



BUILDING CONSENT AUTHORITY

T-25, T-25.1, T-25.2 AND T-25.3 GRANTING, ISSUING AND LAPSING OF BUILDING CONSENTS (SECTIONS 49-52) (building consent authority function)

Roles and Responsibilities

- SENIOR CONSENTS OFFICER**
 Responsible for ensuring administrative staff have the appropriate competence to understand the processes involved with the granting, refusing or lapsing of a building consent.
- BUILDING CONSENTS OFFICER**
 Responsible for assessing whether a building consent is ready for granting and approving or refusing issue of building consent.
- ADMINISTRATION**
 Responsible for all administration functions associated with granting or refusing and lapsing of a building consent.

Background

- A building consent authority has 20 days from date of receiving a building consent application to determine whether to grant or refuse to issue a building consent.
- The building consent authority cannot grant a building consent unless satisfied that the provisions of the Building Code would be met if the building were constructed in accordance with the plans and specifications that accompany the application, and until it receives charges fixed by it in relation to the consent, and any levies payable under section 53.

NPDC Controlled Document

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Version No: 2

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<p>Introduction Date: 2 August 2006</p>	<p>Issue Date: 7 March 2007 Review Date: 7 September 2007</p>	<p>File Name: T-25, T-25.1, T-25.2 and T-25.3</p>	<p>Page 1 of 6</p>

3. During building consent processing, a building consent authority may require further information. In such cases, the 20-day time clock will be stopped (suspended) until the required information is received. The time clock is restarted once the additional information is received.
4. A building consent must:
 - be issued in the prescribed form
 - have a copy of the project information memorandum attached to project file
 - have a development contribution notice attached (if any)
 - have certificates issued under section 37 attached (if any)
 - state whether a compliance schedule is required (or requires amending) and list the appropriate specified systems and relevant performance standards.
5. A building consent authority is required to issue the territorial authority with a copy of the above documentation within 5 working days of issuing a building consent.
6. If building work is not started within 12 months (or other agreed time-frame) from time of building consent issue, the building consent may be lapsed.
7. A building consent authority is required to notify the territorial authority if a building consent has lapsed.

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Procedure

1 GRANTING OF BUILDING CONSENT

- 1.1 A building consent authority has 20 working days in which to grant or refuse a building consent.
- 1.2 After processing is complete and prior to granting the building consent a Senior Consents Officer will assess the processing work to ensure Building Code Clauses have been properly checked.
- 1.3 The Building Consents Officer will also check:
- whether building consent conditions need to be attached
 - whether a development contribution notice issued under section 36 is required
 - whether any Resource Management Act certificates issued under section 37 are required
 - whether a New Zealand Fire Service Commission memorandum has been issued, and whether the building consent authority is satisfied with processing decisions in response to this
 - whether all requirements identified in the project information memorandum have been addressed
 - whether there are any bans or warnings that may affect the project
 - whether the consent value is realistic, and whether levy assessment is correct
 - whether a compliance schedule is required or needs amending and, if so, whether the specified systems are correctly identified, and whether the performance standards for the specified systems are appropriate.
- 1.4 If satisfied, the building consent should be approved and forwarded to a building administration officer to prepare for building consent issue. The building consent time clock will be stopped at this point.

2 REQUESTS FOR FURTHER INFORMATION OR REFUSING TO ISSUE A BUILDING CONSENT

- 2.1 If not satisfied, further information may be requested to support or clarify the application. During this period, the clock will be stopped. Upon receipt of the information, the clock restarts and processing is completed in accordance with T-19.
- 2.2 A follow-up system should be put in place to ensure applications are not sitting waiting for information for long periods of time. A 28-day turnaround time is recommended.

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2.3 If still not satisfied, the application for building consent may be refused, and the applicant advised accordingly. The reasons for the refusal must be clearly documented and attached to any notification sent to the applicant.

3 ISSUE OF BUILDING CONSENT

3.1 The building administration officer will:

- grant the building consent when it has been approved
- generate the building consent on the prescribed form
- attach building consent conditions (if applicable)
- attach a list of the specified systems that are covered by the compliance schedule and the performance standards of these (if applicable)
- attach a copy of the project information memorandum (if applicable).

This information will be collated and signed (*pp*) by building administration officer.

3.2 The administration officer will then contact the applicant and advise them that the building consent application has been approved and is ready for issue (or refusal, if this is the case). The applicant should also be advised whether there are any outstanding fees.

3.3 On payment of all charges, the building consent authority is required to issue the building consent.

3.4 The building consent must:

(i) In the case of a combo:

- have a copy of the project information memorandum attached (if applicable)
- have a development contribution notice attached (if applicable)
- have any certificates issued under section 37 attached (if applicable)
- state whether a compliance schedule is required (or requires amending) and list the appropriate specified systems and relevant performance standards.

(ii) In all other cases:

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- be issued in the prescribed form.

- 3.5 The building consent authority may grant a building consent if the territorial authority has not issued the project information memorandum within the 20-day time-frame. Upon receipt of the project information memorandum, the building consent authority must provide the applicant with a copy. The building consent authority must also provide, where applicable, copies of any development contribution notices or Resource Management Act certificates issued under section 37.
- 3.6 Consents lapse if building work has not started within 12 months of building consent issue (or any further period that the building consent authority may allow). A request for extension of time is required if the customer wishes.
- 3.7 For the purposes of this section the computer entry is to be set one month before the consent is due to lapse (ie, 11 months from the date of issue of the consent).

4 APPLICATION APPROVED BUT CONSENT NOT YET GRANTED

- 4.1 To avoid conflict and to ensure all applicants are treated in a fair and equitable manner, a building consent authority has a policy regarding the length of time that it will store an approved application before it is granted.
- 4.2 If an approved application is not uplifted within the required time-frame, the building consent authority should contact the applicant and determine whether they wish to cancel the application. All contacts should be recorded.
- 4.3 If the applicant intends to continue with the proposed application, they are be given a clear time-frame in which to uplift the application before it will be cancelled. This time is decided by Team Leader Building at his discretion and the applicant is notified in writing of the decision.
- 4.4 If the consent application is to be cancelled, the applicant is advised by letter and refunded any remaining fees.
- 4.5 A record should be maintained of all cancelled applications.

5 LAPSING A BUILDING CONSENT

- 5.1 If after 12 months the building consent authority becomes aware that building work has not progressed, the building consent should be lapsed, or a further period in which to make progress agreed with the applicant.

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- 5.2 To avoid conflict and to ensure all applicants are treated in a fair and equitable manner, the building consent authority will contact the applicant and enquire reasons for a non start. If the Team Leader Building is satisfied that work will begin soon and no processes or code requirements will be prejudiced, he may at his discretion, extend the start date.
- 5.3 If the building consent authority approves a further period in which to make progress, it will need to formally notify the applicant.
- 5.4 If the building consent authority chooses to lapse the building consent, the applicant will be advised accordingly.
- 5.5 The applicant should be advised on how to apply for a refund, if applicable. Any refund of charges will be at the discretion of the building consent authority.

NOTES

- In all cases, any correspondence between the building consent authority and the applicant or any other parties should be recorded on the project file.
- If an applicant has not provided a project information memorandum with the building consent application, the building consent authority will need to apply for one.

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