GETTING A BUILDING CONSENT

Your home may be your castle, but nowadays there is little you can do to alter or enlarge your castle – let alone build your castle from scratch – without a building consent. There's a good reason: a building consent ensures your home is built to the required standards (the building code and Building Act 2004) and is therefore able to survive our wet, unforgiving weather for years to come. And should you decide to upgrade, downsize or simply move on, you'll have greater assurance that your next castle is likely to be as sound and watertight as your present one

You ***will*** need a building consent if you want to do any of the following:

- Construct or enlarge a building.
- Carry out structural work to a building.*
- Do plumbing or drainage work.
- Demolish a building.
- Move a building.
- Build a shed of more than 10 square metres.
- Put in a swimming pool or spa pool.
- Put a fence around a pool where there is none.
- Erect a fence or wall higher than 2.5 metres.
- Build a retaining wall higher than 1.5 metres (or any retaining wall with above-normal loading).
- Carry out earthquake-strengthening work.
- Install a wood burner.
- Build a deck, platform or bridge more than 1.5m above the ground.

You ***won't*** need a building consent if you want to do any of the following:

- Granny Flats
- Erect a fence up to 2.5 metres in height. (This does not include pool fences.)
- Build a retaining wall up to 1.5 metres (up to three metres in rural areas), provided its loading is not above normal.
- Build sheds up to 10 square metres.
- Close in a veranda or patio whose floor area is less than five square metres.
- Build a deck up to 1.5 metres above ground level.
- Put down a patio.
- Put in kitchen cupboards.
- Erect garden trellis less than two metres high.
- Put in a garden pond, provided it is less than 400 millimetres deep.
- Carry out house maintenance, such as replace damaged spouting or weatherboards.
- Replace roofing or cladding, provided the materials are the same as the original (Replacing, say, roof tiles with corrugated iron will require a building consent, for the reason that more fixings will probably be necessary.)
- Replacing windows and doors, provided the location, dimensions and materials do not change.
- Removing a sign and its structural support (applies mainly to non-residential buildings).
- Erecting a sign and its structural support if designed by an engineer or if less than six square metres and less than three metres above the ground (again, applies chiefly to non-residential buildings).

If you're not sure about whether the work you have in mind needs a building consent, contact Council and discuss your plans. There's no charge. (There are also fines if you carry out work without first obtaining the necessary building consent.) While you're at it, talk to Council's Eco Design Advisor about ways to make your home warmer, drier and healthier. Again, there's no charge for a consultation.

Discussing your plans with a council officer will shed light on whether you need to apply for a resource consent as well. A resource consent is necessary if you want to do something that is not permitted by Council's District Plan or the Resource Management Act 1991. See Council's resource consents brochure.

* Structural work most commonly includes removing or altering load-bearing walls (both internal and external).

The application form

You'll need to complete a Building Consent application, which is available from Council's offices or website. Though it may look daunting, it is quite straightforward.

If you nominate an agent, that person will be Council's first point of contact.

The section headed ***Restricted building work*** concerns projects that involve work critical to a building's structural integrity or weathertightness. In general, such work includes bricklaying or block laying, external plastering, certain kinds of carpentry, foundations work and roofing work – though this is not an exhaustive list. At a minimum, you must supply details about the designer/architect with your application. Details about other people doing restricted building work (called licensed building practitioners) can come later, but you must supply this information ***before*** you call for the first inspection. (Council officers will not come on site until you have supplied it.)

The ***Contacts*** section also asks for details about people working on your site – which may involve some double-up. Provide as much information as possible, particularly registration and qualification details. Note that certain people – architects, plumbers and electricians – have registration numbers that are treated as LBP licence numbers. (Everybody carrying out restricted building work must obtain a licence from the Ministry of Business, Innovation and Employment (MBIE) - formerly DBH.) Be sure to check that the individuals you engage are so licensed.

The ***Compliance*** section is the only part of the application likely to trouble people with no building industry experience. It concerns means of compliance with the building code. You should get your architect or designer to complete this section. The ***Compliance schedule*** section concerns specified systems, which, with the exception of cable cars, relate to non-residential buildings and need not concern the home owner. Simply tick that there are no specified systems in your building proposal.

Accompanying paperwork

The plans and specifications that go with your application form make up the substance of your application. They must provide Council with sufficient detail to enable it to assess your proposal against the building code and Building Act 2004.

Plans: All plans must be shown in black on white paper. Only A1, A2, A3 or A4-sized paper is acceptable. Plans obtained from council records and showing Council stamps, comments or other indications of approval or consideration are not acceptable. Plans must also be to the correct scale. See pages 5-7 for what each plan should contain and the applicable scale.

Specifications: These contain the detailed information not shown on the plans about all the products and building materials you intend to use and which standards they comply with. You must list the precise products you intend to use – and only those products. If not, your application will be suspended until you do.

Producer statements: These are a formal document declaring that a particular design or product application will comply with the building code. Council requires a producer statement if you have engaged an engineer to carry out structural design work as part of your preparation of building plans. You will need to ensure the engineer provides you with a PS1 to submit with your application. (A PS4 is the document the engineer will supply at the end of the project stating that he or she has supervised implementation of the design and that the work complies with the building code). Refer to Council's Building Consent Producer Statements Policy and Procedure (ECB-POL-002).

Certificate of design work: Have your designer or architect complete this Ministry of Business, Innovation and Employment (MBIE) form if your project involves restricted building work. Copies are available from Council. (Its full name is *Memorandum from licensed building practitioner: Certificate of design work.*) Copies are also available from Council's admin building.

Proof of ownership: Other information you will need to supply includes recent proof of ownership (a copy of a certificate of title issued no more than three months ago, or sale and purchase

agreement if you've just bought the property) and the value of the work (which determines the size of the fees Council will charge).

Things that trip up applicants

Here are the most common causes of confusion when preparing an application:

Fixing details: You must supply all fixing details for trusses, lintels, flitch beams, subfloor framing and any other system that demands specific methods of fixing.

Stairs details: You must supply all stairs and handrail details in order to show compliance with Clause D1 of the building code.

Hot water cylinder: You must show where you will put the hot water cylinder as well as how you will comply with the Clause G12 provisions of the building code (which relate to safe water temperatures, hygienic water supply, water pressures and access, maintenance and repair matters).

Drainage and plumbing plan: Your plan must meet the requirements of either Clause G13 of the building code or standard AS/NZS 3500.2.2003. It must not be a combination of both. The plan must show the following minimum information: pipe gradients, all inspection points, the size of all downpipes and wastepipes, the location of drain vents, gully traps and waste pipe traps and the volume of waste (discharge units). Also, don't forget to label what is at the end of water outlets, whether basin, bath, shower, et cetera.

Engineers: If you need to engage a registered, chartered professional engineer, you need to supply a producer statement. But you should also supply a schedule of inspections (what the engineer will inspect) and a professional indemnity of at least $500,000 through the Institution of Professional Engineers New Zealand. Refer to Council's Building Consent Producer Statements Policy and Procedure (ECB-POL-002).

Earthworks: Your site plan must show where you intend to carry out earthworks and contain full details about the scope and volumes involved (shown in cubic metres)

Slope of land: You must show the slope of the land from where you propose to build to the nearest boundaries.

Bracing: Your bracing plans and calculations must demonstrate compliance with standard NZS 3604:2011, unless specifically engineer designed.

Trusses: If your application involves a new roof structure, you must supply a truss plan from an approved truss manufacturer that contains sufficient detail to enable Council to assess all loadings on the structure. You must supply the manufacturer's PS1 producer statement (see above) with your application.

Fire report: If your application involves a non-residential development or a multi-unit residential development, you must supply a fire report from an approved fire engineer showing compliance with Clause C Fire Safety of the building code.

Ventilation: Applications for commercial properties must show that ventilation to the outside complies with Clause G4 of the building code.

Accessibility: Applicants for commercial building consents must satisfy section 118 of the Building Act 2004 by providing information about how they will provide disabled access to stairs, ramps, lifts, footpaths, counters and toilets so as to demonstrate compliance, as far as reasonably practicable, with Clauses D1, F8 and G1 of the building code and standard NZS 4121:2001.

Alternative solutions

Sometimes people want to build something that is different. The design – whether for a whole house or only one small part of it – may look different, perform better, be more cost-effective or overcome a problem specific to a particular site. It may be a radical design approach or a minor variation in the way a particular component is built, fixed or finished.

The building code allows such innovation by setting performance-based rules. If your building consent application involves an alternative solution, you are best to engage an architect or designer to provide the necessary evidence that your alternative approach will meet the performance requirements of the building code.

Building near boundaries

Council has rules governing how close you may build to your boundaries. These are called minimum setbacks. The distance varies, depending on whether your building will be near a front boundary (that is, one facing the street) or a side and rear boundary. There are also slight differences if you build on a vacant site or add a second dwelling on a lot.

The minimum distance for any building from the front boundary is three metres, as measured horizontally from the roadside property boundary to the building's exterior cladding. (If you are on a corner, you have two front boundaries.) The minimum setback for any building from a side or rear boundary is one metre, again measured horizontally from boundary to exterior cladding.

If you are building on a vacant lot or building another dwelling on a lot, any garage or carport (whether part of, attached to or separate from the new dwelling) must be set back at least five metres from the front boundary if vehicle access is directly from the street. (The side and rear setbacks are unchanged at one metre.) However, if your garage or carport is parallel to the street, and vehicles can turn on the site and drive off (and thus do not have to reverse out), the usual three-metre setback applies.

You are allowed to put up one accessory building (such as garage or shed) in a yard – though not the front yard – provided it does not extend more than six metres along the length of the boundary.

Earthworks

Building invariably involves some earthworks. You are automatically allowed to move up to 50 cubic metres of soil or alter the natural ground level by up to 1.2 metres in height. If your earthworks exceed those limits, you must apply for a resource consent. Get this ***before*** applying for a building consent. In certain parts of the city, you are not allowed to carry out this scale of earthworks as of right. They are the special and passive recreation activity areas, the hill residential activity area, the landscape protection residential activity area, and two sites in Maire St, Eastbourne, and at Baring Head. Contact a council planner if in doubt.

Wood burners

You need a building consent to install an in-built or free-standing wood burner. As well as completing an application form, you must provide a floor plan (not less than 1:100) showing:

- The location of the wood burner and of nearby windows.
- The location of smoke detectors (you may need to install new ones and/or move existing ones).*
- A floor plan of any upper storeys the flue passes through before reaching the roof.

You must also include:

- The manufacturer's specifications and installation instructions.
- Details of the flashing where the flue will penetrate the roof.
- Details of pipe diameters (if attaching a wet back) and distance between the wetback and water heater storage.

* There must be a smoke detector on every level of the home, located in a hallway leading to the outside. On levels with bedrooms, there must be detectors either in every bedroom or within three metres of every bedroom door.

Swimming pools and spa pools

Property owners who want to install a pool must get a building consent first. Anyone buying a property with an unfenced pool must also get a building consent before fencing it. See the brochure ***How to fence your pool (and save lives)*** (ECP-INFO-068), together with the checklist for pool owners, for full details.

Building over pipelines

Council is not in favour of buildings being constructed over its wastewater and stormwater pipelines. Buildings can obstruct access if repairs are necessary, and they can also weaken pipes. Equally, pipes can undermine buildings without proper footings. Council has the discretion to allow such work, but equally it has the right to say no if a building would compromise its ability to repair or replace any pipeline. See the brochure ***Building over pipelines*** (CAP-INFO-008) for full details.

Specified systems (cable cars)

Specified systems are specialised features – for example, sprinklers, lifts, fire alarms and disabled access – required in many non-residential buildings. If you plan to install such systems, you will need to get specialist advice. A qualified person (known as a licensed building practitioner) will have to design, install and certify any such system. A cable car is the only specified system likely to be installed for use by home owners.

If you intend to install a cable car, you must do the following:

- Provide a PS1 producer statement covering its design.
- Show the location of the cable car on your site plan.
- Provide certificate(s) of title for any land it will cross.

Demolition

You need a building consent if you demolish a portion of a building or a building of three or more storeys.. You will have to erect temporary barriers to keep out the public, and provide details of how you will handle and dispose of hazardous materials, how you will control silt runoff, noise and dust, and where you will dispose of demolition material. There are also procedures to follow to stop water, sewerage and stormwater services. (Don't forget power, gas and telephone services, too.) If you are relocating rather than demolishing a building, you will need to advise Council's roading area (ph 04 570 6881) of the building's new location.

The application process

Provided you have supplied all the necessary information, your application will be approved within 20 working days.

Submitting your application

- online at Simpli
- by posting it to us at Private Bag 31-912, Lower Hutt 5040.
- by coming into Council's admin building, 30 Laings Road, Lower Hutt between 8am and 5pm, Monday to Friday.

Receiving your application

1. When we receive your application, check sheets, plans and other documents, we check it for completeness. Each application will be checked within 24 hours of being received and you will be notified if further information is required.
2. Once your application is complete we will email you an invoice for the initial building consent fee.

Technical check (Processing)

3. When payment of the invoice has cleared, the 20 working days clock starts.
4. Any requests for further information will suspend the 20 working days clock. Once all the information has been provided the clock will resume again.
5. When the technical check is complete your building consent will be granted and an invoice sent for any additional fees.
6. Once those fees have been paid the Building Consent will be issued.

The Building Consent will include the building consent document which will include any conditions, you will also receive stamped and approved plans and specifications.

What your plans should contain

The site plan (no less than 1:100) must show:

- The street name and number.
- The site in relation to the street.
- The direction of north.
- The legal description of the property (DP number).
- The position of all boundaries and the distances of all buildings from those boundaries.
- The finished floor levels (relative to ground level).
- The distances of the boundary lines.
- The outline of all buildings (proposed and existing).
- Vehicle access and any car park(s).
- Existing and proposed ground contours and ground levels (extended as far as the boundaries).

- The points from which height control planes were taken.
- The scope, location and volume of any earthworks.
- All existing and proposed water, stormwater and sewer pipes, including showing that they have or will have sufficient fall.
- The site's designated wind zone (low, medium, high, very high, extra high or above extra high).
- Name of building (if applicable and work is an extension).

The foundation plan (no less than 1:100 for A1, 1:50 for A3) must show:

- The dimensions of the foundations.
- Details of the foundation footings.
- The subfloor, including bracing and ventilation.*
- The piles and footings (in detail).
- The size and layout of reinforcing steel or mesh as well as contraction joints (in the case of a concrete slab).**
- Details (in the case of an upper-storey addition) of the upgrading of existing foundations, joints, piles and so forth.

* Whenever you use floor piles, you must provide a subfloor bracing plan, together with bracing calculations. Include calculations in your specifications. Note: you must always supply a subfloor bracing plan and calculations when adding on a storey.

** Provide details of foundations, including reinforcing and connections, on a separate sheet of paper.

The existing floor plan (for additions and alterations only) (no less than 1:100 for A1, 1:50 for A3) must show:

- All levels of the building (not just those affected by alterations or additions).
- Separate plans showing existing and proposed layout, along with existing and proposed plumbing and drainage if work required in this area.
- Windows, doors, fixtures and fittings, stove and general plumbing scheme.
- The purpose of all interior spaces (for example, bedroom, living room, study).
- Any walls to be removed.
- The location of taps, showers, toilets, washbasins and laundry tubs.
- Smoke detectors.

The proposed floor plan (no less than 1:100 for A1, 1:50 for A3) must show:

- The dimensions of all floors and rooms.
- The location of internal walls.
- The purpose of all rooms and interior spaces.
- All existing and proposed water, stormwater and sewer pipes.
- The pipe sizes, gully traps and terminal vents for all proposed plumbing and drainage.
- The location of taps, showers, toilets, washbasins, laundry tubs and hot water cylinder.*
- Beams and floor joist layout for each level with timber floors.
- Stairs, handrails and deck/balcony barriers.
- Smoke detectors.

* Your specifications must show details of all plumbing fittings, as well as the shower base.

The subfloor bracing plan (no less than 1:100 for A1, 1:50 for A3) must be accompanied by calculations and must show:

- The location, length and type of bracing.
- The spacing of bracing line(s).
- Bracing calculations (also supply if you are adding a storey).

The wall bracing plan (no less than 1:100 for A1, 1:50 for A3) must show:

- Bracing details and calculations (supply for lower storeys if you are adding a storey).
- Subfloor bracing for any decks projecting more than two metres from the building.
- The location, type and number of bracing elements. (This allows Council to check that your wall bracing calculations – which you must include in your specifications – comply with NZS 3604: 1999.)*

* When an engineer designs the bracing, provide full calculations. This is especially important in certain wind zones and to confirm the lateral distribution of upper-floor loads where lower-storey bracing is provided in walls beyond the upper-floor footprint.

The plumbing and drainage plan (no less than 1:100) must show:

- The hot water system(s) and all fixtures and fittings.
- An engineer's design if there is an on-site disposal system.

- Pipe sizes, gully traps and wastepipe sizes, drain vents, gradients, inspection points and, except for single-storey buildings, a schematic diagram of all plumbing.
- Calculations for size of downpipes.
- Ventilation for kitchen, laundry, bathrooms and toilets.
- A drainage layout that indicates junctions and inspection bends for sewer and stormwater pipes. (No drainage plan is necessary if you have included in site plan drainage details for dispersal of surface water.)
- *(Only for properties not connected to water supply.)* The location and size of water tanks, the location of bores and the results of testing water from the bores.

The elevation plan (no less than 1:100 for A1, 1:50 for A3) must show:

- Accurate lines from boundary to boundary on each elevation.
- Relevant District Plan daylight control lines.
- The maximum height on each elevation.
- The location of doors and windows.
- Whether windows are fixed or opening.
- Sill heights and floor levels in relation to ground levels.
- Exterior cladding for all elevations, downpipes and spouting.
- Subfloor ventilation points (only for floors on piles).

Sections and details (no less than 1:100 for A1, 1:50 for A3) must include:

- Stairs, handrails and decks.
- Floor, wall and roof materials and insulation.
- Any barriers necessary to prevent falling from decks and balconies. (An engineer must provide designs when details that do not comply with NZBC B1/AS2.)
- Framing, beams, lintels, trusses and other structural items, including their sizes and means of fixing. (An engineer must design lintels' carrying point loads, such as from girder trusses.)
- Fire-rated systems on any walls closer than one metre from a boundary.
- Roof cladding, eaves, fascias, gutters and door and window flashings.
- The stud heights of rooms, plus height from lowest ground-floor level to top of roof ridge.
- Truss design and layout, fixing details and load path to the ground.
- Details, where applicable, for retaining wall (include type of wall – whether timber, concrete or block – as well as height of retained ground, position in relation to nearest boundary, waterproof membrane and drainage.

Cladding details (no less than 1:100 for A1, 1:50 for A3) must include:

- All penetrations, joinery and other junctions, shown in a degree of detail corresponding to the level of risk. That risk is determined by the property's wind zone, the complexity of the building's design, the building's construction materials and the inclusion of any decks.

Specifications (general) must include:

- Elements of structure, such as size, spacing and timber treatment.
- Finish of fixings to meet durability rules.
- Plumbing and drainage materials, and standards they comply with.
- Wet area surfaces.
- Ventilation systems.
- The slip resistance of flooring in access routes.
- Glazing.
- Type of smoke detectors (including details of existing detectors if they are to remain).

Specifications (external claddings) must include:

- The product name, manufacturer, maintenance requirements and warranties for the following products:
  - Building wraps.
  - Wall claddings.
  - Roof claddings.
  - Membranes (roofs and decks).
  - Tanking.
  - Joinery.

Other documents you may need to supply

Structural work

If your project requires a structural engineer, you must supply:

- The structural drawings, along with the engineer's calculations.

- An explanation of the design approach and justification of assumptions and methodologies used in the design.
- A schedule of inspections.
- Proof of professional indemnity insurance.
- Certificate of design work.

Producer statements

Include, where applicable, any producer statements (most typically from an engineer) to show compliance with the building code. (Be sure to include the engineer's calculations). Refer to Council's Building Consent Producer Statements Policy and Procedure (ECB-POL-002).

Product appraisals

Supply copies of product appraisals (whether from the manufacturer, building industry body BRANZ or an independent tester) for all membrane products and all products new to the New Zealand market.

Risk assessment

Supply an assessment of the site's exposure to wind and of the building's design and detailing that justifies the cladding you have selected. (You can use risk matrix E2/AS1.)

Alternative solutions

If you intend using products or systems not covered in compliance documents of the building code (most commonly, E2/AS1 and NZS 3604: 2011), you must supply supporting information, including:

- Independent test results (full signed reports) showing compliance.
- Case studies.
- Expert opinion, including the basis for forming that opinion.
- Evidence of expert's qualifications and experience, plus a statement of independence.

Change of use

If you propose converting a building (such as a commercial office) to residential use, supply:

- An assessment of the building's compliance with the building code.
- A written argument, with supporting documentation (in the event that your proposal is not to comply fully with the building code, as required by section 115(a) of the Building Act 2004), showing how you will meet the highest level of compliance that can be considered reasonably practicable.

Demolition and removal of houses

If you are removing a house, demolishing a house of three or more storeys, or demolishing a portion of a house, supply:

- Details of temporary barriers, gates (must be inward-swinging) and any other means of restricting public access.
- The address, in case of demolition, of the landfill or other place where building material will go.
- The address, in case of relocation, where building will go. (Note: you must contact Council about when you propose to move the building and the route you will take.)
- A safety plan, if applicable, for the handling and disposal of any hazardous building material.
- A plan setting out how you will control silt runoff, noise and dust.
- Details about where you will disconnect water, stormwater and sewerage services. This is usually at the boundary. (Don't forget to include contact phone, gas and power suppliers.)
- Information about the building such as type of construction and number of storeys. (Please enclose photos.)

Fire report

If your proposal is for a residential building of four or more storeys or if it consists of more than one household unit, you must supply:

- A fire report from a suitably qualified expert.

Granting your building consent

We will grant the application, once we are satisfied that the documentation demonstrates compliance with the building code.

The date your building consent is granted is the date your building consent was approved pending payment of all fees due by you.

We will notify you of any outstanding fees.

Issuing your building consent

We will issue your building consent:

- When all fees are paid, and
- Council is satisfied on reasonable grounds that your planned project complies with the building code

It is important that you read the full consent documentation carefully. In some circumstances, having a building consent issued to you does not necessarily mean that construction can start.

Other legislation has a role to play too and you may have to wait for other authorisations such as a resource consent. These conditions will be outlined within your building consent approval documents. (eg section 37 of the Building Act).

Conditions may be applied to a consent if:

- The building work has a specified intended life, and/or
- Your consent is granted but there are other rules that must be adhered to.

And lastly…

If you'd like help with any part of the process, please contact Council on ph 04 570 6666. We'll discuss your project and the building consent requirements.