

# Building consents



Information for contractors and  
construction industry professionals.

December 2024









**This booklet, any specialist reports, (e.g. fire report) and all approved plans must be printed out and be available onsite in hard copy format for all inspections.**

**The consent specifications and manufacturers literature must also be available onsite, but these can be in digital format.**

**Included in this booklet is:**

- information about next steps
- information about Restricted Building Work
- warning notice – overhead power lines
- LPG design and delivery considerations
- typical order of notifiable inspections: residential/commercial
- information about erosion and sediment control
- Appendix 1: Form 5 Building consent
- Appendix 2: Building consent conditions, advice notes and notifiable inspections.

**Defintions:**

BCA – Building Consents Authority

LBP – Licenced Building Practitioner

RBW – Restricted Building Work

CCC – Code Compliance Certificate.

# Information about next steps

## Customer dashboard

You can find all the information relevant to your building consent online in your customer dashboard.

### 1. Expiry date

A building consent lapses and is of no effect if the building work to which it relates does not commence within:

- 12 months after the date of issue of the building consent; or
- any further period that the building consent authority may allow.

The Council automatically grants an extension of time on all consents at the time they are issued. The expiry date is 2-years from the date the consent was granted. Note that the date your consent was granted and issued may be different.

The covering letter you received with your building consent will advise the expiry date of your consent.

You will be notified by Council a month prior to the expiry date if we haven't received notification that building work has started.

Any further extension of time is at the discretion of Council. Please apply online prior to the expiry date.

Amendments to a building consent do not extend the time to start or complete the building work. An amendment is merely a change to the approved design of the original consent.

### 2. Booking inspections and protocols

Inspections can be booked online at **[aucklandcouncil.govt.nz/bookinspection](https://aucklandcouncil.govt.nz/bookinspection)**

- Please ensure that a pre-construction meeting is booked for all reclads and complex commercial construction before commencing work.
- Either the consent owner or a representative needs to be present at the inspection.
- If we arrive to carry out an inspection and the inspection is not ready, the inspection will be charged at full price.
- If a cancellation is requested after 12pm the day before the inspection is requested, a cancellation fee will apply.

- Prior to final inspection, you must have obtained producer statements (where applicable) and include them with the inspection records documents. Refer to the building advice notes enclosed.

### 3. Restricted building work

If your consent involves restricted building work, you must ensure that you notify the names of every Licensed Building Practitioner (LBP) that will be involved in the project. To notify your LBP, you can complete this form online at: **[aucklandcouncil.govt.nz/lbp](https://aucklandcouncil.govt.nz/lbp)**

### 4. Code Compliance Certificate (CCC)

You can apply for your CCC online at: **[aucklandcouncil.govt.nz/applyforccc](https://aucklandcouncil.govt.nz/applyforccc)**  
You should also upload any outstanding documentation or certificates at the same time.

## Amendments and minor variations

Under section 40 of the Building Act 2004, a person must not carry out any building work except in accordance with a building consent.

You must ensure the following:

- any changes during construction are reassessed before they are implemented and do not impact on compliance with the Building Code
- the consented plans reflect what has been built; and
- work can proceed without undue delay.

### Minor variations (Section. 45A)

A minor variation is work that does not materially affect compliance with the Building Code. Examples of minor variations include but are not limited to:

- minor wall bracing changes
- minor construction changes, e.g. changing the framing method around a window
- changing a room layout
- changing one brand of insulation for another
- changing one brand of wall lining for another
- changing membranes to wet areas (internal only).

Inspections may only proceed if the variation has been documented and approved refer to next section.

## **Amendments to building consents (Section. 45(4))**

Amendments apply to additional work, footprint changes, design changes, layout changes etc. The owner or agent is responsible to submit the amendment application and must be submitted and approved before the work can proceed on site.

In making your application for amendments:

- complete the application form for amendment of building consent
- supply the memorandum of design work (if your building includes restricted building work) from your licensed building practitioner
- include the revised documentation and drawings, clearly indicating the changes.

You can find further information on amendments here: [\*\*aucklandcouncil.govt.nz/changebc\*\*](https://aucklandcouncil.govt.nz/changebc)

## **Restricted building work (RBW) – owner’s responsibilities**

### **Statutory requirements**

Section 87 of the Act states that before RBW commences under a building consent, the owner must give the Building Consent Authority (BCA) (the council) written notice of the name of every LBP who:

- is engaged to carry out, or supervise, the RBW under the building consent, and;
- the name of any LBP not stated in the application for the building consent.

Section 87 also states that, after RBW commences, the owner must provide the BCA written notice as soon as practicable if:

- an LBP ceases to be engaged to carry out or supervise RBW; or
- another LBP is engaged to carry out or supervise the RBW.

Section 88 provides that each LBP who carried out or supervises RBW must, on completion of that RBW:

- provide the owner, and the territorial authority for the district in which the RBW is situated, with a Memorandum (Record of Building Work) stating what RBW the LBP carried out or supervised.

## Photo identification

Please have your LBP licence available onsite for any inspection relating to restricted building work.

If a copy of the licence is produced the inspector will need to call and validate the LBP, before the inspection will continue.

If a party requests the LBP to produce their photo identification card outlining the licence held, they must do so, on demand. A trade LBP who fails to do this, when requested by any party, could be prosecuted and face a court fine of up to \$5,000.

If a trade LBP has failed to provide identification within a reasonable timeframe then the matter will be referred to the Ministry of Building, Innovation and Employment, who will consider what action to take.

## Offence

Undertaking or supervising RBW by a non-LBP is considered a serious offence in that critical building work is being done (without supervision) by practitioners who have not demonstrated their competence.

The holder of the building consent or their agent could be prosecuted and face a court fine of up to \$20,000 if they knowingly engaged an unlicensed person to carry out or supervise RBW.

Similarly, the unlicensed person who supervises RBW or carries out RBW without being supervised by an appropriately licensed trade LBP, could be prosecuted and face a court fine of up to \$20,000.

## Working within licence class scope

A trade LBP can only carry out or supervise RBW if they hold a licence with scope, covering the particular RBW. The LBP Rules outline the scope of each licence. The Ministry has developed a guide for each licence which sets out what work is within the scope of that licence. It is an offence for a trade LBP to carry out (without supervision) or supervise RBW if they don't hold the appropriate licence for that work.

The Ministry has also issued a Practice Note on Supervision, setting out the standards, types and limitations for LBPs supervising unlicensed people. This can be found at:

**[lbp.govt.nz/assets/lbp/documents/Practice-note-supervision.pdf](http://lbp.govt.nz/assets/lbp/documents/Practice-note-supervision.pdf)**

A trade LBP may also face the same disciplinary action if they have held themselves out as having the appropriate licence when not actually having this licence.

The LBP must provide a record of work on conclusion of work.

## Record of work (ROWs)

The ROW provisions in the Act are designed to ensure there is a record of who completed what restricted building work or supervised its completion.

### Things to remember.

- If you cannot complete/or are unable to finish the RBW then you must complete a ROW for the work that you have completed.
- You must submit your ROW to the council as soon as you have finished the RBW not necessarily when the whole project is complete.

For further information on RBW or LBPs refer to the Ministry's website [mbie.govt.nz](https://www.mbie.govt.nz)

## Warning notice – overhead power lines

Read the following notice before commencing construction. If there are overhead electric lines over the property, safe working conditions must be provided.

Touching a live low voltage overhead electric line with any part of the body, a tool or other equipment can cause death or serious injury

If work needs to be done near a live low voltage overhead electric line, the safest option is to eliminate the risk of electric shock by having the electricity supply to the property turned off before work starts.

If isolating the electricity supply is not possible, workers must maintain a minimum approach distance so that they keep their body, tools and equipment a safe distance from the overhead line.

The owner **must** get advice from a competent electrical worker **before** commencing any construction work. This also includes erecting temporary scaffolding, ladders and excavating with diggers under lines.

**Note:** The owner owns the electrical assets inside the property boundary including the overhead electrical lines and specific consent must be given for anyone who is not a competent electrical worker and working closer than 4m to a live low voltage overhead line (and no closer than 0.5m).

The owner consent process and minimum safe working distances to overhead electric low voltage lines can be found here:

[worksafe.govt.nz/topic-and-industry/electricity/working-near-low-voltage-overhead-electric-lines/](https://www.worksafe.govt.nz/topic-and-industry/electricity/working-near-low-voltage-overhead-electric-lines/)



If the overhead lines are outside of the property boundary or are high voltage lines, call Vector for further advice on **0508 VECTOR (0508 832 867)**.

**Important:**

In addition to the above, there may be similar underground hazards on your property such as underground gas and power lines. These must be located before any excavation starts.

Reference maps for underground services can be found accessed from Vector here:

**[vector.co.nz/personal/help-safety/near-our-network/reference-plans](https://vector.co.nz/personal/help-safety/near-our-network/reference-plans)**

For gas queries call Vector on 0800 764 764.

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For further information on RBW or LBPs refer to the Ministry's website **[mbie.govt.nz](https://mbie.govt.nz)**

# LPG design and delivery considerations

Some LPG gas retail suppliers are not supplying gas when this has been included in the design to supply cooking and hot water services.

The refusal by the suppliers to deliver LPG is not related to building code compliance, and Auckland Council has no control over those decisions. It is creating a significant problem for affected homeowners.

Auckland Council strongly recommends that designers and homeowners perform their own checks with retailers before committing to using LPG as an energy source, to ensure delivery is possible. Where it is not possible to deliver, seek other energy sources to meet the service requirements and change the building consent design to suit.

Each supplier has their own list of requirements and restrictions.

## Some examples are:

Cylinder installations should be located so that the delivery of gas can be made safely by one person without excessive manual handling or risk to customers property.

In situations where the following conditions cannot be satisfied, other options such as locating the cylinders remotely and piping to the installation should be considered.

- Cylinder installation must be designed to be capable of accommodating the size of cylinder intended for use, for either exchange or on site (in situ) fill applications.
- A minimum distance of 600mm should be provided between front of the cylinder installation and other structures to allow adequate access for the cylinder delivery to be made.
- The cylinder compound should be accessible by cylinder trolley.
- Paths should have a minimum width of 600mm.



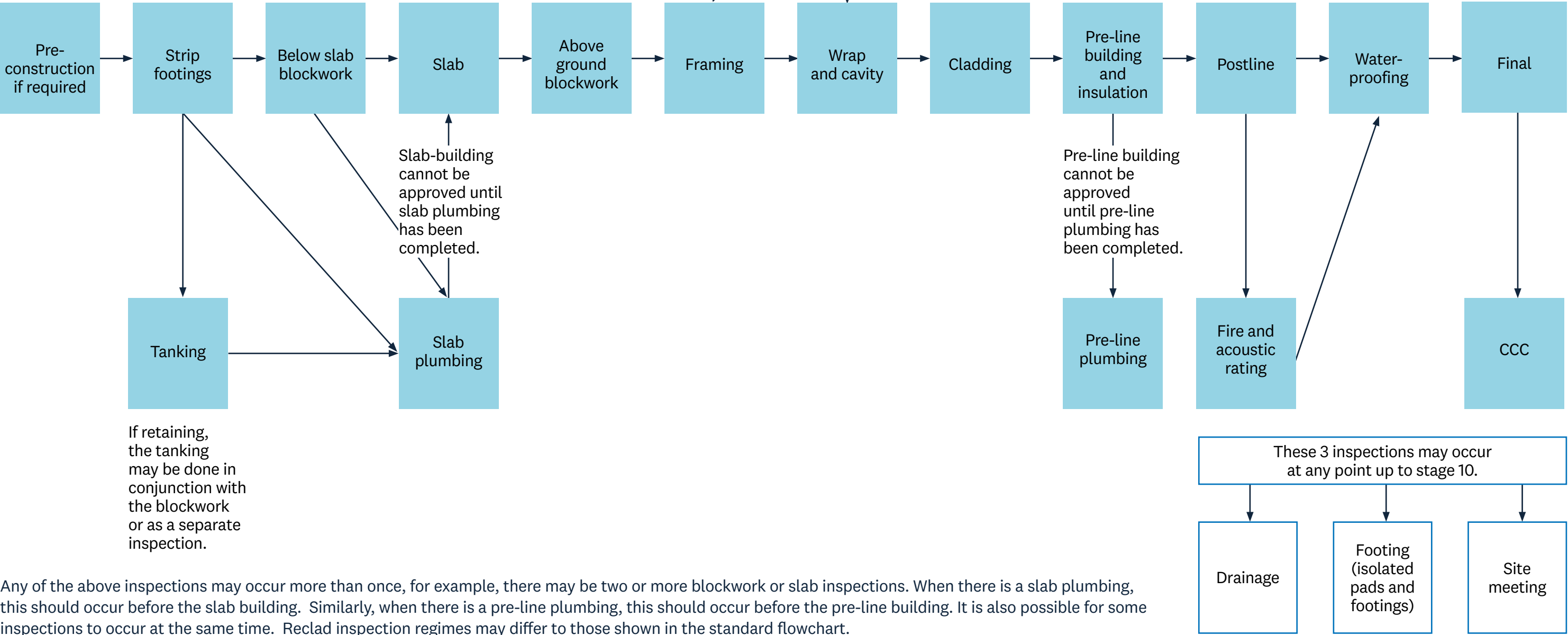
- Steps should have a minimum of 2:1 tread depth to tread rise. Maximum tread rise should be 125mm.
- Steps should not exceed 1.5m total rise.
- Paths should not exceed 20-degree gradients.
- Total distance from cylinder delivery truck parking area and cylinder installation should not exceed 75m.
- It must be possible to legally and safely park the truck while making the delivery.
- Access route should be firm and compact with adequate grip even in wet conditions.
- The access route should not be over delicate or decorative surfaces such as terracotta.

# Typical order of notifiable inspections – residential

## Timber piled foundations

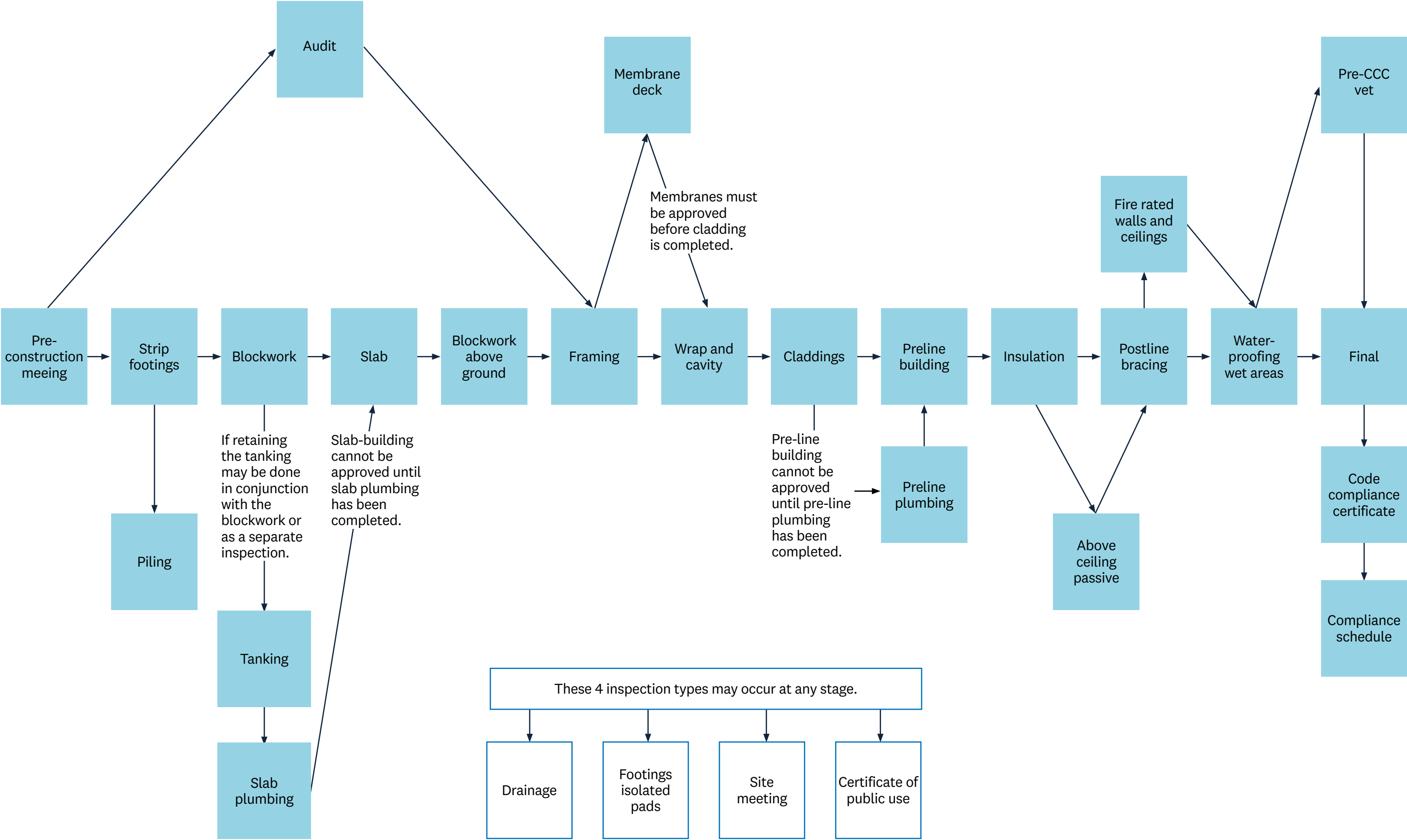


## Concrete floor





# Typical order of notifiable inspections – commercial



Any of the above inspections may occur more than once, for example, there may be two or more blockwork or slab inspections. When there is a slab plumbing, this should occur before the slab building. Similarly, when there is a pre-line plumbing, this should occur before the pre-line building. It is also possible for some inspections to occur at the same time. Reclad inspection regimes may differ to those shown in the standard flowchart.

## Erosion and sediment control on small sites

Badly managed small construction sites generate sediment run-off. Multiply by this by the number of construction sites in the Auckland region and it becomes a major problem. Auckland Council recognises this issue as a major contributing factor in damage to streams and our waterways.



Unfortunately, images such as the one above are not uncommon.

To combat this, Auckland Council will be making additional visits to sites to ensure that adequate erosion control is present from the moment the initial cut is made on your site. Poor erosion control will result in failed building inspections. We ask that you consider the environment and adequately control sediment run off during your build. Failure to do so will result in enforcement action consisting of fines or prosecution.







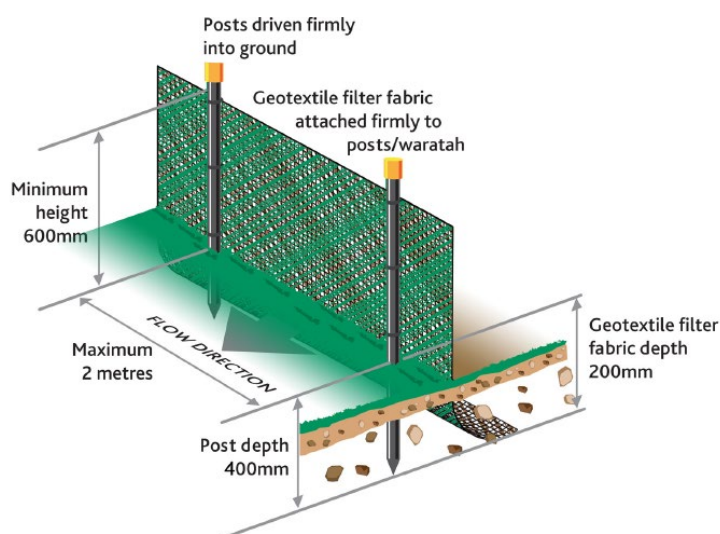


## At the start of your project:

- ☐ install silt fence
- ☐ stabilise entranceway to site
- ☐ protect drains/catchpits.

### Proper silt fence installation is critical to its performance. It needs to:

- be installed in a trench 200mm deep by 100m wide
- have waratahs or posts hammer-staked at least 400mm deep on the downhill side of the fabric, no more than 2m apart
- be 600mm high above ground, with an additional 200mm of cloth below ground in the trench
- have each end of the fence return up the slope roughly 2m to prevent water going around the edges
- be anchored by backfilling the trench and placing soil on top of the fabric.



The above multilingual Building on Small Site guide is available on Auckland Council's website [aucklandcouncil.govt.nz/buildingsites](http://aucklandcouncil.govt.nz/buildingsites)



There are five handy “How-to” videos on YouTube that show simple methods for successfully managing a small site and reducing impact on the environment. You can use the following link [bit.ly/aklcbuilding](http://bit.ly/aklcbuilding)









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