

# How to apply for a building consent

The purpose of this document is to provide information on how to apply for a building consent.

## What is a building consent?

A building consent is an approval from the council to carry out building work at a specific site. It ensures that the proposed building, plumbing, drainage and safety requirements comply with the building code, i.e. the building work is safe, durable and does not endanger the health and well-being of the current users and those who may buy and use the property in the future.

The Building Act 2004 sets quality standards for buildings with the purpose of ensuring that people, who live in or use those buildings, can do so safely and without endangering their health and wellbeing. In order to achieve this, and to avoid excessive and costly maintenance, the Building Act 2004 requires that all building works (other than the exempt building works defined in Schedule 1 of the Building Act 2004) must be carried out with a building consent. Building without a building consent, when one is required, is an offence and may place people's safety or property at risk.

### The building consent process

1. Applicant lodges building consent application including all required information, documentation and lodgement deposit fee.
2. Council issues project information memorandum (PIM), if requested, advising if there are any site-specific hazards, and whether resource consent is needed.
3. If development contributions apply, a contributions information sheet is sent to the applicant outlining what charges could apply.
4. Council has 20 working days to process the building consent application during which time further information may be requested; if further information is requested the clock is stopped.
5. After processing has been completed and a technical decision reached, the clock is stopped.
6. The applicant is advised of the outcome along with an invoice for any outstanding fees and charges
7. If a development contribution applies, this fee will be invoiced and is payable as follows:
  - a. for residential construction on the 20<sup>th</sup> of the month following invoice
  - b. for non-residential construction upon application for a code compliance certificate or certificate for public use.
8. Following receipt of payment, the building consent is granted and issued.
9. Once the building consent is issued, the building work must commence within 12 months.
10. Inspection requirements are listed and attached to the conditions of building consent.
11. On conclusion of the building work, the applicant applies for a code compliance certificate (CCC) in the prescribed form.
12. Council must decide whether to issue a CCC, within two years of granting of the building consent for the particular building work.

**Tip:** To avoid delays consider attending a **pre-application meeting**

<http://www.aucklandcouncil.govt.nz/en/ratesbuildingproperty/preapplicationadvice/pages/preapplicationmeetings.aspx>  
before you lodge your consent application

## When do I need a building consent?

A building consent is required for building work as defined in the Building Act 2004. Some examples include, but are not limited to:

- any structural building work or alteration to a building e.g. fire reinstatement, new building work, etc
- installing or altering plumbing or drainage work (some work which is minor in nature is exempt)
- installing or altering heating, ventilation and air conditioning systems necessary for the functioning life of the building

- installing or altering a specified system (life saving feature)
- undertaking site-works associated with the building
- relocation of second-hand buildings
- installing or altering a swimming or spa pool including paddling pools (permanent or temporary) with depth of 400mm or more of water
- erecting marquees over 100 square metres (any marquee regardless of size, will require a building consent if it remains up for more than one month)
- erecting or altering any decks or grandstands over 1.5 metres above the ground (both permanent and temporary)
- replacing roof cladding with a different material (e.g. heavy for light or vice versa)
- replacing any of the structural members of a roof
- re-locating your hot water cylinder to another position
- changing HWC from high to low pressure or vice versa
- installing or altering solar heating units / panels, with or without attached hot water cylinders
- installing or altering solid and liquid fuel heaters, or heating systems using reticulated water

## Exempt building work - Schedule 1 Building Act

Exempt building work is generally low risk building work that will not affect the structural integrity or safety components of the building. The building owners are responsible for determining whether or not their proposed building work is exempt from the requirement of obtaining a building consent. Each situation will depend upon its own circumstances. Hence, it is important to get good advice before deciding if the building work is covered by the exemptions in Schedule 1 of the Building Act 2004.

Building work that is exempt under Schedule 1, must comply with:-

- The Building Code; and
- Any other legislation, such as the Hazardous Substances and New Organisms Act 1996, the Resource Management Act 1991, Auckland Unitary Plan and any district plan.

## How to apply for a building consent?

Firstly, get a building consent application form and checklist for your specific project online from the Council's website at [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz). The application form must be completed in full and all the required information provided as per the checklist. If you are not familiar with building plans and compliance with the Building Code you may need to engage a design professional for example, an architect or chartered professional engineer (CPEng), to supply the required drawings and information and apply for a building consent on your behalf. Checklists are available to assist you with the preparation of your application; they ensure that the right information and documentation is provided with your building consent application.

Useful information about applying for a building consent can be downloaded from the Ministry of Business Innovation & Employment (MBIE) website at [www.building.govt.nz](http://www.building.govt.nz)

Council also has a range of guidance information in the form of practice notes, which can be downloaded from our website. Information includes but is not limited to information on alterations to existing buildings (s.112), change of use (s.115), alternative solutions, building on land subject to natural hazards (s.72) amendments and minor variations.

Depending on the nature of your project, you may need to apply for resource consent as well as a building consent. If resource consent is required, a certificate issued under section 37 of the Building Act is attached to your project information memorandum or building consent. A section 37 certificate precludes any work commencing until the resource consent has been granted.

## Description of building consent documentation

### General

Two (2) complete sets of drawings / reports / specifications / plans and other documents are required if your application is in hard copy. Only one (1) soft copy for online applications.

### Site plan

The site plan must be drawn to a suitable scale; 1:100 is preferred although 1:200 may suffice for rural areas. It should include a datum point, contours, finished floor level, siting dimensions, location of all existing and proposed buildings and services.

### Floor plan

A floor plan is required for each level of the building; the use of the room and overall floor areas must be denoted. For applications involving additions, the floor area of existing and new areas shall be shown.

### Elevations

A minimum of four elevations is required, one for each aspect of the building.

### E2 Risk matrix

The E2/AS1 risk matrix is used to identify any weathertightness features and risks. An E2 risk matrix must accompany all residential applications.

### Cross-section and long-section

A minimum of one cross-section and one long-section is recommended.

### Construction details

Construction details shall be provided to illustrate and describe visual, structural and weatherproof design and should be drawn at a scale sufficient to clearly show the details.

### Roof framing plan

Roof framing plans (truss manufacturer's layout) shall be provided to identify the method of construction (pitched or trussed), and framing / truss members and any associated roof bracing.

### Foundation plan

The foundation plan must be dimensioned and identify components of construction.

### Sub-floor plan

A sub-floor plan shall be provided to identify the position, treatment level and size of piles, spacing, size and treatment level of bearers and floor joists, insulation, and finished floor-to-ground levels for each corner of the building.

### Floor framing plan

Where not otherwise clearly shown a floor framing or joist layout plan shall be provided for each additional floor level.

### Plumbing and drainage layout

A plumbing and drainage layout (schematic) is required for all applications. It should identify fixtures, waste and vent pipe sizes, fixings, materials, and the standard used (e.g. NZS/AS 3500).

### Wall or subfloor bracing calculations

Where the works require bracing, calculations for bracing shall be provided.

### Energy services plan

This includes electrical, gas, mechanical ventilation, etc. Where not otherwise clearly shown an energy services plan shall be provided showing the location of fixtures such as hot water supply, heat pumps, meter boards, smoke detectors.

### **Accessibility plan**

An accessibility plan shall be provided for all commercial applications denoting the location of all accessible features and signage.

### **Emergency services plan**

Plans showing escape routes for premises intended for public use (for fire-fighting purposes) are required, a copy of which should be forwarded to Fire and Emergency New Zealand (FENZ).

Note: If your application needs to go to the FENZ, Council will action this on your behalf. FENZ charge for this work; copies of documentation for FENZ review must be in electronic format.

### **Producer statements for design**

These are statements from suitably qualified and experienced designers or building professionals involved in specific design. Calculations and drawings (where applicable) must accompany producer statements. Architectural drawings must be signed by the engineer verifying specific design details.

**Tip:** Check council website at [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz) to download the approved list of producer statement authors.

### **Project-specific design calculations**

Design calculations shall accompany the documentation (where applicable). Calculations should include the following information: a title, designer's name, and owner's name and project address.

### **Design reports**

Design reports shall accompany the application to support the design. Design reports could include fire, air-conditioning, mechanical ventilation, geotechnical, etc.

### **The building consent application form**

The building consent application form is designed in accordance with the requirements of the Building Act 2004 and the Building (Infringement Offences, Fees, and Forms) Regulations 2007.

The Building Act requires that all sections of this form be completed in full. Information collected in this form is utilised by government departments such as the Ministry of Business, Innovation and Employment (MBIE), Statistics New Zealand and Fire and Emergency New Zealand to assess building trends, changes to the market, building types, etc.

### **Means of compliance**

This section of the application form is the most difficult to complete and often skipped because applicants do not understand it; however, it is important and must be completed. It provides information to Council about how compliance with the Building Code has been established. Compliance may be established in several ways; by using the acceptable solutions, alternative solutions, producer statements, product certification, energy works certificates or determinations. Waivers and modification of the Building Code may also be requested and should be noted here.

### **Specified systems**

Specified systems are features, which are designed to save lives such as emergency warning systems; fire alarms, sprinklers, smoke detectors, etc. Specified systems are not usually installed in residential situations unless the property has a cable car.

Specified systems are unique to a building and complex in nature. If the application involves specified system(s), the compliance schedule section of the application form must be completed listing all specified systems that are being added, altered or removed. A schedule listing the inspection, maintenance and reporting procedures for each of the systems must be included with the application.

### **List of building professionals involved in the project**

A list of all professionals involved in the project shall be provided at the time of lodgement. If the applicant does not know who trades-people will be, this information should be provided at a later stage.

## Fire engineering

For information about the fire engineering brief (FEB) process or fire designs, please refer to our policy on Fire Protection which can be found on our website.

## Submitting your building consent application

Once you have completed your building consent application form, you can submit it using one of the following methods. All applications must be accompanied by a deposit (refer to fees and charges brochure). Please note that this is only a deposit; the balance of fees is invoiced out once processing has been completed.

### All areas

- Online
- post or drop off your application to your nearest council service centre
- contact your local council service centre to make an appointment to lodge your building consent application in person

For more information on the lodgement process, visit the council website at [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz)

## Acceptance of applications

We check all applications against a lodgement checklist to ensure that all information is provided. Applications will not be accepted if information is missing. This initial check relates to the content of the application only, i.e. has the required information been provided? A more detailed technical check is carried out during the processing of the application. (Lodgement checklists are included as part of the building application pack; please refer to these when getting ready to submit your application).

The decision to accept or reject an application shall be made as soon as possible from the date the application is submitted,

The 20-day clock starts from the time that a complete application is submitted

### Fire and Emergency New Zealand (FENZ)

Some applications (generally commercial property developments) are required by law to be sent to FENZ Design Review Unit for checking. Applications required to be checked by the FENZ are:

- alternative solution fire designs
- applications that involve a modification or waiver of clauses C1-4, D1, F6, or F8 of the New Zealand Building Code
- applications that involve an alteration, change of use, or subdivision and affects the fire safety systems, including any building work on a specified system relating to fire safety, unless the fire safety system is minor

If your application needs to go to Fire and Emergency New Zealand, Council will action this on your behalf. FENZ charge for this work; copies of documentation for FENZ review must be in electronic format.

## What is a project information memorandum?

A project information memorandum (PIM) is a report issued by Council. This memorandum provides information known to Council on any special features of the land and regulatory requirements likely to be relevant to your proposed building work. A PIM can be a useful tool for design purposes, and to help reduce time and costs, during the consent approval process. It is recommended that you obtain this memorandum prior to preparing your building consent drawings and documentation

From 1 February 2010, PIMs became voluntary. When lodging the building consent application, you must clearly specify what type of application you are applying for (i.e. building consent only, PIM only, or PIM and building consent)

A PIM includes information on special land features, including:

- erosion and avulsion
- falling debris
- subsidence
- slippage
- alluvion (the deposition of silt from flooding)
- inundation (flooding)
- presence of hazardous contaminants
- information we've been given by any statutory organisation - such as the New Zealand Historic Places Trust
- stormwater or wastewater utility systems related to your proposed building work, or adjacent to your building site
- authorisations under other Acts that council requires, and requirements to be met in the granting of these authorisations and the conditions they will be subject to (the most common authorisations will be resource consents required under the Resource Management Act 1991)

**A PIM will also include either:**

- confirmation that you may carry out the building work (subject to the requirements of the approved building consent and all other necessary authorisations being obtained), or
- notification that you may not undertake building work until other authorisations are obtained

A PIM does not give you any form of approval under the Unitary Plan. It is your responsibility to determine that your proposal complies with the Unitary Plan. If it turns out that you need resource consent, we strongly advise that you obtain this before seeking a building consent to avoid possible expensive changes to your building proposal.

## When do you need a project information memorandum?

It may be helpful to apply and obtain a PIM in the design stage of a large building project, before applying for a building consent.

Examples of building projects that may benefit from an early PIM application include:

- a new house
- additions to a house that involve changing the footprint or adding another storey
- a new commercial building
- significant external additions/alterations to a commercial building
- external or internal additions/alterations to historic buildings
- building projects of a large scale carried out in stages (e.g.: hospitals, shopping malls, schools etc)
- building over two or more allotments (subdividing an allotment/building)
- building across network utility operator's assets or public stormwater or sewer systems
- buildings on land subject to one or more natural hazards

**Note:** A PIM is not an authorisation to commence work. You must wait until the building consent has been granted and issued before commencing any work on your project.

## How do I apply for a project information memorandum?

The PIM application form has details of the information you need to provide to ensure we can process the PIM quickly. Apply online or download and complete the relevant application form titled "Application for a project information memorandum and/or building consent" from the council website at [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz). We will process your PIM within 20 working days, if you supply all the necessary information with the application.

## What happens once the clock starts?

Once the application has been vetted for completeness it is then receipted and allocated to the various disciplines within Council for processing, i.e. planning, engineering, building, water, drainage, roading, etc.

Each discipline will review your application and assess it for compliance. If there are any questions or concerns a letter will be sent to you requesting further information / clarification. When a request for further information is sent the 20 day time clock is suspended until this information is provided. The clock does not restart until all the information required has been checked.

Occasionally, due to the complexity or nature of the building design or resourcing, Council may opt to use an external consultant to help with processing. In these situations the consultant is working on Council's behalf.

In some circumstances producer statements may be accepted as a means of establishing compliance. This is generally where the work involves specific design, such as a structural or fire designs. (Refer also to notes on producer statements below).

Once all disciplines involved in the process are satisfied of compliance a final check is made to ensure all work has been assessed correctly. Once this technical approval is given, the clock is stopped and an invoice generated for the balance of fees and charges (inspections, code compliance certificate, etc).

## What is a producer statement?

A producer statement is a statement completed by a Design Professional confirming that the design or construction had been completed in accordance with certain provisions of the New Zealand Building Code (Building Code).

Council has the responsibility for enforcing the provisions of the Building Act, including the Building Code, and ensuring that all completed building work complies with the Act. One way of enabling Council to be satisfied is via the acceptance of a producer statement.

There are two categories of producer statements:

1. Producer statement design, and
2. Producer statement review

Acceptance of producer statements is entirely discretionary, for this reason it is important that Council have appropriate policies and procedures to ensure decisions are made in a fair and equitable manner, and that the basis for acceptance is legally defensible whilst demonstrating compliance with certain performance requirements of the Building Code.

If the author of the producer statement is listed on the Council's Approved Author Register as being suitable for certain work, this provides a surety of acceptance. This is because the author has demonstrated their competence to Council.

Both Council and the applicant benefit when a producer statement is supplied. A producer statement provides a form of quality assurance in so far as the Building Code is concerned in that it recognises that the person issuing the statement has met certain criteria. A producer statement also reduces processing time and costs, therefore Council can offer a more efficient and effective process. For a list of approved authors please visit:- <http://www.aucklandcouncil.govt.nz/EN/ratesbuildingproperty/consents/buildingconsents/Pages/publications.aspx#producerstatements>

## How long will it take to process my building consent application?

If you submit all the necessary information with your application, Council has 20 working days from the date of receipt of the application, to decide whether to grant or refuse a building consent. However, if we need to ask you for further information, the 'clock' stops until you provide us with that information. If that happens, your application may take longer to process.

## Requests for further information

We ask for further information when your application is not as clear as it could be. If you are not able to demonstrate compliance, Council cannot be satisfied that the proposed building work when constructed will meet the requirements of the Building Act and the Building Code. Therefore, it is important that your application is as detailed as possible and includes all the information we ask for.

If further information is required, we will send you a letter or email identifying the shortcomings. It is important that you address each of these points in full and provide a covering letter explaining how you have done this. Any revised plans must clearly indicate the area that has been revised; clouds around drawings and text are the preferred mechanism for doing this.

The statutory clock does not restart until all items have been received and checked; if the information is inadequate a further letter maybe sent.

Information must be provided within 30 calendar days of date of the request; if information is not provided, the application for building consent may be refused.

## What if I want to change the drawings before the building consent is granted?

That's OK, however we need to consider the significance and extent of the change and the impact it will have on the 20-day statutory clock.

Submit the new plans as soon as possible with a covering letter outlining what the revisions are. The statutory clock will be stopped whilst the revisions are checked, however, once checked we will resume the statutory clock and continue processing in the normal manner.

## When will my building consent be issued?

If your application has been approved a letter will be sent advising you that it is ready for collection. An invoice will be attached. Upon receipt of payment, the building consent will be granted and issued.

If your application has been refused a letter will be sent advising you that your application has been declined. Upon receipt of outstanding fees and charges, the reasons for the decision will be released.

Work must not begin on the project until a building consent has been granted and issued.

## What are building consent conditions?

Conditions may be imposed on the building consent to ensure compliance with the Building Act. It is very important that you (and your contractors) read the building consent documentation to ensure you are clear about these requirements. The documentation will contain a list of inspections required to be undertaken by Council staff during the construction process.

If specialist inspections are required, these will be agreed to between Council and the applicant during the consent process. Specialist inspections (typically engineering disciplines), will generally mean that a producer statement will be required.

## Restrictions on starting work

Applicants must check that there are no resource management issues outstanding. In some circumstances a building consent may be issued with a "Section 37" certificate attached. This certificate prohibits work commencing until resource management issues have been resolved. The reasons for any restrictions will be identified on the attached certificate.



## How long is my building consent valid for?

Work must start on your project within 12 months of the date the building consent was issued. If we have not been contacted to undertake any inspections before then, we will send you a letter advising you that the building consent will lapse at the expiry of the 12-month period. You may decide not to do the work, in which case the consent will lapse, or you may apply for an extension of time to start the work. Extensions of time are considered on a case-by-case basis. Requests for an extension of time must be made on the appropriate form and be received before the expiry date.

If we do not hear from you within the stated time the consent will lapse and have no effect.

## How much will my building consent cost?

This depends on the complexity of the building project, total estimated value of the project and the level of detail provided. A non-refundable deposit is paid at the time of lodgement and is deducted from the final invoice. Refer to the fees and charges brochure.

## How can I pay for my building consent?

Payments for building consents can be made online, by cheque, cash or EFTPOS at any of the Council Service Centres.

## Do I still need building consent if I have a national multiple-use approval?

Yes. National multiple-use approvals are issued by the Ministry of Business, Innovation and Employment. A MultiProof is a statement by the Department that a specific set of building plans and specifications complies with the New Zealand Building Code. Under the Building Act 2004, Building Consent Authorities (councils) must accept a MultiProof or national multiple-use approval as evidence of Building Code compliance. However, a building consent is required each time you want to build a design that has been issued with a national multiple-use approval. This is to enable the Council to check that the approval conditions will be met on the proposed site and that the site-specific features of the design (such as foundations) comply with the Building Code.

When processing a Multiproof building consent application, Council has 10 working days to grant or refuse the building consent. The processing involves matters such as checking site conditions, foundations, drainage and utilities (such as water services) and confirmation that the proposed design meets the conditions of the MultiProof approval.

If a building consent application involves a multi-proof approval it needs to include:

- a completed copy of the building consent application form (including a statement of the project value for the whole project, not just the site-specific portion)
- any applicable consent lodgement fees,
- a copy of the multi-proof certificate, which will show any applicable conditions
- a complete copy of the plans and specifications to which the approval relates (these will bear the Department's approval mark) and will include any relevant approved customisations the applicant may wish to make – the customisations will be clearly identified to reduce BCA processing requirements
- full details of any site-specific features proposed for the building (such as a site drainage plan or site-specific foundation details)
- any technical information, calculations and design producer statements or other evidence needed to establish the Building Code compliance of the building's site-specific features, if applicable
- a statement addressed to the BCA (using the wording supplied to the applicant by the Department) stating that the design for which the building consent is being sought:
  - complies with the approval issued by the Department; and
  - meets all the conditions of the multi-proof (such as wind or snow loading restrictions) for the proposed site