



BUILDING CONSENT AUTHORITY

T-04 Building consent application (building consent authority function)

Roles and Responsibilities

- **TEAM LEADER BUILDING**

To develop policy and procedures to ensure appropriate technical checks are undertaken.

To develop audit processes to ensure quality of documentation is maintained, and that information provided in the application is in accordance with the requirements of the Act, regulations, and policy and procedures.

- **SENIOR BUILDING OFFICER**

Appraise the project in order to identify relevant technical inputs.

- **ADMINISTRATION OFFICER /CUSTOMER SUPPORT OFFICER**

Appraise the application for compliance together with the application checklist and quality of the documentation.

- **CUSTOMER**

Provide the completed application together with all the necessary documentation to the appropriate level of quality.

BACKGROUND

- Section 40 requires that buildings are not to be constructed, altered, demolished or removed without a building consent.

- Section 41 states that a building consent is not required in certain circumstances. These are:

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<p>Introduction Date: 23 June 2006</p>	<p>Issue Date: 30 May 2007 Review Date: 5 September 2007</p>	<p>File Name: T-04</p>	<p>Page 1 of 10</p>

- Crown building or Crown building work where the Minister of Defence certifies in writing that the building or building work is necessary for reasons of national security (section 6).
- Any work described in Schedule 1 (exemptions).
- Any building work where it is impractical to issue a building consent due to the work being required under urgency to protect life or health, protect against serious damage to property, or in order to ensure a specified system in a compliance schedule is maintained in a safe condition or is made safe.
- Any energy work under section 43 that does not require building consent.
- Any building work a territorial authority is authorised to carry out under the Building Act.
- Section 44 requires that an owner must apply for a building consent before the building work begins, and that an owner can make a series of applications for stages of the proposed building work.
- Section 45 describes how to apply for a building consent.
- Building consent applications are received in person, in the mail, or by electronic means if provided for by the NPDC building consent authority.

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Procedure

1 CHECK APPLICATION FORM

- 1.1 The owner must provide a completed application on the prescribed form (Form 2).
- 1.2 This can be provided and applied for by an agent with the owner’s authorisation, or this can be any person who has agreed in writing, conditionally or unconditionally, to purchase the land.
- 1.3 A staff member uses an application checklist to vet the application form for completeness.

2 APPLICATION CHECKLIST

- 2.1 Check that the application had been made by the owner (or his agent) of the fee simple land. This shall be verified with a certificate of title or other evidence of ownership (e.g. lease agreement, rates notice, agreement for sale & purchase), or agency, and may take the form of a signed letter from the owner authorising the agent.

For the purposes of section 7, *owner* means - entitled to the rack rent from the land, or would be entitled to the rack rent if the land were let to a tenant at a rack rent, and includes:

- conditional or unconditional agreement in writing to purchase the land, or
 - conditional or unconditional agreement in writing to purchase any leasehold estate or interest in the land.
- 2.2 Check to ensure all sections of the application form have been completed before accepting and lodging.
- Legal description.
 - Building name (if applicable).
 - Street address.
 - Number of levels (including ground level and any level below ground level).
 - Floor level where work is or the unit number (if applicable).
 - Floor area (identifying new floor area and existing floor area).
 - Current lawfully established use (including number of occupants per level and per use if more than one type of use).
 - Name of owner and contact details (postal, phone, mobile, fax and email).

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- Name of owner's agent and contact details (postal, phone, mobile, fax and email, and details of the authorisation from the owner to make the application), if application is being made by an agent on behalf of the owner.
- Name of contact person and contact details (postal, phone, mobile, fax and email, and details of the authorisation from the owner to make the application).
- Signature of the applicant and date of application.
- Description of the building work.
- Floor area affected by building work
- Year building first constructed
- Details of new use if a change of use is proposed.
- Details of stages if a staged consent is involved.
- Intended life of the building.
- A list of previous building consents issued for the project (if any).
- Value of the building work on which the building levy will be calculated, in accordance with section 10 of the Goods and Services Tax Act 1985, of all goods and services to be supplied for the building work.

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- Details as required as if this is a combined (project information memorandum and building consent) application (refer to T-08).
- List of the relevant Building Code Clauses that are to be complied with in the consent.
- Detail of the Compliance Documents being used as a means of complying with each of the listed Building Code Clauses, or details of the alternative solution that is being used for the relevant Building Code Clause.
- Nature of any waiver or modification to the Building Code that is included in the application and details of the waiver and modification.

2.3 Alternatively, the policy may allow for the application to be accepted and lodged, with the application being suspended awaiting the additional required information.

With the acceptance of the application, the statutory timeframe (20 days) begins at midnight on the day of acceptance.

2.4 The BCA is committed to processing all building consents within the requirements of the statutory timeframe.

The application may be suspended at any time during the consent process in order for the applicant to provide information required by the BCA to complete the building consent application. The *clock* for the 20 days is stopped when further information is requested and resumes when it is received.

2.5 A list of all specified systems in the building when a compliance schedule is required.

2.6 A list of all specified systems for the building where the proposed building work would result in the alteration, addition, or removal of any specified systems included in an existing compliance schedule.

2.7 Plans and specifications must accompany the application together with any other information that the building consent authority reasonably requires.

2.8 The building levy if the project value is \$20,000 or greater and any charges or fees fixed by the building consent authority. Note that the Department of Building and Housing levy is payable 1 month after the consent has been granted. It is therefore considered best practice to calculate and obtain these and other consent fees up front. Other benefits in getting the fees up front are:

- the building consent can be issued when approved
- consents not sitting around waiting for payment
- less administration chasing up on consents that have not been uplifted
- easier to track consent progress as date field is defined

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- no issues with changes to legislation (as might be the case if consent has sat around for some time).

Note: When there is an increase in the levy, and fees have been paid up front, fees must be recalculated before the consent is granted.

- 2.9 After 30 November 2009, if the application relates to restricted building work, the applicant may be required to supply the name and licence number of each licensed building practitioner who will be involved in carrying out or supervising this work.

Note: The restricted building work and licensed building practitioners provisions do not come into effect until 30 November 2009.

- 2.10 Notification of the project information memorandum issue number (if applied for beforehand) and, where applicable, any resource consent issue number.

- 2.11 From 30 November 2009, where the application relates to restricted building work, the plans and specifications relating to the work prepared by licensed building practitioners with relevant licence class(es). These may be accompanied by a statement confirming that, if the restricted building work was completed in accordance with the plans and specifications provided in the application, it will comply with the Building Code.

- 2.12 Any application for an amendment to the building consent must be made as if it were an application for a building consent (refer to T-21).

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3 VET PLANS AND ATTACHED DOCUMENTS

3.1 The plans need to be vetted for completeness of relevant details. This is not a technical check for compliance with the Building Code. It is a check that there are:

- relevant site plans, with contours
- drainage plans
- floor plans for each level
- foundation layouts
- subfloor framing layouts
- elevations with ground lines and finished floor levels shown
- roof framing and bracing layouts
- wall and floor framing and bracing layouts
- relevant construction detail (flashings, connections, etc)
- plans that are legible and drawn to a relevant scale and suitable for the recording medium, either electronic scanning or microfiche
- any other details required.

3.2 Sufficient copies of the plans must be provided to enable all processes to be carried out by the building consent authority or territorial authority.

Note: An additional set of plans, specifications and a fire report will be required for applications that are to be submitted to the New Zealand Fire Service Commission, who will retain this set of documents for their records.

4 EXPLAIN PROCESS TO CUSTOMER

4.1 It is best practice to explain the application process to the customer at the time of lodgement. The following issues should be discussed.

- Time-frames and legal requirements (refer to T-03 and T-33).
- Responsibilities of the owner/applicant during the consent process.
- Customer given general overview of when an inspection will be required.
- Where, when and how they are to arrange inspections (phone number, fax number or electronic through website etc).

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- Explain that there are restrictive time-frames on the life of the consent such as 12 months to start work, agreed extensions of time and for serving notices to fix.
- Requirement of building consent authority to follow up on work not completed within 2 years of commencing work.

NPDC Controlled Document

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5 RESTRICTED BUILDING WORK (REFER TO T-26 AND T-22)

Note: The restricted building work and licensed building practitioners provisions do not come into effect until 30 November 2009.

- 5.1 From 30 November 2009, where the application relates to restricted building work, the plans may need to be checked to verify whether there is restricted building work.
- 5.2 If there is restricted building work, check to ensure the application includes notification of this component.
- 5.3 For each licensed building practitioner the applicant is aware of at the time of application who may be involved in carrying out or supervising any restricted building work, their name and licence number may need to be recorded on the application.

6 APPLICATION ACCEPTED/REJECTED

- 6.1 When the documentation and application is verified as complete, the customer support officer should acknowledge that the application is acceptable.
- 6.2 When the documentation and application is noted as being incomplete, the authorised or designated officer should reject the application as being unacceptable.
- 6.3 If not accepted, request the customer to return with the required information and re-lodge the application with the additional requirements. Good practice would be to note on the customer's checklist that the information was unacceptable and explain where documentation is lacking or of inadequate quality, etc. (Examples could include no certificate of title, drainage issues, or lack of details specific to proposed building work or similar.)
- 6.4 Note that it may be possible to suspend the application, rather than reject it, depending on the amount or type of information required.

7 DEPOSIT OR FULL FEE AND LEVY

- 7.1 The deposit or fee is to be paid and receipted. Approved customers are sent an invoice for whole amount and a monthly statement is sent. Note placed on project file.
- 7.2 If there is an arrangement for payment only when granted, a process should be initiated to ensure the consent is not issued until payment is received. This is owing to the fact that levies are due the month

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following approval of the consent. For all other customers, on approval the building consent will be granted. The building consent will be issued only upon full payment of all fees (excluding development contributions).

8 APPLICATION LODGED AND ENTERED INTO SYSTEM (T-05)

- 8.1 The system should generate a unique consent application number or job number, and a time-tracking system should commence (refer to T-05).
- 8.2 Application details should be entered into the system using a unique number as the job reference.

9 APPLICATION APPRAISAL

- 9.1 The Senior Building Officer Consents will then appraise the project and assign tasks to the various technical staff (refer to T-17).

Notes

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