

Building Consent Practice Note

Fire reinstatement

Purpose:

The purpose of this practice note is to describe how applications involving buildings damaged by fire should be assessed for compliance.

Procedure:

A building consent is required for the substantial replacement of a building damaged by fire, although the Building Act gives Council 20 working days to process building consent applications, Council will endeavour to expedite these consents with haste.

Safety precautions

The building should be made secure and cordoned off from the public if there is a risk of collapse or structural failure because of the fire.

- Where the building is considered dangerous remedial work to stabilise the building may be carried out under urgency (refer to [section 41\(c\)\(1\)](#) of the Building Act); note if this course of action is taken, a certificate of acceptance may be required. Refer to [Certificate of Acceptance \(CoA\) for unconsented building work](#) for more information.
- Stand-alone residential dwellings may also be demolished without building consent (refer to [Schedule 1 of the Building Act](#))

Where the building is exposed to the weather, precautions should be made to protect the building from further damage (i.e. tarpaulins).

Any water in the building introduced by fire fighters should be removed to minimise damage further. This may include removing damaged / wet internal linings and insulation.

Documentation required for building consent

A floor plan, elevations and schedule describing the remedial works to be undertaken must accompany the building consent application. Photos are also useful and can be provided to explain remedial works required.

Where necessary, a report on the structural integrity of the building must accompany the building consent application. Such reports should be provided by a chartered professional engineer who shall specifically address the impact of the fire on the primary structure of the building.

Where the application for fire reinstatement involves a dwelling or apartment and the work affects the primary structure, external moisture management systems or fire safety features a licensed building practitioner is required to design and carry out or supervise the remedial work.

Refer to Auckland Council Webpage [Restricted building work that needs to be done by a professional](#) and [AC2261 Certificate of Design Work \(CoW\)](#) for more information.

Other matters for consideration

Section 112

When building work is undertaken on an existing building, s.112 of the Building Act 2004 must be considered; this section relates to alterations to existing buildings and triggers the potential for an upgrade to be considered.

Section 112 states:

1. A building consent authority must not grant a building consent for the alteration of an existing building, or part of an existing building, unless the building consent authority is satisfied that, after the alteration, the building will-
 - a) comply as is reasonable practicable with the provisions of the building code that relate to
 - i. means of escape from fire
 - ii. access and facilities for persons with disabilities (if this is a requirement in terms of section 118)

- b) continue to comply with the other provisions of the Building Code to at least the same extent as before the alteration

This may mean for example that if glazing is damaged that it is replaced with safety glass if safety glass is required. Alternatively, that insulation is fitted, where insulation did not previously exist particularly if linings or cladding are being replaced. In all instances, when preparing building consent documentation, it is up to the owner or the owner's agent to prepare an argument to support their case why it is not reasonable or practicable.

Refer to following documents for more information:

- [AC2209 Domestic smoke alarms](#)
- [AC2226 Applying the term as near as is reasonably practicable](#)

HVAC and central heating systems

Air-conditioning, heating and ventilation systems should be removed and serviced as small particles released in a fire can be trapped in the system and pumped back into the atmosphere. Occupants may then breathe in these particles unknowingly and suffer respiratory problems. Testing and commissioning reports will be required for specified systems (non-residential buildings)

Insulation

Insulation must be replaced if wet, as it will have lost its integrity.

Nail plates / nails

Nail plates on trusses, beams and framing, where exposed to extreme heat will have weakened and therefore require replacement unless advice to the contrary is provided from a chartered professional engineer.

Smoke damaged framing

Smoke damaged framing should be painted with an emulsion (paint) to suppress odours

Charred framing

All badly charred framing must be replaced; otherwise, a lime wash shall be applied to suppress odours

Internal linings

Where internal linings have been damaged through fire or water they must be replaced; wall-bracing calculations / fire rating details may also be required where these elements are affected

Electrical and gas

An energy works certificate will be required to confirm electrical and gas sources have been tested and commissioned.

References:

- **Building Act 2004 (New Zealand)** — Sections 41(c)(1), 67, 112, 118, and Schedule 1.
- **Auckland Council Practice Note AC2209** – [Domestic Smoke Alarms](#).
- **Auckland Council Practice Note AC2226** – [Applying the Term “As Near As Is Reasonably Practicable.”](#)
- **Auckland Council Practice Note AC2261** – [Certificate of Design Work \(CoW\)](#).
- **Auckland Council Webpage:** [Restricted building work that needs to be done by a professional](#).
- **Auckland Council Webpage:** [Certificate of Acceptance \(CoA\) for Unconsented Building Work](#).
- **BRANZ Build 104:** [Restoring fire damaged buildings](#).
- **Fire Emergency:** [Restoring your property](#)