



# WAIROA DISTRICT COUNCIL

☎ +64 6 838 7309

☎ +64 6 838 8874

✉ consents@wairoadc.govt.nz

🌐 www.wairoadc.govt.nz

📮 PO Box 54, Wairoa 4160, Hawke's Bay

🏠 Coronation Square, Queen Street, Wairoa

## INFORMATION SHEET

# ACCEPTING & PROCESSING BUILDING CONSENTS

## (STEP 1 & 2)

### BUILDING CONSENTS - STEP 1: APPLYING FOR A BUILDING CONSENT

#### What is a building consent?

A building consent is a document from the Building Consent Authority (BCA) in your region, confirming that your proposed building work is permitted to proceed. A building consent is required for any structures that are not specifically exempted from consent requirements by Schedule 1 of the Building Act 2004. You can obtain a list of what is exempted from the Ministry of Business, Innovation and Employment website or by referring to our information Sheet 4. This is obtainable at Council or on our website [www.wairoadc.govt.nz](http://www.wairoadc.govt.nz). It is an offence to carry out building work that is not exempt except in accordance with a building consent.

An Infringement Fine of \$1,000 can be issued if building work that should have a consent is carried out without one.

#### Lodging your application

Online applications can be made via the Council website.

🌐 [www.wairoadc.govt.nz/services/building-consents-information/building-consents](http://www.wairoadc.govt.nz/services/building-consents-information/building-consents)

We strongly encourage applicants to come into the Council office prior to lodgement to have a pre-consent discussion with our Building Team.

#### The plans must include:

A location plan, site plan, floor plan of each floor (if there is more than one), an elevation of each exterior wall, drainage plan, foundation layout, and sufficient cross-sections to show the full nature and extent of the work and a full set of construction details and specifications.

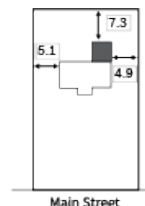
#### Location Plan

The location plan should show the location of the site in relation to known points. It need not be to scale.



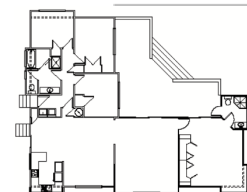
#### Site Plan

The Site Plan must be drawn to scale and should show all buildings on the site and their relationship to the boundaries. Normal scale is 1:200. We recognise that this is not always possible for buildings on country properties, please ask the Building Control Staff what details are required if this is the case with your application.



#### The Floor Plan - Scale 1:50 or 1:100

The floor plan should clearly show doors, windows, the rooms on that floor and the intended use of that room. Show the fittings within the room such as benches in the kitchen, bath and basin in the bathroom and the position of the pan in the toilet compartment.



#### Elevations - Scale 1:50 or 1:100

Provide an elevation of each exterior wall showing all opening, doors etc. For new dwelling, and substantial additions, a weather tightness matrix must be supplied for each elevation. This matrix is a scoring system that determines if your choice of exterior cladding must have a drained and ventilated cavity behind it or not. An information sheet on the weather-tight matrix is available on request.



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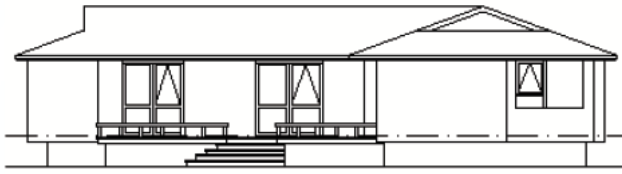
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### Cross Sections Scale 1:50

Supply cross sections of the building which clearly show the method of construction, details of the materials intended to be used and accurately show floor levels and adjacent ground levels.

### Project Information Memorandum (PIM)/Consent conditions & advice notes

A PIM is a document that lets the applicant know important issues that may affect their building project. The issues that must be addressed are stipulated in the Act and include, but are not limited to, Resource Management Act requirements, and stability and flooding details.

Once mandatory, a PIM is now entirely voluntary. However, the Council must still consider these issues when processing your building consent and the requirements of the various plans, that control building in our district, will be identified in your consent as either conditions or advice notes. It is critical that these conditions are followed, advice notes should be carefully observed.

### New buildings or major extensions

When erecting a new building or a major extension, the following additional information is normally required.

- Full bracing calculations.
- Details of all Insulation (H1 calculations).
- Drainage plans for both sewerage and stormwater. If the property is rural a septic tank assessment form is to be completed by a qualified person. An information sheet Domestic Wastewater and Effluent Disposal System is available on request.
- If the property is rural and not on a reticulated supply, information is to be supplied on how the drinking water will meet the New Zealand Drinking Water Standards. An information sheet Provision of Safe Drinking Water in Rural Areas is available on request.
- Ground bearing capacity test confirming ground suitability – these apply to all lined buildings and any other buildings greater than 110m<sup>2</sup>. Generic type pole sheds do not generally require this information. Some commercial buildings will require a full geotechnical report and/or liquefaction potential analysis. An information sheet on Verification on Soil Bearing Capacity is available at the counter or on request.
- Specifications. These must relate to the project. If using a Master Spec type form, the details not relevant to the building consent must be deleted. This also applies to any manufacturers' specifications, E2 pages etc. All non-relevant material is to be removed.
- Restricted Building Work. If your residential work is structural or it affects the weather tightness of the building it is likely the work is "Restricted Building Work". This means you must employ a Licensed Building Practitioners (LBPs) to design and carry out that work. They must do or supervise this work and their details must be supplied to Council with your application.
- LBP's are building practitioners who have been assessed as competent to carry out building work essential to the structure or weathertightness of residential buildings. The Building Practitioners Board oversees the LBP Scheme.
- If you are not the owner but acting on their behalf written authorisation from the owners must be provided with the application.





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### Change of use

The change of use of a building, whether that change requires building work or not, will trigger the 'change of use' provisions of the Act.

Section 114 and 115 of the Building Act stipulate the matters that must be considered for any change of use of a building (this includes things such as converting a residential dwelling into a commercial premise or a sleep-out to a hair dressing salon). The applicant will need to consider all the requirements of section 115(b). The specific degree of structural strengthening required (if any) cannot be assessed until a comprehensive evaluation of existing building strength is made. It should be noted that the Act specifies that any work required must be 'as nearly as is reasonably practicable' to the modern code. This allows for discretion on the part of the Territorial Authority, should there be features of the building that would preclude full strengthening to be completed.

### Alterations to Existing Buildings

Section 112 of the Building Act stipulate that Council must not grant a building consent for the alteration of an existing building, or part of that existing building, unless satisfied that the following requirements are satisfied.

You will need to provide documentation from a suitably qualified person showing:

- An analysis of current degree of compliance with means of escape and access and facilities for disabled persons.
- An analysis of what work is required to fully comply with the Building Code.
- An upgrade proposal listing benefits and sacrifices involved in the proposal.

The alterations will need to 'as nearly as is reasonably practicable' comply with the provisions of the building code.

At the end of the alterations, the areas where no work took place, the building will comply with the provisions of the building code, to the extent that it did before the alterations. The building will be left in the same or better state that before the alterations began.

For full details please see link to Building Act 2004 – Section 112:

<https://legislation.govt.nz/act/public/2004/0072/latest/DLM306875.html>

### Extension to specified life

Section 116 of the Building Act stipulates that some buildings have a specified intended lifespan, either due to code compliance inadequacies or because they were constructed to be temporary buildings. When a building consent is issued on a building like this, it is subject to the condition that it be altered, demolished or removed before the end of its life.

However, Council can approve an 'extension of life' if satisfied that the building can continue to perform for a longer period. If you would like to extend the life of a building, you'll need to provide Council with written notice.

### Subdividing

Section 116A of the Building Act stipulates that to be issued a certificate for subdivision affecting a building, Council must be certain that every provision of the Building Code is met (such as escape from fire, access for people with disabilities, if needed, and protection of other property).

You must give written notice to Council if you intend to change the use of a building, extend the life of a building that has a specified intended life, and if you plan to subdivide in a way that impacts a building other than yours.

### Producer Statements – general

PS1 statements may be supplied for a number of specific design elements in residential dwellings. These may range from membrane roofs to steel beams over a garage entrance. Any part of the structure that is outside of New Zealand Standard 3604 (the standard for light timber framed buildings) or the Compliance Documents may require a producer statement. The supply of a producer statement in no way compels the Council to accept an alternative solution. The Act stipulates that Council must be 'satisfied on reasonable grounds' that any building element or design meets the provisions of the various codes. As such Council has sole discretion on acceptance of producer statements and technical reports.



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### Lodging your application

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[www.wairoadc.govt.nz/services/building-consents-information/building-consents](http://www.wairoadc.govt.nz/services/building-consents-information/building-consents)

Manual lodgement may still be submitted via the Wairoa District Council office. Please note there is an additional lodgement fee for manual submissions.

The application will be checked by one of the Building Control team to make sure it meets our strict standards. Applications that do not meet the required standard will be rejected. Your application and plans will be returned to you and our officer will clearly explain what is required before the application can be accepted. Once the documentation is in order, the deposit (or fixed fee) must be paid when requested.

### Consent fees

Fixed fees apply only to some minor projects, solid fuel heaters (fires) and swimming pool fences. All other consents require a deposit and are charged on an actual and reasonable basis. Fees accumulate as the consent is processed, with each section adding actual time spent to the charge sheet.

The final amounts will vary from consent to consent and may differ markedly from building to building or even site to site for almost identical buildings. There may also be charges for external consultant reviews, especially for fire design, complex geological sites, or multi story buildings. The Ministry of Business, Innovation and Employment and the Building Research Association of New Zealand also charge levies, which are a legal obligation that the Council must collect on their behalf.

### Timeframes for processing

Once accepted, the Council has 20 working days to process your building consent. A working day is defined in the Building Act and is Monday to Friday excluding statutory holidays and the days between the 20 December and 10 January inclusive.

The 20 working day 'clock' may be suspended if further information is required for the Building Control Officer, to ensure your project meets the requirements of the New Zealand Building Code. The number and length of these deferrals is mainly in your control. A fully completed application form with good quality supporting information will help in minimising any deferral delays and keep costs to a minimum.

### MultiProof building consents – timeframes for processing

A MultiProof consent is a building consent for a standardised design that is intended to be replicated many times. MultiProof approvals are issued by the Ministry of Business, Innovation and Employment. 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 (as amended in 2009), Building Consent Authorities must accept a MultiProof as evidence of Building Code compliance.

A building consent is still needed for a building with MultiProof approval. The role of Building Consent Authorities is to:

- approve site-specific details, including foundations and utilities
- ensure that any MultiProof conditions have been met, and
- undertake normal inspections during construction.

The Council has 10 working days to issue a MultiProof building consent. Based on information from Ministry of Business, Innovation and Employment website.

## BUILDING CONSENTS - STEP 2: PROCESSING YOUR BUILDING CONSENT

### The requirements of the New Zealand Building Code (NZBC)

Once the documentation has been accepted it will be scrutinised by the Building Control team to ensure that when the project is complete it will meet the requirements of the New Zealand Building Code.

The code requirements can be met in two ways;

by way of an acceptable solution:

- An acceptable solution is a method contained in the Compliance documents issued by the Ministry of Business, Innovation and Employment. These can be found on the department's website:



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🌐 <http://www.building.govt.nz/building-code-compliance>

A building element constructed in the way specified in the compliance documents is deemed to comply with the requirements of the NZBC.

*Or by way of an alternative solution:*

- The other method of meeting the NZBC requirements is by way of an alternative solution. An alternative solution requires proof of compliance. It is your responsibility to provide the proof, not the Building Consent Authorities task to find it.

### Who processes your consent?

Your application will be processed by our Building Compliance Officers, input from various other Council Officers may be required, for example Planning Officers, Environmental Health, Roading and utilities Engineers, Flood Height Officers.

### Planning requirements

Planning rules apply to all building work. An important part of the checking of your building consent is the identification of any Resource Management Act requirements and compliance with our District Plan. In general terms, these rules set out or govern such things as how close a building can be built to a legal boundary, how much of an owner's property can be covered with building work and the number of dwellings that can be built on a single property. The Planner also checks for site effect issues such as shading, noise, and increased glare or traffic.

If the proposed building work does not comply with the District Plan, it may be necessary to obtain resource consent as well as your building consent.

It is important to note that even though some work may exempt from requiring building consent, there may be planning requirements that must be considered and adhered to. For further information about planning requirements contact our District Planner.

If your building consent is ready before the resource consent the building consent will be issued with a certificate that prevents the commencement of the building work before the resource consent is issued.

### Council may refuse to issue a consent

Occasionally, in cases where Council is not satisfied after requesting further information that either the information has not been supplied within a reasonable time frame, or the detail supplied is not sufficient proof that the work will comply with the building code, council may refuse the consent. A letter explaining the reason the consent has been refused will be sent to the applicant with an invoice for processing costs.

### Identifying the required inspections

After checking the documentation for conformance with the NZBC, the Building Control Officer will identify what inspections are required to ensure that the building is erected to comply with the stamped approved plans. These inspections are at key stages and usually checks are done at a point in the building process that cannot be checked at a later stage. For example, the mesh and reinforcing bars in a concrete floor slab must be checked before the concrete is poured. If such an inspection is missed it is often impossible to go back and the Building Consent Authority will not be able to issue a code compliance certificate.

As well as the checks by the Council Building Control Officers, there may be third party inspections required. These will typically be by a geotechnical professional, to confirm ground conditions; an engineer, to confirm his engineering design is being constructed to plan; or an inspection body, such as Fire Protection Inspection Services, to check fire alarm installation. Once again, these inspections must occur at the scheduled stage of the project.

### Consent Conditions

During the construction of your project, you must follow the approved plans and adhere to the specific requirements detailed on the building consent. The consent documentation will contain information on:

- required inspections
- producer statements required from specialists with appropriate supporting evidence, and,
- other conditions as required by the Building Act.



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There are five specific conditions that can be applied to an issued building consent.

Owners, builders and/or developers should ensure that they understand them and their implications if any of the following conditions are stated:

### Section 67

The approved plans contain waivers or modifications to the building code issued by the Territorial Authority under Section 67 of the Building Act.

### Section 72

The building consent has been issued with a notification, condition that the land is subject to natural hazards (for example flooding or landslips).

### Section 75

The building has been issued subject to condition where if building over two (or more) allotments, these cannot be transferred or leased except in conjunction with the other allotments.

### Section 90

The building consent has been issued with the condition that inspections will need to be conducted. This condition will always apply and must be complied with in order to ensure that a Code Compliance Certificate can be issued.

### Section 113

The building consent has been issued with the condition that the building has 'limited life' as determined by the owner/application.

## Invoices and payments

Once your consent has been approved a letter confirming the outcome will be sent to you. An invoice for the balance of payment due will be attached.

## Council will not grant your consent until fees and levies have been paid

You can choose to make payment at our Queen Street office and have the consent issued at the counter.

You are also able to direct credit to Wairoa District Council Bank account: 03-0785-0070470-00 with your Surname and BC Building Consent number as a reference and the issued consent will be mailed to you if requested.

## Section 49 – requirement to be ‘satisfied on reasonable grounds’

When all fees are paid and Council is satisfied on reasonable grounds that your planned project complies with the building code, your building consent will be issued.

Once your consent is issued, make sure you read the full documentation carefully. In some circumstances, having a building consent issued to you does not necessarily mean that construction can start. Other legislation needs to be considered and you may have to wait for other authorisations such as a resource consent. These conditions will be listed on a certificate attached to your building consent (section 37 of the Building Act).

Conditions may be applied to a consent if the building work has a specified intended life, or they could mean that your consent is granted but there are other rules that must be adhered to.

## Legislation for Section 49:

(1) A building consent authority must grant a building consent if it is satisfied on reasonable grounds that the provisions of the building code would be met if the building work were properly completed in accordance with the plans and specifications that accompanied the application.

(2) However, a building consent authority is not required to grant a building consent until it receives -

- (a) any charge or fee fixed by it in relation to the consent; and
- (b) any levy payable under Section 53.



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### Section 90

A Building Act condition (section 90) will be placed on the approved consent documents that stipulates the entitlement for the BCA, or its nominated agent, for the purposes of this section are entitled, at all times during normal working hours or while building work is being done, to inspect:

- land on which building work is being or is proposed to be carried out; and
- building work that has been or is being carried out on or off the building site; and
- any building

### Work must not start until you hold the stamped approved documents

You will be advised if there are any resource consent issues that mean the work cannot start, but otherwise once you hold the building consent document work may begin. You should keep the stamped approved documents on the site at all times.

### How long is the consent valid?

Work must start within the 12 months after the date the consent was issued. If work has not started within that year, the consent will automatically lapse, and you will need to apply for a new consent. You may apply for an extension of time to start the work, but your application must be submitted to Council before the lapse date.

Please note that if the project has not been completed and signed off with a code compliance certificate within 24 months of the consent being granted, the Council must at that point make a decision to either issue or decline the code compliance certificate. Please refer to the 'Inspecting and Certifying Building Consent Work' pamphlet for more information.

### Content of your building consent document

The issued building consent will be in a number of sections:

- The Building Consent Authority building consent  
This is the document at the front of all documentation. It will have the project address, the type of building project, the legal description of the lot and the date of issue. The attached typed pages will list the building consent conditions and any advice notes, the schedule of required inspections and a Form 6 (application for Code Compliance Certificate) to be filled out and returned when the work is completed.
- The specifications  
The designer's requirements on what must be used during the build process. Such items as '30mpa concrete is to be used when constructing the floor slab'.
- The Plans  
These will have the Council's stamp and building consent number on them. These are the plans that have been checked against the NZBC requirements and approved as meeting the code. They are the plans that must be used as construction drawings and should be kept on site at all times. The stamped plans may also contain notes of clarification from the processing officer. An item that is unclear on the plans but explained in the text may be overwritten to ensure it is constructed as the designer intended.

### The building consent process

This information sheet covers the first two steps of a four-step process. These first steps are summarised in the following chart on the next page.

### The next/final stage

Our information sheet "Inspection and certifying consented building work" will guide you through the next steps. This includes arranging for inspections at set stages during construction and when the project is finished, how to apply for a code compliance certificate when all work is complete. Please ask our staff for a copy of the information sheet.



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### BUILDING CONSENT PROCESS SUMMARY (PART 1 OF 2) ACCEPTING AND PROCESSING BUILDING CONSENTS

