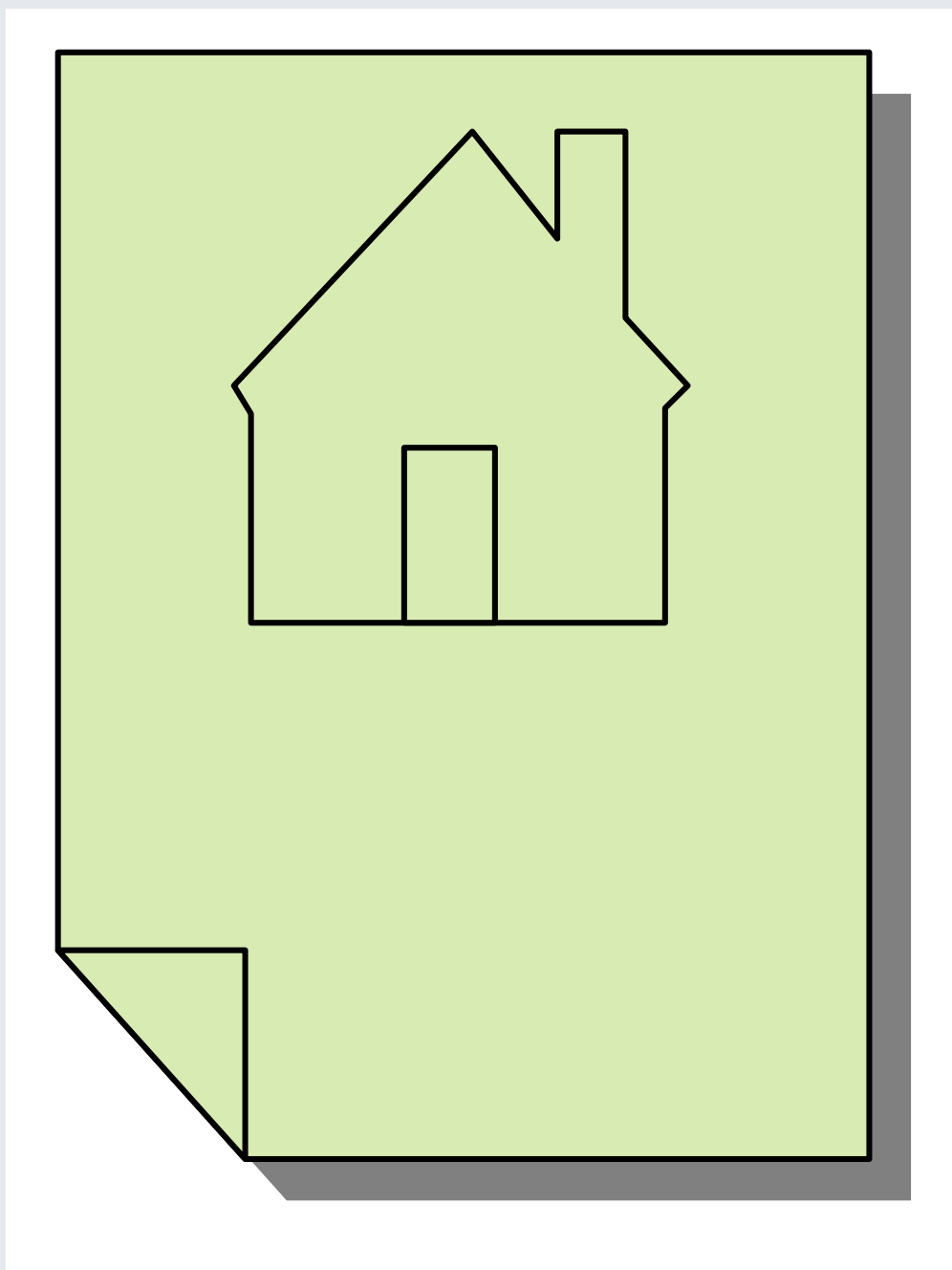


Keeping you informed about... or  
Frequently asked questions on...



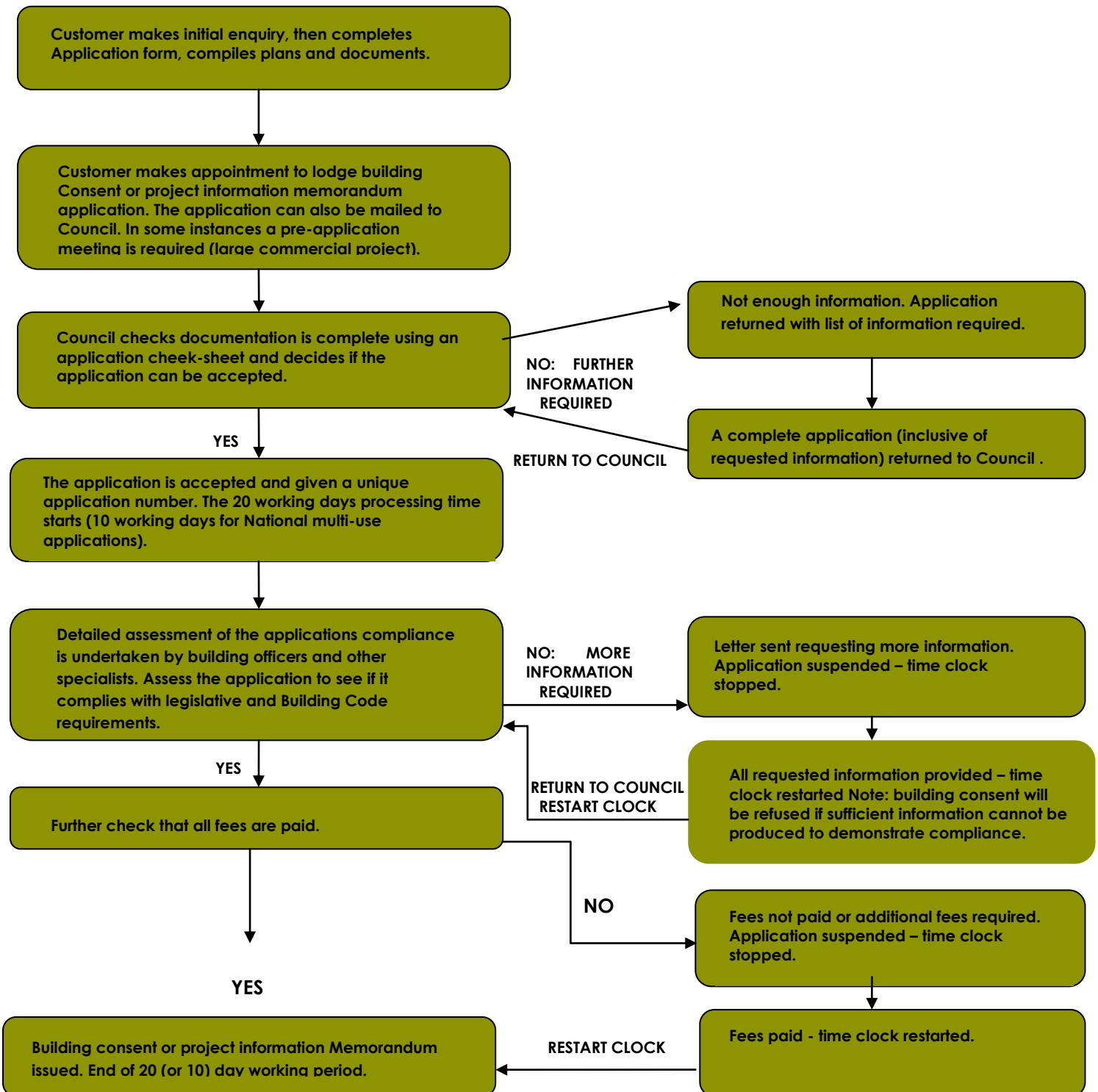
# The Building Consent process



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# Flowchart showing the building consent process



# Building Control Services

The Building Control Services team is a business unit within Upper Hutt City Council. We carry out the Council's statutory responsibilities under the Building Act.

Our staff are trained professionals with backgrounds covering a range of building disciplines, including engineering, plumbing and construction. Using the information that you provide in your application, our staff will be able to issue you with a building consent, or advise you of any additional information they need in order to approve your application.

We are committed to providing top-quality customer service and aim to help you obtain your consent as fast as possible, while also ensuring that your building project meets all legislative and Building Code requirements.

# What is a building consent? Why do you need it?

A building consent is confirmation that proposed building work will comply with the Building Code.

It is issued under the Building Act 2004 (BA04). The purpose of the Building Act is to ensure buildings are safe, sanitary, have attributes that contribute to health and physical independence, have suitable means of escape from fire and are designed to be able to be used in ways that promote sustainable development.

When considering a building consent we consider aspects of the property that could have some effect on the way the work is carried out and ensure the design has taken into account features and conditions of a specific site (e.g. steepness or exposure to wind).

## **The building consent must be obtained before the work starts.**

You will need a building consent for most building work you plan to undertake, such as:

- Structural work
- Plumbing and drainage work
- Relocating a building
- Demolishing certain buildings
- Installing a wood burner
- A residential retaining wall higher than 1.5m
- A fence or wall higher than 2.5m, and all swimming pool fences
- A swimming pool
- A deck, platform, and/or bridge over 1m above ground level
- Sheds more than 10m<sup>2</sup> in floor area

Some work may be done without a building consent; however the work must still comply with the building code. Schedule 1 of the BA04 describes work that is exempt: e.g

- Fences up to 2.5m in height except pool fences, which do require consent. (Fences over 2.0m in height will require resource consent)
- Retaining walls up to 1.5m high where no loading is applied
- A small, single-storey garden shed less than 10m<sup>2</sup> in floor area and its own height away from boundary
- Closing in an existing veranda or patio where the floor area is less than 5m<sup>2</sup>
- A patio or deck at ground level
- A garden trellis less than two metres high
- Installing kitchen cupboards
- A small garden pond less than 400mm deep
- Maintenance of your house, such as replacing spouting or weatherboards
- Roofing or cladding when you are replacing existing material with comparable material for maintenance purposes

- Replacing windows and doors
- Removing a sign and its structural support
- Erecting a sign and its structural support if it is designed by a chartered professional engineer, or if it is less than 6m<sup>2</sup> in area and less than 3m above ground

For further information on Schedule 1 go to [www.mbie.govt.nz](http://www.mbie.govt.nz) or [www.consumerbuild.org.nz](http://www.consumerbuild.org.nz)  
We recommend you **get in touch** with us before you start any building work, even if you do

## What is a project information memorandum? Why do you need it?

not think it needs a building consent.

A Project Information Memorandum (PIM) details information the Council has that may affect your proposed project. This information may be useful when designing the structure as it gives information such as compliance with District Plan requirements, land structure and current drainage positions.

A PIM is optional and you can choose to apply for a PIM before or when lodging a building consent application.

## The Building Consent Process

### 1. ENQUIRING ABOUT MAKING AN APPLICATION

The Council's website [upperhuttcity.com](http://upperhuttcity.com) has information about applying for building consents and other approvals. From the Building Services page you can access application forms that detail the plans and documentation that you need to supply.

You can also find useful information about applying for building consents and download publications from the Ministry of Business Innovation & Employment (MBIE) website [mbie.govt.nz/building-index](http://mbie.govt.nz/building-index). MBIE has a number of useful publications for homeowners including 'Guide to applying for a building consent (simple residential buildings)' and the 'Building Act and You'.

The Consumerbuild website [www.consumerbuild.org.nz](http://www.consumerbuild.org.nz) also has lots of helpful information – especially for home owners or people who are new to the building industry.

For further information regarding quality and content of plans and specifications see Section 16.

If you are not familiar with building plans and establishing compliance with the Building Code you may need to engage a design professional (e.g. an architect) to supply the required drawings and information, and to apply for a building consent on your behalf. For complex projects we recommend that you seek professional advice.

## **2. RESTRICTED BUILDING WORK, LICENSED BUILDING PRACTITIONERS AND OWNER-BUILDER EXEMPTION**

Building consent applications lodged after 1 March 2012 that contain restricted building work must be carried out or supervised by licensed building practitioners who are licensed to carry out or supervise that kind of building work.

Owner-Builders are able to carry out restricted building work on their own home. Before you can use the Owner-Builder exemption you need to complete a statutory declaration as to owner-builder status form showing that you meet the owner-builder criteria further information can be downloaded from the MBIE website <http://www.dbh.govt.nz/builditright-homeowners-owner-exemptions>.

Restricted building work includes design work relating to:

- Primary structure or external moisture management systems of residential buildings
- Fire safety systems for small to medium apartment buildings
- Building work involving the construction or alteration of the primary structure or moisture management system in houses or small to medium apartment buildings.

For example:

- Bricklaying or blocklaying
- Carpentry
- External plastering
- Foundations
- Roofing

For design work that is restricted building work the Licensed Building Practitioner must supply a 'Memorandum from licensed building practitioner: Certificate of design work' covering the design work that is restricted building work to the owner who must submit it to the Council with their application for building consent. This form and further information can be downloaded from the MBIE website <http://www.dbh.govt.nz/builditright>.

You will find more detail later in this booklet about additional information that is needed when a project involves restricted building work.

## **3. APPLICATION FORM**

The application form is a statutory document and it is important that all the sections are fully completed such as:

- Nominating all of the building code clauses that are applicable to your building works and then identify the method of compliance for each one and,
- Listing any specified systems that are existing, being altered, added to, or removed in the course of the building work (when applicable).

## **4. LODGING THE APPLICATION**

Pre-application meetings are required for the following:

- Applications for building consent for commercial, communal residential or short-term sleeping accommodation with an estimated value of work over \$2 million
- Applications for residential building consents with an estimate value of work over \$2million or where there are three or more adjoining units
- Any application for a building consent for remedial weathertightness recladding
- Any application for a building consent where the site is located within a specific design wind speed or where the risk score under E2/AS1 is over 20
- Any application for work which is to be staged over more than one building consent
- Any application for building consent which will result in a change of use or the creation of additional household units.

Applications for work of this type which have not undertaken a pre-application meeting are more likely to be rejected.

The Council has application checksheets that show you the relevant information that needs to be supplied with a building consent application. Please utilise these to assist you in your pre-lodgement completeness check.

Once you have completed the application form and checked that you have provided all the information required you may lodge your application by one of the following methods.

- Mail the application with cheque to Building Consents, Upper Hutt City Council, Private Bag 907, Upper Hutt 5140.
- Phone us on 5272-169 to make an appointment with an officer to lodge your application.

On receiving your application it will be checked by an officer before being accepted to ensure all the required information is supplied. Applications may not be accepted if any of the information is missing. Mail applications will be returned by mail if not accepted. This initial check relates to content of the application only. A more detailed check of the information supplied is done during processing.

Fees will be assessed when you lodge the consent and will include payment for the estimated number of inspections required for your project. The fee schedule available on our website will give an indication of the amount payable or you can contact us on 5272-169 for a fee estimate as an application may not be accepted without this payment.

If the value of your application is over \$20,000 your fees will include levies that we are required to collect on behalf of the MBIE and the Building Research Association of New Zealand (BRANZ).

It takes up to 20 working days to process an application (10 days for National Multi-use approval). The 'clock' starts when the consent has been checked and your application is accepted.



Accepted applications will be given a unique Building Consent (BC) number. You should quote this number whenever you write to or contact the Council about your building consent application. Your application will be linked to the records for the property.

## **5. PROCESSING THE APPLICATION FOR COMPLIANCE WITH THE BUILDING ACT, BUILDING CODE, DISTRICT PLAN AND/OR OTHER PERMISSIONS**

We will evaluate the various aspects of your building consent application to ensure it meets the requirements of the Building Act and the Building Code.

Your application may be assessed by a number of officers with specific skills and knowledge. These may include building, plumbing and drainage, structural, resource management and others.

There is a requirement for some applications to be sent to the Fire Engineering Unit of the NZ Fire Services Commission (FEU) or the Council Consultant Engineers (fire and structural). There will be additional fees to pay if your application needs to be sent to the FEU and Consultant Engineers.

Once all the officers have assessed the application in the event that further information is required a request for information (RFI) letter will be sent. The application will at this point be suspended, this means that the 'time clock' stops and will not restart until all the information requested is received and accepted.

The Building Act requires us to process your application within 20 working days from the time we accept it. However, if your application is suspended because of lack of supporting information, the period of suspension is not counted as part of the 20 days. Therefore it is important that you fully and accurately complete the application form and attach all information at the outset to avoid the possibility of delays during the process. An additional fee may be charged to review and/or re-assess additional information.

In some instances you may not be able to supply sufficient information to show that your proposed building work will meet the requirements of the Building Act 2004 and the Building Code. If so you may have to amend your proposal or the Council may refuse to issue your building consent.

## **6. CHECKING RESOURCE CONSENT REQUIREMENTS AND OTHER PERMISSIONS**

We check your proposed project to see if it requires other permissions, e.g. Resource Management act or District Plan requirements.

A land use consent is required where all or part of the proposed building activity does not fully comply with the relevant rules in the District Plan. A subdivision consent is required to legally subdivide land or buildings.

In either of these cases, if you have not already applied for and been granted a resource consent, we will advise that you do so. Resource consent must be obtained before the building work can start.

The District Plan rules are available on the Council website [upperhuttcity.com](http://upperhuttcity.com). or from UHCC main reception area.

We also check for compliance with the Council's bylaws and other legislation for things such as vehicle access, water reticulation, public drainage and, in the case of commercial premises, matters such as health, trade waste, building warrant of fitness and backflow prevention.

Council will also check covenants, easements and consent notices that are recorded on the Certificate of Title. Covenants, easements and consent notices generally list restrictions that pertain to a property and may include where buildings may or may not be built.

The Council strongly suggests that you arrange for your lawyer to check the details for you as part of the title search so that any relevant information can be passed to your design practitioners.

## **7. ADDITIONAL FEES**

Occasionally, as we work on your application and seek further information, we may find that there are additional areas to investigate (e.g. the need for vehicle access assessment, a compliance schedule or an assessment by an environmental health officer) requiring additional fees. If this is the case, we will invoice you for payment before the building consent is issued. This may include additional charges if the consent was sent to the Fire Engineering Unit and/or Council Consultant Engineers.

## **8. REASONS FOR DELAYS OR REFUSAL OF YOUR APPLICATION**

There are a number of reasons why your application may be delayed or refused:

- Non payment of application fees
- An incomplete application form
- Shortage of initial information
- The need to supply amended or additional information for your application.

We cannot guarantee that there will be no delays, but the chance of this occurring is significantly lessened if you thoroughly check your application before it is submitted. If there are any areas that you are unsure about, we recommend that you seek input from a professional.

## **9. APPROVING THE APPLICATION**

Once your application has been assessed as conforming to all the required criteria, and all necessary fees have been paid it will be granted and a building consent and/or project information memorandum issued.

## **10. WHAT HAPPENS THEN?**

Once your building consent is issued and you have obtained any other approvals required, such as a resource consent, then you may start work on your building project. Please notify us on 5272-169 when you are ready to start work.

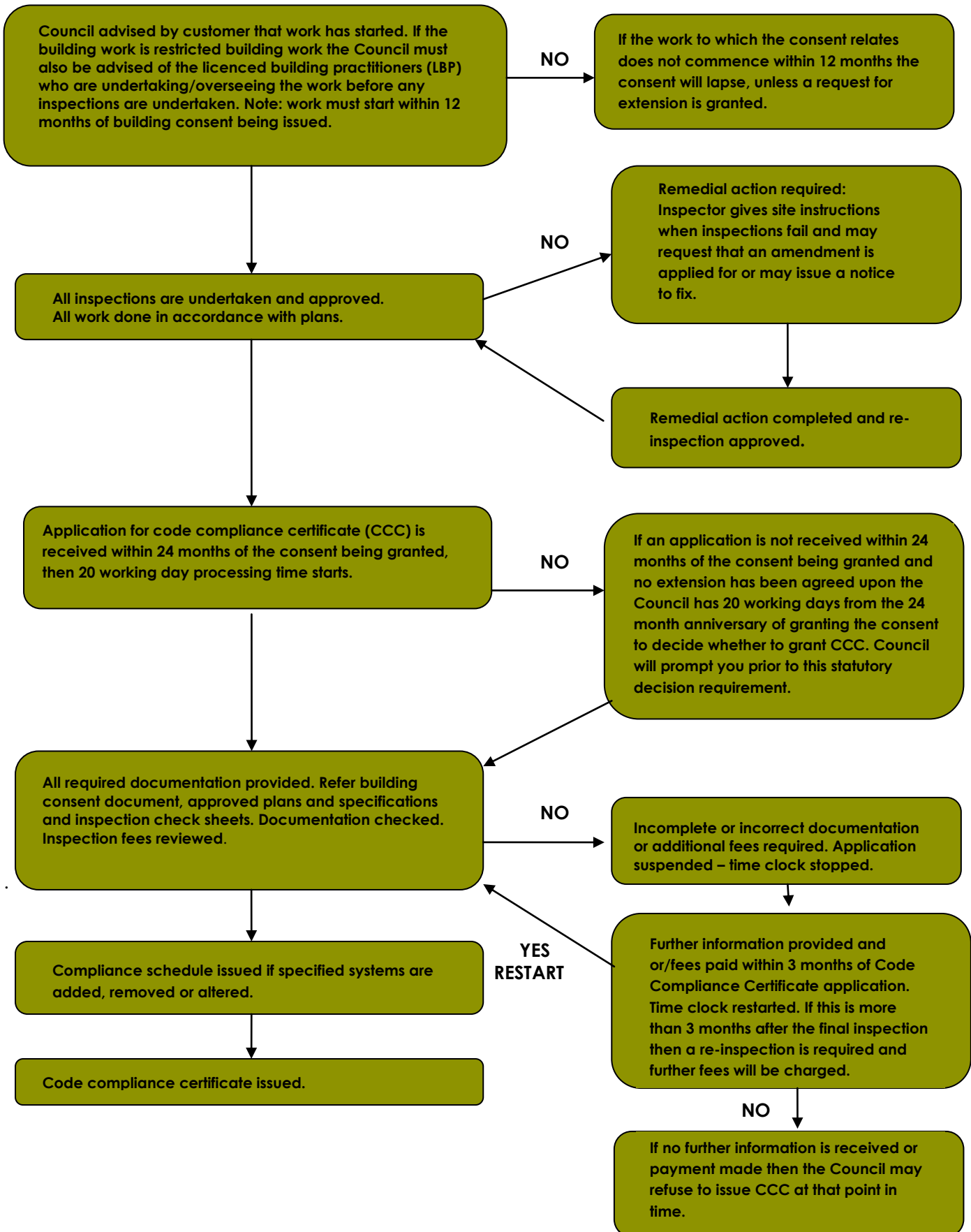
It is very important that you (and your contractors) read the building consent documentation and are clear about the requirements. It contains a list of inspections that need to be made by Council officers during the building process, and a list of producer statements required from specialists (typically engineering services). The specialists must provide documentation of the inspections they undertake in support of their producer statement.

For consents that contain restricted building work, you must advise us in writing prior to work commencing who the Licensed Building Practitioner is who is completing or supervising the work. They must be licensed to carry out the work or supervise the type of work proposed and you also need to specify their registration number. More information about licensed building practitioners is available at <http://www.business.govt.nz/lbp>

Work must start on your project within 12 months after the date the consent was issued. If we have not heard from you as the 12 months deadline approaches we will send you a letter reminding you that work must be started and asking if you intend to proceed with the work. You may decide that you will not do the work, in which case the consent will lapse, or you may apply for an extension of time to start the work. An extension of time to start work may be granted in some circumstances after an officer has reviewed the building consent file.

If we do not hear from you within the stated time, or we refuse you an extension of time, the consent will lapse. This means a new consent would have to be applied for and issued before any work could be carried out.

# PROCESS FOR INSPECTION AND COMPLETION OF PROJECT



## 11. INSPECTIONS

At various stages during construction you will need to arrange for building officers to inspect what has been done to check that your building work complies with the approved building consent. The inspection requirements will be listed in your building consent. Inspection Officers will record findings and any outcomes in writing and will provide this information to persons on site.

You can book your inspection by calling 5272-169 8am – 5pm weekdays. You should plan ahead and book well in advance to ensure that you can get an inspection when you need it to avoid delays on site. Inspections cannot be guaranteed and timeframes fluctuate depending on demand. You will need to supply the following information when booking an inspection:

- Address for inspection
- Type of inspection
- BC number (this is the unique number given to each building consent)
- Name of person who will be on site
- Contact number for this person
- Licensed Building Practitioner number (where appropriate)

Note: the approved documents must be onsite for the inspection.

### **An officer may refuse to visit the site if they feel it is unsafe.**

Re-inspections may be required if the officer is not satisfied that the work meets the requirements of the building consent and the Building Code. These may incur additional charges if inspections exceed the number estimated when you lodged your building consent application.

In addition to the inspections by Council officers, inspections may be required by specialists, including structural, geotechnical and fire engineers. This would have been agreed at the consent processing stage. You will need to liaise directly with your specialist about the inspections he/she will need to make. Your specialist may not be able to give you the required producer statement if you have failed to arrange for inspections at the appropriate times.

If inspections have been missed, contact us to discuss possible alternative evidence you can provide to show that the work is code compliant. A subsequent inspection may not be able to be done until it has been verified that the work already in place complies with the building consent.

The work must be carried out in accordance with your approved building consent. If you wish to change some aspect of the project you must obtain an amendment to the building consent before the work is carried out. The process for obtaining an amendment is the same as obtaining the original consent. It is very important that at the time of the inspection the building consent documents accurately reflect what has actually been built.

If the work has not been done in accordance with the building consent the inspector may issue a Notice to Fix or a site instruction stating what is required to be done.

## 12. TYPES OF INSPECTION

The following are the types of inspections that may be required depending on the type of building work:

### Building Inspections

- **Site** – location of the building on site (verified by a surveyor's report or visible boundary markers)
- **Foundation** – before placing any concrete for foundation walls or footings
- **Piles** – before placing any concrete for pile foundations (timber or concrete)
- **Pre Slab** – before placing any concrete for concrete floor slabs and any integral footings
- **Retaining wall** – before back-filling against any wall or covering any tanking
- **Sub-floor** - before covering any sub-floor framing
- **Pre wrap** – before fitting building wrap to framing
- **Pre clad** – on completing the building wrap with flashings/tapes installed and before fitting any external cladding
- **Brick** – brick work at half height
- **Post Clad & weathertightness** – before application of any coating external cladding system
- **Pre Line** – before fitting internal linings where specialist vibrationally isolated connections or in-frame insulation is specified
- **Post line (bracing)** – post line bracing while fixings are still visible
- **Post line (fire)** – where fire rated walls are included, certification from the fire design engineer (PS4) or sufficient inspections to verify correct installation of specified linings and protection of penetrations
- **Post line (wet area membranes)** – inspection of installed wet area membranes before installation of finish surfaces such as tiles
- **Post line (acoustic)** – where sound rated walls are included, certification from the acoustic design engineer (PS4) or sufficient inspections to verify correct installation of specified linings and attenuation of penetrations
- **Final** – final inspection on completion of all building work.

### Roofing Inspections

- **Membrane** – membrane upstand prior to concealing behind any wall linings or under flashings
- **Postwrap** – purlins and wrap in place

### Plumbing Inspections

- **Drainage** – testing any drainage work before back filling and before covering any field drains
- **Pre slab** – plumbing in/under the floor slab
- **Pre line** – plumbing systems before fitting any linings
- **Final** – final inspection on completion of work.

### 13. SIGN OFF

When the work is complete you will need to formally apply for a Code Compliance Certificate (CCC) on the form enclosed with your building consent. A CCC means that the Building Consent Authority is satisfied that building work complies with the building consent.

A CCC may be applied for under the Building Act 2004, S436 for consents issued before 2004. It is at Council's discretion to decide if a CCC can be issued.

You may also need to arrange a time for a final inspection, if one has not already been carried out.

When you apply for a CCC you will need to give names and contact details for all the people involved in your project e.g. builders, plumbers, engineers, etc. If the project involved construction work that is restricted building work the Licensed Building Practitioner must supply a 'Memorandum from licensed building practitioner: Record of building work' on completion of the restricted building work to both the owner and the Council. This form can be downloaded from the MBIE website <http://www.dbh.govt.nz/builditright>.

You may also be required to supply supporting documentation such as energy work certificates or a PS4 (engineer's producer statement) before a CCC can be issued. The PS4 should specify how the authors' competence, experience and fields of practice have been assessed, for example via statutory and publicly accessible registers such as those of chartered professional engineers, registered architects or electrical workers. Your building consent lists the documentation required before a CCC can be issued and additional documentation may also be requested during inspections.

We may be unable to issue the CCC if any of the required inspections have been missed or the required producer statements cannot be provided. Without a CCC you may experience difficulties insuring your property or selling it in the future.

A review of the fees paid for inspections will be made when the CCC has been approved for issue. Additional inspection fees will be charged if the inspection fee paid when the application was lodged is not enough to cover the inspection time actually used.

The CCC will not be issued if there are any unpaid fees, including unpaid Development Contributions required.

If an application for a CCC has not been received before two years after the building consent was granted, the Council must decide whether or not to issue a CCC. The Council will prompt you prior to this mandatory decision point in time to either finish the work or apply for an extension of time. If work is not finished and no extension is in place at the point in time where Council must make its decision it is highly likely that Council will refuse to issue a CCC at that point in time.

An extension of time to complete a building project is an agreement between the owner and the Council. Applications must be from the owner and in writing. Please note that extensions that exceed six months will be considered on a case by case basis. Supporting reasons will assist the Council's decision to agree to your proposed extension.

In some circumstances we may refuse to issue a CCC, e.g. if an extension of time to complete is not granted or if the work is not complete or does not comply or if you fail to supply the required documentation.

A Compliance Schedule is the list of a building's specified systems. Examples of these are; commercial building systems such as sprinklers, fire alarms, lifts and automatic sliding doors, and, cable cars on residential properties.

The schedule specifies; inspection, testing and maintenance procedures and, the frequency of required work and who should perform it. For a full explanation and examples of specified systems in a building, go to: <http://www.dbh.govt.nz/bofficials-compliance-schedules>

The Building Act requires us to process your application for CCC within 20 working days. The 'clock' starts when we receive your application. As with building consent applications, the 'clock' will stop if your application is suspended awaiting additional inspections, documentation or fees and will restart when the issue has been resolved.

## OTHER INFORMATION AND APPLICATIONS

### 14. DETERMINATIONS

If you are not happy with or disagree with a decision we make either during the processing or inspecting of your building work you can request a determination from the Department of Building and Housing. You can find out more about applying for a determination on the department's website [mbie.govt.nz/determinations-about-determinations](http://mbie.govt.nz/determinations-about-determinations).

### 15. TYPES OF APPLICATIONS

#### **Standard Residential/Minor Works**

This applies to all building projects that are for residential work, whether building a new dwelling or extending/altering an existing home. Consent for minor works is required for minor plumbing and drainage and wood burners.

#### **Multi-Use Consents**

These are standardised building designs that are intended to be built multiple times. These consents have already been assessed against the Building Code by the MBIE and therefore do not need to be assessed in full. A Multi-Proof Certificate must accompany the application. These consents can be used nationally and have a 10 day timeframe for processing by council.



## **Commercial Building Consents**

Commercial Building Consents feature an additional compliance requirement-specified systems and features. Specified systems and features provide for the safe operation of the building and for the safety of the building's users. Examples of these are elevators, fire sprinklers and smoke detectors. If your application is required to have specified systems or features you must provide a draft schedule which identifies performance standards, maintenance and inspection procedures. Altering or adding to a specified system requires a building consent. Residential dwellings do not require a compliance schedule unless it features a cable car.

## **Amendment to Building Consent**

Generally work that is outside the scope of the original consent, eg an increase in the building footprint, a change in the construction method or significant changes in the internal layout. This can also occur when the change impacts upon Building Code clauses.

## **Certificates of Acceptance**

A Certificate of Acceptance provides verification for a building owner or future building owners that part or all of certain building work carried out complies with the Building Code.

A Certificate of Acceptance can be issued where:

- Work that required building consent was carried out without first obtaining a building consent.
- A private building consent authority (approved under the Building Act 2004) or a private building certifier (approved under the Building Act 1991) is unable to issue a CCC for work carried out under a building consent.
- A CCC cannot be issued for work carried out to a building that is open to members of the public and the building consent was issued before 31 March 2005.

A Certificate of Acceptance can only be issued if the work complies with the Building Code at the time the application is made. (This differs from a CCC which is issued if the work complies with the Building Code at the time the building consent was issued.)

When a Certificate of Acceptance is issued it will list the work the Council inspected.

Your application will need to provide evidence of how the work complies with the Building Code, including those parts of the work that the Council cannot inspect.

## **Certificates for Public Use**

A Certificate for Public Use is used to certify that premises or parts of premises affected by building work are safe to be used by members of the public. A Certificate for Public Use can only be issued where a consent has been granted for building work but no CCC has been issued yet. Certificates for Public Use do not relieve the owner of a building from the obligation to apply for a CCC after all the building work has been carried out. Certificates for Public Use are not required for private homes.

## 16. QUALITY AND CONTENT OF PLANS AND SPECIFICATIONS

Two copies of the plans and the specifications must accompany your consent application. Further copies of specific documents are required when specialist review is needed. Plans should be no bigger than A3. Critical measurements should be written in numbers rather than expressing these using a scale drawing. Specifications and construction details should be specific, avoiding generic examples. Examples of acceptable solutions also need to be specific. Multiple solutions for one detail should not be provided as only one will be accepted.

Specific designs must be accompanied by a producer statement. Typical examples are beams and posts not covered by NZS 3604:2011, pre nailed timber trusses and retaining walls that are higher than 1.5 metres. Producer statements are only accepted from registered chartered professional engineers and must be accompanied by calculations.

## 17. ADDITIONAL SOURCES OF INFORMATION

Further information can be obtained from the following websites:

- Ministry of Business, Innovation & Employment [www.mbie.govt.nz](http://www.mbie.govt.nz)
- ConsumerBuild [www.consumerbuild.org.nz](http://www.consumerbuild.org.nz)
- Upper Hutt City Council [www.upperhuttcity.com](http://www.upperhuttcity.com)
- Department of Internal Affairs [www.legislation.govt.nz](http://www.legislation.govt.nz)