverse side*)

ISSUED BY: B.M. Marinan Consulting Engineer
(Design Firm)TO: James Thwaites of Water Hog Ltd
(Owner/Developer)TO BE SUPPLIED TO: Hutt City Council
(Building Consent Authority)IN RESPECT OF: Proposed Building Alterations
(Description of Building Work)AT: 190 High Street, Lower Hutt
(Address)

..... PART LOT 2 DP 1306 SO

We have been engaged by the owner/developer referred to above to provide structural engineering, fire report &
inspection services in respect of the requirements of
(Extent of Engagement)

Clause(s) B1, B2, C of the Building Code for

☒ All or ☐ Part only (as specified in the attachment to this statement), of the proposed building work.

The design carried out by us has been prepared in accordance with:

☒ Compliance Documents issued by Department of Building & Housing AS/NZS 1170, NZS 3604, C/AS1
(verification method / acceptable solution)☐ Alternative solution as per the attached schedule orThe proposed building work covered by this producer statement is described on the drawings titled Proposed Building
Alterations and numbered Ref: 09/2987 Sheets 1/3, 3/3, D1 & E1

together with the specification, and other documents set out in the schedule attached to this statement.

On behalf of the Design Firm, and subject to:

- (i) Site verification of the following design assumptions
- (ii) All proprietary products meeting their performance specification requirements;

I believe on reasonable grounds the building, if constructed in accordance with the drawings, specifications, and other documents provided or listed in the attached schedule, will comply with the relevant provisions of the Building Code.

I, Bryon Mark Marinan am: ☐ CP Eng #
(Name of Design Professional)☐ Reg Arch #I am a Member of: ☒ IPENZ ☐ NZIA and hold the following qualifications: B.E. (Civil)

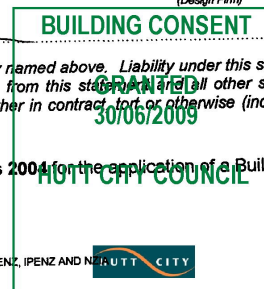
The Design Firm issuing this statement holds a current policy of Professional Indemnity Insurance no less than \$200,000*.

The Design Firm is a member of ACENZ ☒ YES ☒ NOSIGNED BY Bryon Mark Marinan ON BEHALF OF B.M. Marinan Consulting Engineer
(Design Firm)

Date 14 May 2009 (signature)

Note: This statement shall only be relied upon by the Building Consent Authority named above. Liability under this statement accrues to the Design Firm only. The total maximum amount of damages payable arising from this statement and all other statements provided to the Building Consent Authority in relation to this building work, whether in contract, tort or otherwise (including negligence), is limited to the sum of \$200,000*.

This form is to accompany Form 2 of the Building (Forms) Regulations 2004 for the application of a Building Consent.



GUIDANCE ON USE OF PRODUCER STATEMENTS

Producer statements were first introduced with the Building Act 1992. The producer statements were developed by a combined task committee consisting of members of the New Zealand Institute of Architects, Institution of Professional Engineers New Zealand, Association of Consulting Engineers New Zealand in consultation with the Building Officials Institute of New Zealand. The original suite of producer statements has been revised at the date of this form as a result of enactment of the Building Act (2004) by these organisations to ensure standard use within the industry.

The producer statement system is intended to provide Building Consent Authorities (BCAs) with reasonable grounds for the issue of a Building Consent or a Code Compliance Certificate, without having to duplicate design or construction checking undertaken by others.

PS1 Design	Intended for use by a suitably qualified independent design professional in circumstances where the BCA accepts a producer statement for establishing reasonable grounds to issue a Building Consent;
PS2 Design Review	Intended for use by a suitably qualified independent design professional where the BCA accepts an independent design professional's review as the basis for establishing reasonable grounds to issue a Building Consent;
PS3 Construction	Forms commonly used as a certificate of completion of building work are Schedule 6 of NZS 3910:2003 ¹ or Schedules E1/E2 of NZIA's SCC 2007 ²
PS4 Construction Review	Intended for use by a suitably qualified independent design professional who undertakes construction monitoring of the building works where the BCA requests a producer statement prior to issuing a Code Compliance Certificate.
This must be accompanied by a statement of completion of building work (Schedule 6).	

The following guidelines are provided by ACENZ, IPENZ and NZIA to interpret the Producer Statement.

Competence of Design Professional

This statement is made by a Design Firm that has undertaken a contract of services for the services named, and is signed by a person authorised by that firm to verify the processes within the firm and competence of its designers.

A competent design professional will have a professional qualification and proven current competence through registration on a national competence-based register, either as a Chartered Professional Engineer (CPEng) or a Registered Architect.

Membership of a professional body, such as the Institution of Professional Engineers New Zealand (IPENZ) or the New Zealand Institute of Architects (NZIA), provides additional assurance of the designer's standing within the profession. If the design firm is a member of the Association of Consulting Engineers New Zealand (ACENZ), this provides additional assurance about the standing of the firm.

Persons or firms meeting these criteria satisfy the term "suitably qualified independent design professional".

* Professional Indemnity Insurance

As part of membership requirements, ACENZ requires all member firms to hold Professional Indemnity Insurance to a minimum level.

The PI insurance minimum stated on the front of this form reflects standard, small projects. If the parties deem this inappropriate for large projects the minimum may be up to \$500,000.

Professional Services during Construction Phase

There are several levels of service which a Design Firm may provide during the construction phase of a project (CM1-CM5)³ (OL1-OL4)². The Building Consent Authority is encouraged to require that the service to be provided by the Design Firm is appropriate for the project concerned.

Requirement to provide Producer Statement PS4

Building Consent Authorities should ensure that the applicant is aware of any requirement for producer statements for the construction phase of building work at the time the building consent is issued as no design professional should be expected to provide a producer statement unless such a requirement forms part of the Design Firm's engagement.

Attached Particulars

Attached particulars referred to in this producer statement refer to supplementary information appended to the producer statement.

Refer Also:

- ¹ Conditions of Contract for Building & Civil Engineering Construction NZS 3910: 2003
- ² NZIA Standard Conditions of Contract SCC 2007 (1st edition)
- ³ Guideline on the Briefing & Engagement for Consulting Engineering Services (ACENZ/IPENZ 2004)

www.acenz.org.nz
www.ipenz.org.nz
www.nzia.co.nz





DISCLOSURE STATEMENT

1. The following information has been supplied to Capital Commercial (2013) Limited ("Bayleys") to be made available for distribution on the vendor's behalf to potential purchasers to assist purchasers with their due diligence and to use at the purchaser's discretion.
2. Bayleys and the Vendor do not warrant the accuracy or completeness of the information and recommends that all recipients undertake their own due diligence, obtain their own reports to their satisfaction and seek independent advice prior to committing to purchaser.