

# Getting a building consent on the Kāpiti Coast

Form 558



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## How this guide can help you

The intention of this guide is to help you navigate the building consent process in the Kāpiti Coast District and hopefully make that process as easy and efficient as possible.

It is intended for anyone who is thinking about building, whether that means building a new home, renovating, or extending an existing home, or developing a subdivision.<sup>1</sup>

It's important to apply for a building consent *before* you start any building work. This guide will step you through the consent process and explain the requirements you have to meet, the timeframes and costs involved, and what you can expect from us along the way.

Helpful and complementary guidance is also available in the Ministry of Business, Innovation and Employment's (MBIE's) publication [Building Consent Guidance](#). We recommend you read it as well.

You may need to enlist the help of different experts — designers and other agents — or you may choose to manage the project yourself, or a combination of both. Whatever your approach, it's a good idea to have a conversation with everyone involved in the process, including our Building Officers.

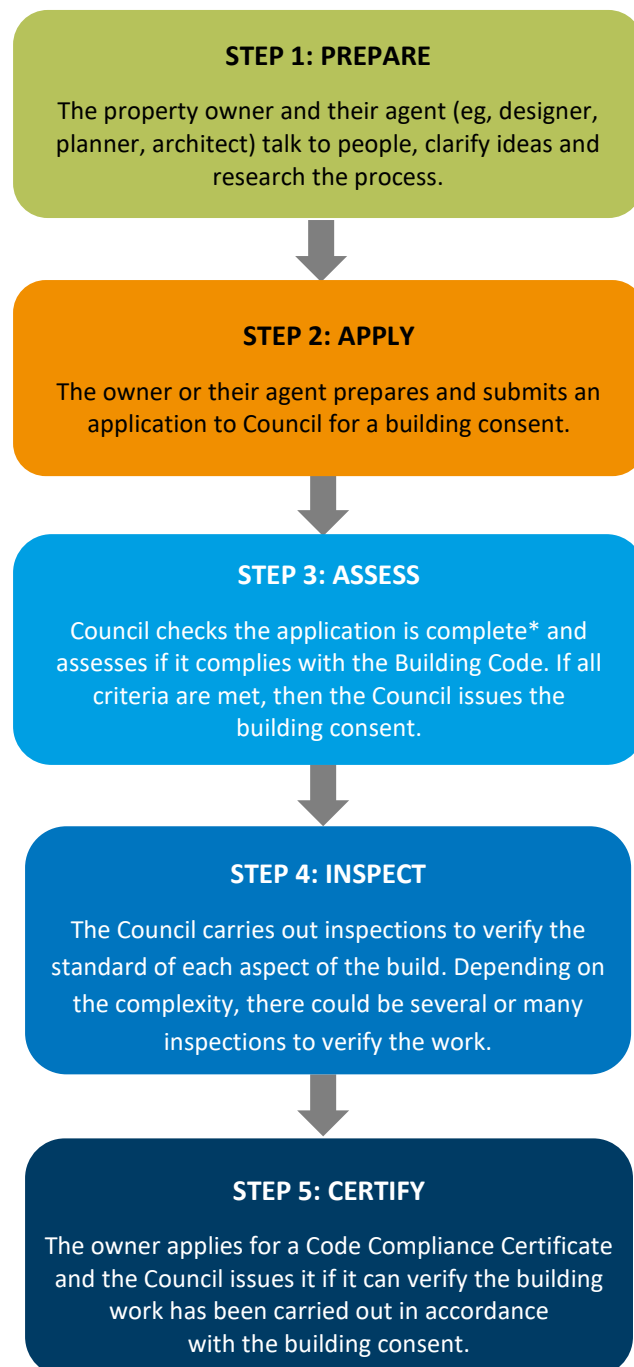
**Call 0800 486 486** to make an appointment with our Building Team.

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<sup>1</sup> See our separate guidance: Land Development Minimum Requirements:  
<https://www.kapiticoast.govt.nz/media/lhxjqmqf/land-development-minimum-requirements-april-2022.pdf>.

## Overview of the building consent process

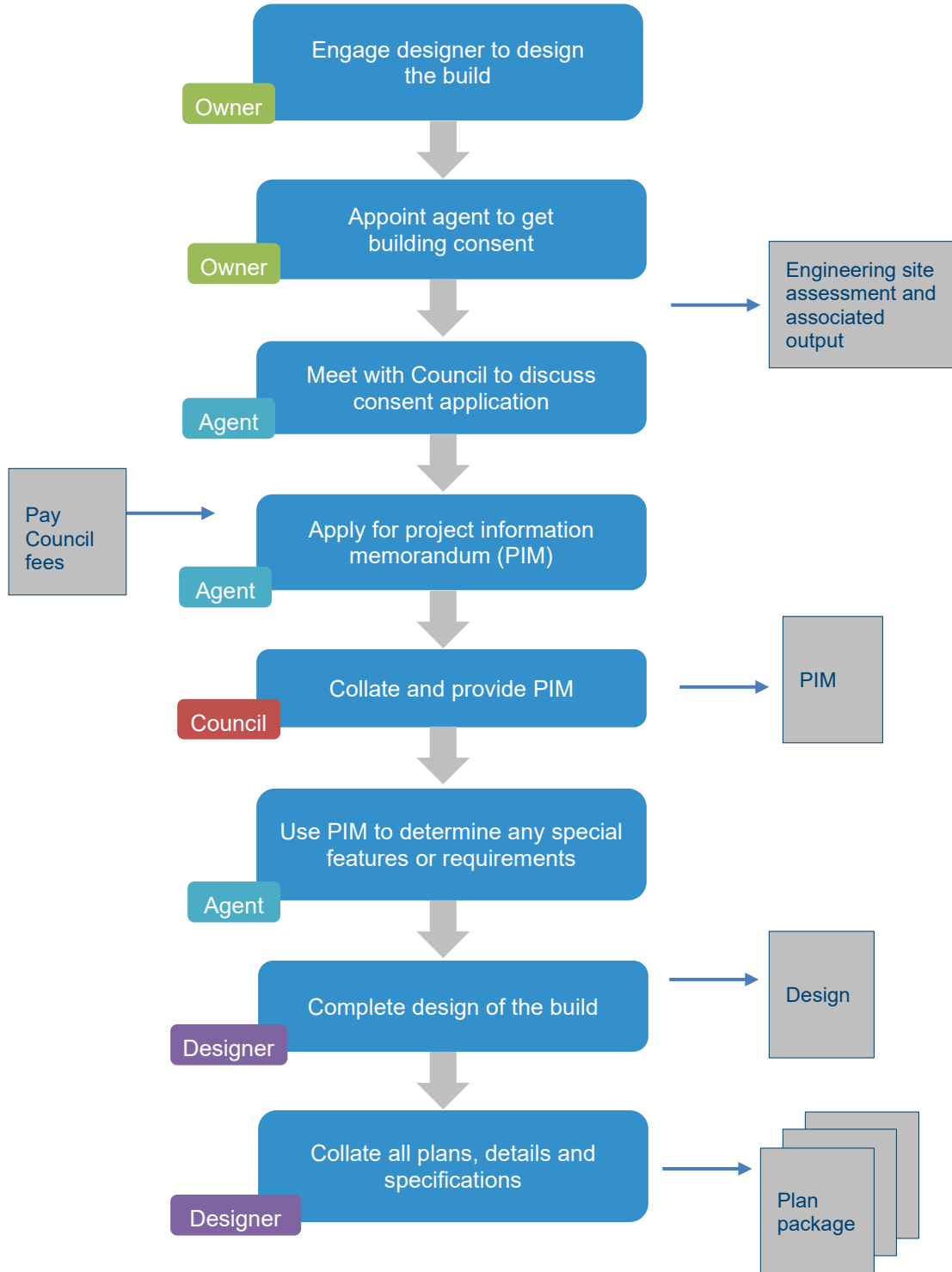
The building consent process begins when the decision to build is made and ends when the completed build is complete and the Code Compliance Certificate is issued. Here is an overview of the consent process actions and who is responsible for carrying them out.



\*Council may ask for more information if there is missing or not enough detail.

# STEP 1: PREPARE

This diagram shows you the steps involved in preparing your application for a building consent.



## What is a building consent?

All building work needs to comply with the Building Code and in most cases you will need a building consent before you can start building or renovating.

A building consent is an approval to undertake building work in accordance with the approved plans and specifications. It confirms your proposed building work is permitted to begin, subject to any restrictions or conditions that may be included in the consent.

Building consents are issued by a building consent authority (BCA) when it's confident your proposed work will meet the requirements of the Building Code, Building Regulations and the Building Act 2004.






We are the BCA for the Kāpiti District and we are audited every two years to confirm our accreditation.

Building work may need a resource consent as well.

[Read more about resource consents.](#)

## Who is responsible?

There are usually many parties involved in a building project, each with different responsibilities. This table sets out some of the key players and their responsibilities.

Who	Responsibility
Property Owner 	Responsible for obtaining and paying for the building consent, and a resource consent if required. Also responsible for complying with the inspection process.
Licensed Building Practitioner (builder) 	Responsible for ensuring the building work is carried out in accordance with the Building Code, approved plans and specifications.
Designer 	Responsible for ensuring the plans and specifications comply with the Building Code.
Your appointed agent 	Responsible for lodging your application and ensuring the completeness of the documentation to the required standards. The agent may also be your designer, draughtsperson, architect, developer sub-contractor or builder.
Kāpiti District Council 	Responsible for checking an application for a building consent complies with the Building Code, and that the building work has been carried out in accordance with the building consent. This is done by our Building Officers.

## About the Building Act 2004

The Building Act 2004 (the Act) governs the building industry in New Zealand.

It covers the construction, alteration, demolition and maintenance of new and existing buildings. It sets standards and procedures for people (you, Council staff and other experts) involved in building work to make sure buildings are safe, healthy and built right. It covers how work must be done, who can do it and when it needs to be consented and inspected.

The Act aims to improve control of, and encourage better practices in, building design and construction.

This means:

- more clarity on how we expect buildings to meet the Building Code
- more guidance on how those standards can be met
- more certainty that the people undertaking building design, construction and inspection are licenced and accredited as capable
- more scrutiny in the building consent and inspection process
- better protection for homeowners through the introduction of mandatory warranties

### More information

You can get more information about the Building Act 2004 by searching Building Act at <https://www.legislation.govt.nz> . Guidance information is also available at <https://www.building.govt.nz>

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## About the New Zealand Building Code

The Building Code is contained in Schedule 1 of the Building Regulations 1992. It sets the performance standards that all building work must meet, even if it doesn't need a building consent. The Building Code sets clear expectations of the standards buildings should meet. It covers aspects such as structural stability, durability, protection from fire, access, moisture control, services and facilities, and energy efficiency. The Building Code states how a building must perform in its intended use rather than describing how the building must be designed and constructed.



## Where can I find help?

- The Ministry of Business, Innovation and Employment (MBIE) maintains a register of Licensed Building Practitioners:  
[Licensed Building Practitioners \(lbp.govt.nz\)](https://www.lbp.govt.nz/)  
<https://www.lbp.govt.nz/>
- MBIE's building website has a helpful homeowner section which includes how to choose the right people:  
[Building Performance](https://www.building.govt.nz/#section-homeowner_essentials)  
[https://www.building.govt.nz/#section-homeowner\\_essentials](https://www.building.govt.nz/#section-homeowner_essentials)
- Engineers New Zealand has a Find an Engineer Database:  
[Find an engineer \(Engineering NZ\)](http://www.engineeringnz.org/public-tools/find-engineer)  
[www.engineeringnz.org/public-tools/find-engineer](http://www.engineeringnz.org/public-tools/find-engineer)
- New Zealand Institute of Architects has a Find an Architect Database:  
[Find an architect \(nzia.co.nz\)](https://nzia.co.nz/connect/find-an-architect/)  
<https://nzia.co.nz/connect/find-an-architect/>

## What will a building consent cost?

You must pay the fees for all steps of the building consent process when you lodge your building consent application. This is separate to the fee you pay your agent.

You can get a list of building consent fees at our office or download it from our website:

<https://www.kapiticoast.govt.nz/services/a-z-council-services-and-facilities/fees-and-charges/building-consent-fees/>

If your building consent needs unexpected additional services, such as extra reviews or reinspection, we will charge you extra at the end of the consent process. Similarly, we'll issue you with a refund if our costs are lower than the fees you were charged. We will return any refundable deposits to you once the consent process is complete.

## What the fees cover

The fees cover our time and resources in providing services related to the building consent process. These charges include fees to:

- administer your application
- collate and provide you with Project Information Memoranda (PIM) data, if you've applied for one
- inspect your building work at various stages during and after construction.

The fees also include various government levies and, in some cases, refundable deposits.

## How to pay

The easiest way to pay your building consent fees is at the same time you make your application using your preferred payment methods, such as internet banking or EFTPOS.

### **More information**

[Building consent fees and charges](#)

## Do I need a building consent?

If you're planning to carry out building work, you almost certainly need building consent. You might also need a [resource consent](#).

A building consent ensures building work is safe, durable and does not endanger health. It aims to protect both the current users of the building and those who may buy and use the property in the future.

It is an offence in New Zealand to build without a building consent where one is required. Doing so could result in you being fined and possibly the building work being removed.

Building without a consent may also make it difficult for you to sell the building, or even to get insurance.

Regardless of whether you need a consent or not, any work **must** meet the requirements of the Building Code.

## What building work needs a consent

Here is a list of the main activities that need a building consent. It doesn't cover everything, so if your activity is not on the list, check with us.

You need a building consent if you're building:

- a new house
- an addition to an existing building
- a garage if it is larger than 30m<sup>2</sup> or within its own height to a legal boundary
- a retaining wall that's load-bearing or over 1.5 metres
- a deck more than 1.5 metres above ground level
- a fence higher than 2.5 metres.

You need a building consent if you're:

- doing any work on a house that will affect the building's structure
- installing a pool fence
- adding a building closer than the measure of its own height to any residential building or legal boundary (for example, if your shed is 2 metres high, you'll need a building consent to place it closer than 2 metres from your house)
- relocating an existing structure that is larger than 30m<sup>2</sup>
- substantially re-piling an existing building
- adding insulation to external walls
- installing a solid fuel heater or fireplace
- doing plumbing or drainage work other than simple plumbing repairs
- changing or altering a building's purpose, for example, converting a house to a commercial premises or adding a residential unit to a commercial premises

You may also need a building consent for erecting tents or marquees, installing pools, fireplaces or solar panels and for some demolition work.

### **Building work that doesn't need a consent**

The Building Act 2004 Schedule 1 sets out certain building work that does not require a building consent.

Some basic building work, such as laying a patio or installing kitchen cupboards, is exempt and does not need a building consent.

### **More information**

Read MBIE's guide:

[Building work that does not require a building consent](#)

<https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/check-if-you-need-consents/building-work-that-doesnt-need-a-building-consent/>



### **Even if you don't need a consent**

Whether your building work needs consent or not, it *must* meet the performance requirements of the Building Code.

It is up to you to determine when building consent is required, and we advise you to check with us if you're unsure.

Book a meeting with our building consent team by calling us on **0800 486 486**.

## Do I need a resource consent?

A resource consent is permission we give to use or develop a natural or physical resource and/or carry out an activity which affects the environment in some way.

The District Plan contains rules about different types of activities in different parts of the district. Anything not permitted by the District Plan requires a resource consent, which will be for either:

- a land-use consent
- a subdivision consent or
- a deemed permitted boundary activity.

This might include using land for a particular activity, erecting a building, additions to a building, earthworks or subdividing land.

If your proposal includes activities not allowed under the District Plan, contact us to confirm you need to apply for a resource consent. Make sure you check this out early in the process to avoid delays.

### More information

See [Other approvals you may need](#) including more information about resource consents.

## Do I need a ground report?

Consents for new builds and extensions will need a ground report to identify the specific ground conditions. This will ensure your foundations and building are designed to meet the building code. Consents for internal alterations that potentially change the 'load' on your foundations may also need a ground report.

A ground report is prepared by a suitably qualified professional such as a consulting geotechnical or civil engineer. It includes a geotechnical assessment and identifies risks such as liquefaction or slope stability. Where required, it will make recommendations for specifically designed foundations for your designer or architect to consider.

If your consent needs a ground report, you must submit it with your building consent application.

If you are unsure, contact us.



## The benefits of a PIM report

A PIM, which stands for Project Information Memoranda, is a report about a specific building proposal on a specific site. For a set fee, we can provide a PIM to people applying for a building consent.

A PIM lets you know of any issues that might impact your project, for example, a requirement for a resource consent, flooding and land stability, or public infrastructure.

While PIMs are no longer mandatory, we still recommend getting one. A PIM is not a formal approval of building work, however it can either:

- confirm that your building work may be done, subject to the requirements of the building consent and provided that you have all other necessary authorisations or

- let you know your building work can't be done because the necessary authorisation has been refused, even though a building consent may have been issued.

We recommend you apply for your PIM report early as it can help avoid costly redesigns in the design stage. It can also prevent potential delays in your project by ensuring the application process for resource consent is well advanced before the building consent is issued.

## What a PIM identifies

A PIM will give information on any special features of the land that could affect a proposed building project that we know about. This could include:

- erosion

- falling debris

- subsidence

- slippage

- flooding

- presence of hazardous material

- whether a resource consent is required

- whether other laws affect the site, for example, heritage requirements, territorial authority bylaws

- details of surface water and wastewater

- whether a development contribution fee is required

- whether the proposed use of the building will require an evacuation scheme approved by Fire and Emergency New Zealand.

## What if I don't want to apply separately for a PIM?

Although you may apply for building consent without the benefit of a PIM, we must consider the same issues when processing your building consent as we would for a PIM, including the requirements of the various plans that control building in our region. We will identify these issues and plan requirements in your consent as either conditions or advice notes. Some of these may result in delays to the start of your building work, as they may need to be resolved before you can begin work.

## How do I apply for a PIM?

Apply for a PIM electronically using the online building consent portal SIMPLI. The link is <https://www.simpli.govt.nz/apply-online>

If you can't use the online portal contact the Building Team on 0800 486 486.

This checklist tells you all the information you will need to apply:

### PIM Checklist

Address and legal description of the site.

Drawn details about the kind of building that you are proposing, for example:

- site plan showing boundary dimensions and building distances from boundaries
- elevations showing height of building and height in relation to boundaries for day-lighting (District Plan requirements)
- site coverage of proposed and existing buildings
- proposed floor levels in relation to established datum (NZVD 2016)
- proposed earthworks (if applicable) with existing and proposed site contours.
- location of water ways and other specific land features (eg, native trees)
- proposed use of the building.

### Timeframe

We will issue a PIM within 20 working days.

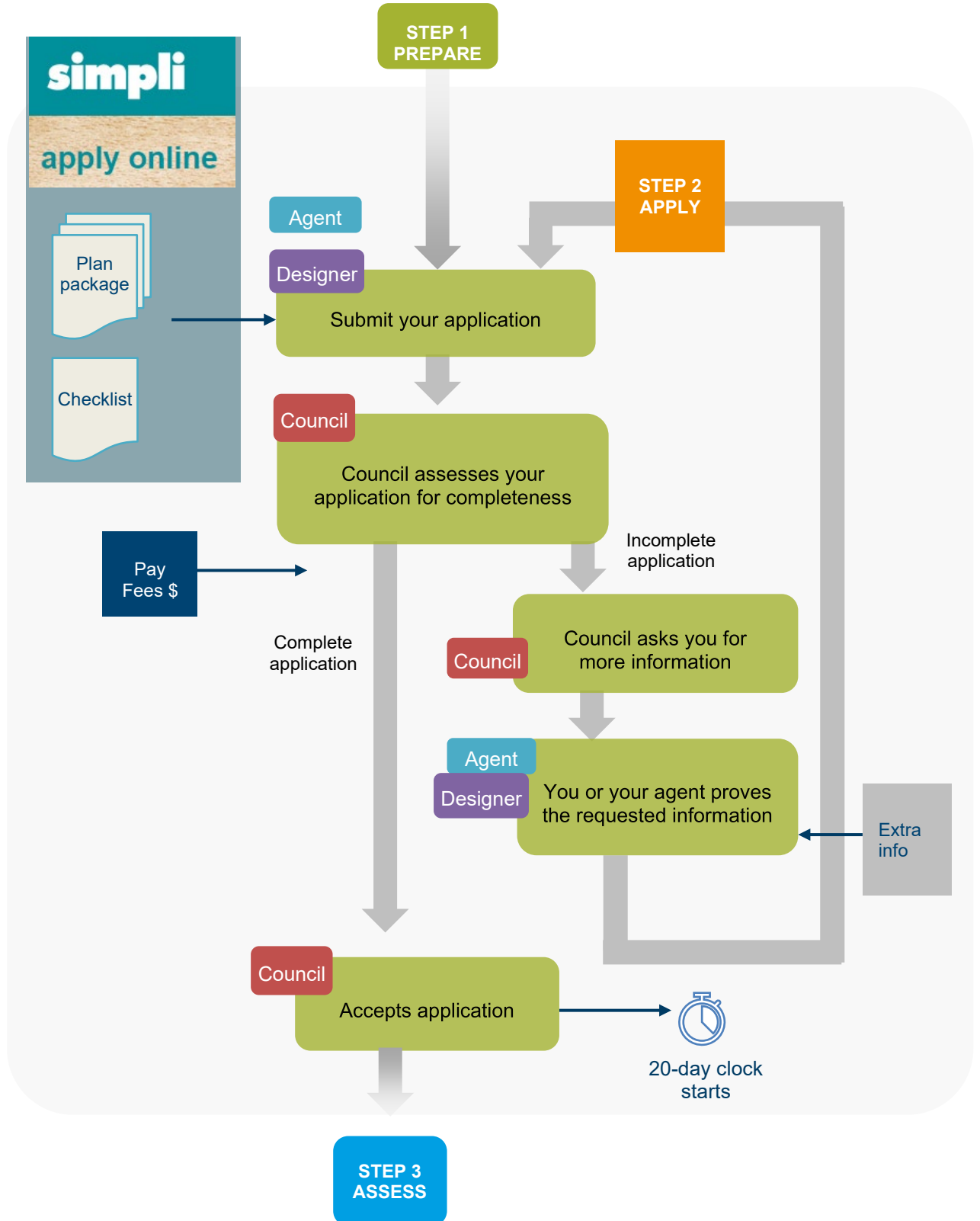
### Cost

To find out the current cost for a PIM, refer to our fee schedule on our website.

<https://www.kapiticoast.govt.nz/services/a-z-council-services-and-facilities/fees-and-charges/building-consent-fees/>

# STEP 2: APPLY

This diagram shows the typical actions to complete during the preparation step of the building consent process.



# Applying for a building consent

## Get ready to apply

We recommend engaging an appropriately qualified professional to help with your building consent application. Completing the application requires a basic knowledge of the Building Code. In addition, they will be familiar with the level of detail required.

Refer to [Restricted Building Work](#).

It is important your plans are clear, concise and drawn to scale on a white background in black ink.

Building projects need to include detailed plans and specifications as part of the application. These need to demonstrate compliance with the Building Code and parts of them will need to be certified by a Licensed Building Practitioner with a design licence.

See [Who are Licensed Building Practitioners?](#) and [Plans and specifications](#).

See [Where can I find help?](#) to find your nearest Licensed Building Practitioner.

Make sure your documentation is complete and correct before you start your application. This can avoid delays and reduce your costs of resubmitting.

### Why good documentation is important

- It helps any professionals on the project quote more accurately, make better purchasing and planning decisions and build according to the desired outcomes.
- It ensures a better trail exists should something go wrong.
- It ensures the building work carried out corresponds to the plans if you or a future owner need to carry out maintenance or further building work.

## Apply

1. Apply for your consent electronically using the online building consent portal SIMPLI. The link is <https://www.simpli.govt.nz/apply-online>
2. Using SIMPLI allows you to submit, manage and track your application. If you are unable to use the online portal contact us on 0800 486 486.
3. Complete the application in full, uploading all documentation asked for. This includes plans and specifications that give full details of what you intend to build and how the work will comply with the Building Code.

### TIP

Showing how the work complies with the Building Code will ensure you get your building consent.

4. Your fee for your building consent must be paid at the same time as you apply. Refer to [How can I pay](#) for payment options.

## Other information we may need

If you are applying for consent for only part of a large project, indicate on your application the stage of the project you are applying for and the number of stages. This will help us charge the correct levies on the cumulative value of the entire project.

State the intended life of the building if it is less than 50 years. Limiting the life of the building can affect the durability considerations of the Building Code. The building must be altered, removed or demolished at the end of its specified life. Any extension of life must take into consideration section 116. For example, erecting a temporary building for a limited amount of time.

## Variations after consent

Significant variations to issued building consents require you or your agent to submit an **application for amendment** to the building consent so we can approve the change. An additional fee is charged for this application.

We can approve minor variations as the construction progresses. A minor variation is different to an application for amendment. The minor variation is a change to a building consent that does not vary significantly from the plans to which the consent relates, and does not affect the level of Building Code compliance. Variations are noted and approved by the Building Officer and building consent documentation is updated to reflect the work proposed.

A December 2023 Determination by the Ministry of Business, Innovation and Employment, required Council to make changes to its' process for minor variations.

The Building Officer:

- considers and approves the minor variation
- when onsite, documents the variation in the inspection notes, stipulating any information required and the date by which it is to be submitted to Council
- stamps, dates, and initials the page/s of the consent that are affected by the variation
- takes a photo of the stamped pages to add to Council's building consent file.

The owner must sign off on the change and ensure the detailed information required is provided to Council by the due date. Failure to do this will result in no further inspections being carried out, or if this is the last inspection, a code compliance certificate will not be issued until the documentation is complete.

Council will review the information provided and if further analysis of the information is required this will be done through a desktop inspection, which may incur an additional inspection fee.

Unapproved variations will mean the work does not comply with the approved building consent documentation. In this case, we will not be able to issue a code compliance certificate for the building work. You must also pay all outstanding fees, including for application amendments, before we will issue the code compliance certificate.



## Applications for commercial and public buildings

Multi-unit residential buildings, commercial or communal buildings, or buildings with premises that are intended for public use have additional requirements under the Building Act. Applications for these types of buildings must demonstrate how these requirements will be met.

Commercial buildings are usually accessible to the public and/or have large numbers of occupants. The Act requires that councils consider access for people with disabilities, fire escapes, structural behaviour, and other matters over and above the usual issues checked in a single residential building.

### Compliance schedules

Under the Act, buildings require a compliance schedule if they contain certain systems or features, such as fire alarms, safety systems, fire doors, fire walls and lifts. These types of features are called specified systems. A list of specified systems is available under the compliance schedule section of the building consent application.

Compliance schedules are mainly required for commercial buildings and buildings to which the public have access. However, any residential dwelling with a specified system, for example a cable car or lift, will also require a compliance schedule.

### Maintenance, inspection and reporting

All specified systems need regular maintenance to ensure they remain efficient and effective. If your building contains specified systems, you must complete the specified system section and include the maintenance, inspection and reporting conditions for each system.

### Variations to specific systems

Any changes — including additions or omissions — to the specified systems in an approved building consent must be covered by an amendment or minor variation. If you need to install a specified system not included in the building consent you will also need to get a Certificate of Acceptance. For this reason, we recommend you let us know of any changes to a building's specified systems before the work starts.

### Warrant of fitness

You need to issue a building warrant of fitness for the specified systems annually.

## Public use buildings

If your application relates to a building classified as one for public use under the Act, the building cannot be accessed by members of the public until the owner has been issued either the Code Compliance Certificate or granted a Certificate of Public Use. It is illegal for members of the public to use the building until then.

Please check with us when submitting the consent application whether this restriction will apply to your building.

## Applications for alterations to existing buildings

Where an application for building consent is for alterations to an existing building you must consider section 112, or section 133AT if an earthquake-prone building.

This requires the building to comply, as nearly as is reasonably practicable, with the provisions of the Building Code relating to means of escape from fire, and access and facilities for people with disabilities.

The building alterations must comply with any other provisions of the Building Code at least to the same degree that the building complied immediately before the start of alterations work.

## Waivers and modifications

You may apply to us for a modification to, or waiver of, a requirement for some aspect of the Building Code, or to modify or remove the restriction of access to a residential pool. We may grant a waiver or modification subject to conditions. We cannot grant a waiver or modification relating to access and facilities for people with disabilities.

## Earthquake-prone buildings

The Building Act was amended in July 2017 to change the regime for identifying earthquake-prone buildings and determining timeframes for seismic upgrading. The regime's transition arrangements allow buildings previously notified as unlikely to be earthquake prone to keep this status.

Buildings not previously assessed will be profiled. Those buildings previously notified as potentially earthquake prone or profiled as such, will need seismic strengthening to be undertaken with some alteration work.

Talk to us first if you are considering altering an earthquake-prone building.

## Additional code compliance requirements

Building owners must let us know if they are proposing to:

- change a building's use, whether or not that change requires building work or not (section 115)
- extend its life (section 116) or
- subdivide (section 116A).

Additional upgrading may be required by sections 115, 116 or 116A.

### Change of use

Changing a building's use, whether that change requires building work or not, will trigger the Act's 'change of use' provisions. This includes things like converting a residential dwelling into a commercial premise or converting a sleep-out into a hair-dressing salon.

Discuss with us first any proposed new uses of a building to confirm whether or not the new use is considered to be a change of use.

### **Extension of life**

A building with a specified intended life must not have its life extended without our written consent as the relevant territorial authority (section 116).

We must be satisfied on reasonable grounds that the building still complies with provisions in section 116A of the Building Code, which relate to means of escape from fire, access and facilities for persons with disabilities, and protection of other properties.

The Act allows us to have some discretion when assessing upgrade work to a building where it says that upgrade work must comply 'as nearly as is reasonably practicable' to the modern code.

## **Access and facilities for people with disabilities**

Section 118 and Schedule 2 of the Act outline a large range of commercial buildings that need to provide access to, and facilities for, people with disabilities. The overall objective is that people with disabilities can enter and carry out normal activities and functions within buildings. They must not be discriminated against due to their disability, whether short or long term.

Facilities required for people with disabilities may include (but are not limited to):

- accessible showers and/or toilets
- ramps
- handrails
- reception counters
- wider corridors.

### **TIP**

We recommend you check what will be required for Building Code D1.1 (c) at the design stage of your project. Many of these features take up considerable space and expensive redesign may be needed if they are not detailed on the submitted plans.

### **New buildings**

We cannot waive this requirement for new buildings. If an applicant disagrees then the Ministry of Business Innovation and Employment will decide the matter by way of a determination.

### **Alterations to existing buildings**

This requirement also applies for alterations to an existing building. You will need an 'accessibility' assessment and you may need to upgrade to meet the Building Code. Although we can apply some discretion if you are having trouble achieving the requirement, you must first complete a full 'benefits versus sacrifices' assessment before we can consider an exemption.

## Structural design and producer statements

Any building work outside the Building Code, B1 Acceptable solution,<sup>2</sup> will need:

specific design by a suitably qualified professional engineer

a producer statement for design included in the building consent.

### More information

Refer to the section on [Producer statements](#).

The engineer will state on the producer statement how the structural design will achieve the requirements of the Building Code and/or relevant New Zealand structural design standards as well as any assumptions, for example ground-bearing capacity.

### Peer review required

We may require the structural design to be peer reviewed, at the applicant's cost, to confirm it meets the relevant standards. This peer review will be required even when an applicant supplies a producer statement (PS1).

We may also require a separate peer review of the geotechnical report if the site investigation included a geotechnical investigation and specific foundation design.

## Fire-rating behaviour and egress

### Fire safety report

Fire safety in a building is assessed under the Building Code, Clauses C1 to C6 'Protection from Fire'. Any work in a commercial building will require a fire safety report which gives details of compliance with these clauses.

Fire-safety design falling outside of these clauses needs specific fire-engineering design under the Verification Method (VM2).

### Detailed on plans

Any fire-rated construction, for example walls, floors or ceilings, must be shown on the plans, sections and construction details. Even if the proposed work is simple, for example 'just an office fit-out', this can impact on means of escape from fire and the positioning of sprinkler and smoke alarm heads.

The Act requires some applications to be sent to Fire and Emergency New Zealand (FENZ). The fire safety report will generally identify the need for FENZ review.

### Phased occupancy

If building occupancy will be phased, we recommend you consider whether to make staged building consent applications. New offences apply to occupancy or use of premises intended for public use affected by building work. In addition, new consumer protection measures have been introduced relating to sale and occupancy.

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<sup>2</sup> See Building Regulations 1992 on the [legislation.govt.nz](http://legislation.govt.nz) website for more information.

## Lift requirements

A lift may be required depending on the area or occupant loads of the upper floors. If there is a change to the use of the building or occupant loads, the building will need to be assessed to determine whether it still complies with lift requirements.

The Building Code mandatory performance code D1-Access Routes specifies which buildings require lift access:

### More information

D1-Access Routes: Refer <https://www.building.govt.nz/building-code-compliance/d-access/>

## Trade waste

### Trade waste bylaw

We have a trade waste bylaw which governs discharges to the sewer system from commercial and industrial premises.

### Who this is relevant for?

Trade waste issues are more likely to arise in industrial and commercial activities where products are being manufactured, processed or refined, for example, meat and dairy-processing plants, timber treatment plants or furniture manufacturers. However, trade waste issues can also apply to smaller businesses, such as restaurants, paint shops and truck yards.

### Assessing the discharge

We will assess the potential discharge when we are processing your building consent. However, if you think discharges from your proposed building may need a trade waste permit, contact us early in the consent process. This is likely to save expensive design review and changes.

For example, a truck wash bay and slab may need an oil interceptor sump or trap to contain oil washed from the vehicles. The oil must be contained, collected and disposed of without contaminating the stormwater or sewer system.

## Food, alcohol, and health licences

### Approval from our Environmental Health Team

A building consent for food premises, such as cafés, takeaways, restaurants and bars or a hairdressing salon, will also need approval from our Environmental Health Team under various legislation. This assessment can be done at the same time as we are assessing your building consent.



## What information you must provide

The Environmental Health team will need fit-out plans and other information related to your proposal. For premises serving food, the team will need information on:

- location of sinks, hand basins and cooking appliances
- ventilation
- surfaces
- food storage areas
- grease trap and backflow devices
- and the scope of food preparation.

If alcohol is served on the premises, the team will need information about the layout or changes proposed to the layout.

If the premises is used as a hairdressers, the team will need information on:

- the location of sinks, hand basins, shampoo basins and cutting chairs
- surfaces
- backflow devices.

The premises will also need **a health licence** before the public is permitted to use the premise.

### More information

Additional information is available in the Building Code mandatory performance clause G3 Food Preparation and Prevention of Contamination.

<https://www.building.govt.nz/building-code-compliance/g-services-and-facilities>

## New or altered septic systems

Greater Wellington Regional Council's new rules in the Natural Resources Plan R62 and R63 require:

- a 5-metre setback from boundaries when a compensating drip system is used
- a 20-metre setback from boundaries for all other septic systems.

The Natural Resources Plan requires a resource consent when these setbacks cannot be attained.

### More information

See the Greater Wellington Regional Council's website:

[www.gw.govt.nz/your-region/plans-policies-and-bylaws/plans-and-reports/environmental-plans/natural-resources-plan/](http://www.gw.govt.nz/your-region/plans-policies-and-bylaws/plans-and-reports/environmental-plans/natural-resources-plan/)

## Documents to support your application

### **Record of Title**

A copy of the Record of Title for the property (no older than three months) is required for most building consent applications. This identifies ownership, easements and other encumbrances which may affect the property.

### **Ground report (see also p. 13)**

A ground condition report is required for most building consents. The report will include geotechnical information to identify if the building site meets the definitions in the standards of 'good ground'.

Where the building site doesn't meet the definition of good ground, the report must include what things your engineer must consider when designing the building's foundations. These will include a liquefaction assessment and slope stability.

# Applications for building work on land subject to a natural hazard

When we receive an application for a building consent, **Sections 71 to 74 of the Act** require that we consider whether the land on which the building work is to be carried out might be subject to any natural hazard, and if it is, what actions we must take.

## What are natural hazards?

Under Section 72 of the Act, natural hazards are:

- erosion (including coastal erosion, bank erosion and sheet erosion)
- falling debris (including soil, rock snow and ice)
- subsidence
- inundation (including flooding, overland flow, storm surge, tidal effects and ponding)
- slippage.

## How do I know if my property is in a hazard area?

Our District Plan shows areas identified as hazard areas.

This information is available on our website at these two links:

<https://www.kapiticoast.govt.nz/services/a-z-council-services-and-facilities/property-information>

<https://www.kapiticoast.govt.nz/Planning/>

### What reports will identify hazards

You can order a Land Information Memorandum (LIM) or Project Information Memorandum (PIM) from us to identify hazards that we know about for your building site.

## Consent under Section 71 and 72

We recommend you design new building works or alterations with natural hazards in mind and with reference to sections 71 to 74 of the Act.

These sections deal with building consents for “construction of a building, or major alterations to a building” if “the land on which the building work is to be carried out is subject or likely to be subject to one or more natural hazards”.

Where this situation exists, the Act allows a council to consider granting a building consent but we must notify the Registrar-General of Land and add a notation to the Record of Title. This notation will state that building consent was granted under section 72 and identify the natural hazard concerned.

In some cases, section 72 of the Act requires that we refuse to grant the building consent, while in other cases we can grant the building consent subject to conditions.

We will assess building work as “major alterations” if the proposed work exceeds the lesser of 25 percent of the original floor area or 30m<sup>2</sup>. This only applies when the alteration is actually an addition.

All new buildings on land subject to a natural hazard must be considered under section 71. Wholly internal fit outs, suspended decks and minor building consents will not be considered under section 71 regardless of size.

## Having a section 72 notation on the Record of Title

If there is a section 72 notation on the Record of Title, and the building is subsequently damaged by a hazard event, the owner and subsequent owners cannot claim against the Council for issuing the building consent.

We strongly advise you to contact your solicitor, insurance company or the Earthquake Commission if you are either buying a property in hazard areas or intending to carry out any building alterations or additions in the future in hazard areas.

### How do I find out if there is already a notation on the title?

You can find out by getting a copy of the Record of Title from Land Information New Zealand.

#### Related links

[Land Information New Zealand: http://www.linz.govt.nz](http://www.linz.govt.nz)

[Earthquake Commission: https://www.eqc.govt.nz/](https://www.eqc.govt.nz/)

## How section 72 of the Act compares with previous building legislation

The Building Act 1991 also covered natural hazards. A section 36(2) entry under that 1991 Act is similar to a section 72 entry under the Building Act 2004.

Before 1991, all building permits were issued under the Local Government Act 1974. A section 641(A) entry under that Act is also similar to a section 72 entry under the Building Act 2004.

# Restricted building work and licensed building practitioners

## What is Restricted Building Work?

Restricted building work is work that is critical to make the building structurally sound and weathertight. That is why it can only be carried out or supervised by tradespeople who are Licensed Building Practitioners (LBPs).

Having regulations for Restricted Building Work makes sure your family home, often a New Zealander's biggest asset, is protected.



## Who are Licensed Building Practitioners?

Licensed Building Practitioners are registered and required to keep their skills and knowledge up to date.

The LBP Scheme's purpose is to encourage competent building practitioners to build homes right the first time. The Scheme also gives consumers the necessary information to make informed decisions about the competence of building practitioners they may engage.

You can identify a Licensed Building Practitioner either by asking to see their photo ID licence card or by checking their details against the public register maintained by MBIE at <https://www.lbp.govt.nz/>

Licensed building practitioners include:

- designers
- carpenters
- roofers
- external plasterers
- brick and blocklayers
- foundations specialists.

Professional engineers, architects, plumbers and gasfitters are also treated as Licensed Building Practitioners and can carry out some Restricted Building Work.

### Site-licensed building practitioner

If you do not want to manage a building project yourself you may want to consider engaging a site-licensed building practitioner.

**A site licence** shows competency in organising and managing building projects including:

### TIP

MBIE maintains a register of Licensed Building Practitioners: [Licensed Building Practitioners \(lbp.govt.nz\)](https://www.lbp.govt.nz/)



demonstrating knowledge of the regulatory requirements of the building and construction industry

showing technical knowledge of construction methods and practices

managing personnel and providing technical supervision.

If you are currently undertaking a building project then now is the time to check the designer you are using is either licensed, or a registered architect or chartered professional engineer.

## What if my project is classed as Restricted Building Work?

If this is the case, your consent application will need to include:

a design certificate from all Licensed Building Practitioners that carried out the design work

the names and registration numbers of the Licensed Building Practitioners who will carry out the building work.

The work on your building project cannot start until you have provided us with this list so it is quicker to provide at the time of applying.

## Is my project Restricted Building Work?

A lot of work that requires a building consent is Restricted Building Work.

Your designer must identify all the Restricted Building Work on your job when they fill in their **certificate of work**. They'll do this when they draw up your building plans.

### Owner-builder exemption

In some cases, you may be able to get an owner-builder exemption for DIY work that is Restricted Building Work.

Your application needs to include a **statutory declaration** from the property owner.

The application form is available from [MBIE's building website](#) under owner-builder obligations. See this link:

[www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/choosing-the-right-people-for-your-type-of-building-work/owner-builder-obligations/.](http://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/choosing-the-right-people-for-your-type-of-building-work/owner-builder-obligations/)

### More information

[MBIE's building website](#) has information on identifying Restricted Building Work.

[www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/choosing-the-right-people-for-your-type-of-building-work/restricted-building-work/](http://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/choosing-the-right-people-for-your-type-of-building-work/restricted-building-work/)

Alternatively, get in touch and we will be able to let you know which parts of your project might be classed as Restricted Building Work.

## Examples of work not necessarily restricted

Here are some examples of building work that need a building consent but won't necessarily be classed as restricted:

- fitting new sanitary fixtures where there were not any previously (eg, new kitchen or ensuite)

- installing a solid fuel heater

- erecting a domestic wind turbine

- installing a domestic swimming pool

- installing a cable car to a home

- installing other specified systems in small or medium apartments (eg, smoke alarms, lift, HVAC system)

- installing insulation to external walls in a home.

## Plans and specifications

It is essential that plans and specifications are detailed, specific to the project, and clearly show how they will comply with the various clauses of the Building Code.

The core philosophy for the building consent process is to 'get it right the first time'. This means the better the detail and other relevant information you provide, the smoother the process.

In this section, we set out the minimum requirements for plans and specifications submitted with a building consent application.

These three things are important to note:

The overall clarity and accuracy of the information is critical and can help make it faster for us to process your application.

We don't accept faxed plans.

If these minimum requirements are not met, we may consider the application incomplete, and not accept it for processing.

### Plan drawings

Present plans on a plain white background. Plans must be legible when printed at a minimum of A3 size or up to A1 if the plan is complex.

We will only accept scanned images when they are sharp (not blurry) when viewed at full size.

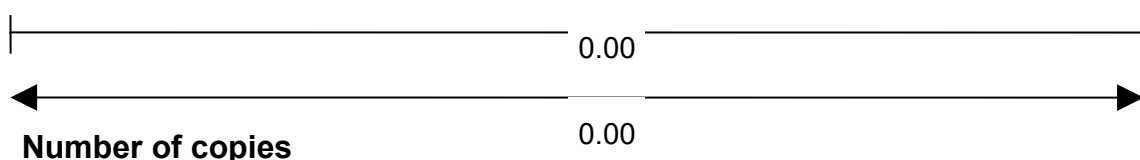
### Colour

Plans need to be black on white for clarity. We will accept computer-generated shading if this does not affect the plan's clarity. Originals should be in black ink to give clear copies.

### Dimensioning

All parts of the plans are to be clearly and accurately dimensioned, in metres and millimetres. Dimensions should always indicate zero metres or millimetres.

Dimension lines need to be identified by a cross line or arrow, for example: 0.600 for six hundred millimetres or 3.000 for three metres.



Submit one copy of all documents with your application.

## Information to be shown on the plans

The following information should be shown on the plans you provide with your application:

### General:

North point

A unique plan number

The scale used

Legal description of the land

Street address and district

Area of the site in square metres

Date of drawing

Boundaries and street frontage

Name and contact details of the designer, that is the architect or draughts person

Natural ground level

Existing and proposed ground contours (accurately plotted)

Net usable area

Actual dimensions between buildings and boundaries, and between other buildings on the site

Any significant natural features (eg, stand of trees, water courses)

Cut and fill and the area involved in square metres or cubic metres

Any compliance or non-compliance with the relevant rules from the District Plan (eg, height control planes, yards, maximum height, site coverage calculations).

Elevations of any structures and compliance with the relevant daylight access plane

Outdoor living courts

Total area of permeable space available

Location and details of vehicle entry.

## Construction drawings

The following lists provide the required construction drawings which should accompany your application. Depending on the complexity of your project some or all of the requirements could be incorporated on one drawing.

### Site plan: (recommended scale 1:200)

- North point
- A unique plan number
- The scale used
- Legal description, legal boundaries and any easements
- Building location including dimensions (in metres) to boundaries, water courses and boundary fire ratings
- Proposed finished floor levels and site datum (NZVD 2016)
- Location of existing and new services
- Location of proposed water tank
- Proposed and/or actual driveway location, site finishes (hard and soft) with levels and falls
- Excavation details (cut and fill) and any proposed retaining walls
- Existing buildings and site features
- Natural hazards if known
- Location of existing and proposed vehicle crossing.

### Foundation and/or concrete floor plan (recommended scale 1:100)

- Concrete slab dimensions and any thickenings, including reinforcing and construction joints
- Plumbing and drainage layout and should include the method of compliance proposed (eg, NZ/AS 3500)
- Footing width and depth
- Steel size, type and placement
- Mesh type and size
- Damp-proof membrane
- Control joints, saw cuts and supplementary steel requirements
- Slab thickness, point loads or slab thickening
- Specific design foundations supported by engineer's information.

**Subfloor plan (recommended scale 1:100)**

Foundation walls including reinforcing

Pile layouts with dimensions and pile type (anchor, brace or cantilever)

Bearer sizes (include any decks or pergolas)

Footing width and depth

Piles — treatment level and size

Bearers — treatment level, size and spacing

Subfloor bracing plan (include direction of subfloor braces)

Subfloor connection capacities, type and location

Subfloor ventilation (if not shown here must be included on elevation plans)

Location of subfloor access and decks.

**Floor framing plan (recommended scale 1:100)**

Floor framing layout or joist layout including position of any blocking or horizontal support

Treatment level and size of joists

Location of plumbing fixtures and pipe layouts

Details of underfloor insulation.

**NOTE**

You must provide a separate plan for each level of the building.

**Floor plans (recommended scale 1:50 or 1:100)**

Floor levels relevant to the site datum (NZVD 2016)

Overall dimensions of walls and other structural elements

Internal dimensions of all rooms

Bracing layout or clear reference to a bracing plan and schedule elsewhere

Lintel sizes or clear reference to a schedule elsewhere

Window and door locations and plan dimensions

Any special wall construction (sound, fire, acoustic, moisture control)

Room layouts and location of all internal fixtures and fittings

Staircase layouts

Plumbing diagram and location of plumbing fixtures (full schematic drawing required for two or more storeys)

Cross-section references, space numbers, door/window numbers

References to detailed drawings

**NOTE**

You must provide a separate plan for each level of the building.

- Outline of roof or pergola overhangs
- Any electrical fitting required for compliance
- Location of smoke detectors
- Openings for services.

### Roof framing plan (recommended scale 1:50 or 1:100)

- The method of construction (pitched or trussed)
- Identification of framing/truss members
- Truss design
- Roof pitch and direction of falls
- Location of gutters and downpipes (and overflows if internal gutters)
- Roof bracing, point loads and any roof penetrations
- Roof catchments and cross-sectional areas for internal gutters (if not specifically detailed elsewhere)
- Purlin and/or batten details (if not specifically detailed elsewhere).

#### NOTE

There has been considerable debate over the need and detail required to be supplied for truss designs. Our requirement is that a 'buildable' design must be provided. This should cover not only the truss design but other areas of the structure that the truss design will impact. Examples are internal load-bearing walls and slab thickening; truss loaded lintels; design loads identified; timber treatment; all truss fixings; stud to top plate; and uplift fixing for specified lintels.

### Exterior elevations (recommended scale 1:100 increased to 1:50 where exterior opening is not scheduled elsewhere)

- All exterior elevations of the building
- Relevant levels, overall height of the building
- Windows, doors and other openings — indicating size, opening type and direction
- Cladding types
- Cladding ground and/or deck clearance dimensions
- Location of construction joints in claddings
- Roofing types, shapes, pitch and overhangs
- Skylights, chimneys and other openings through walls and or roofs
- Gutters downpipes and vent locations
- Exterior decks, stairs and balustrades

#### TIP

A valuable tool is the MBIE's About e-moisture available at [www.building.govt.nz/building-code-compliance/e-moisture/](http://www.building.govt.nz/building-code-compliance/e-moisture/)



Reference to any detail drawings

Reference to exterior face risk matrix.

### **Cross sections (recommended scale 1:50)**

Ground levels and levels relative to site datum (NZVD 2016)

Wall heights

Window and door height dimensions

Framing sizes and timber treatment (or a reference to the specifications)

Construction details including wall, ceiling and floor linings

Roof and ceiling pitches

Floor slopes (gradients)

Stair/step pitch including tread and riser dimensions

Barrier heights and reference to specific details

Location of detail drawings.

#### **TIP**

Ensure that cross sections are provided to show any difficult or 'tricky' construction aspects of the building.

### **Construction details**

**(recommended scale 1:20 or 1:10 depending on the complexity of the detail)**

Construction details must provide specific design information for more difficult areas of construction such as:

steps in floor levels

stairwell construction

decks including connections to building

weathertight risk features including door and window details

penetrations through building envelope

junctions including different cladding materials

interfaces between and within major building elements

barrier construction

flashing details.

#### **NOTE 1**

Construction details should illustrate and describe visual, structural and weatherproof design.

#### **NOTE 2**

In the past, the lack of detail in some applications has often resulted in poor onsite implementation as well as frustration for everyone in the project. We are now more focused on this aspect when we are assessing applications.

Although these requirements are targeted specifically at residential building many can also apply to commercial and industrial projects, including those designed for public use.

### **Commercial, industrial and public use buildings**

For commercial and/or industrial and public-use buildings, other details will be required including for:

- fire protection
- means of escape from fire
- mechanical services
- compliance schedules.

We recommend if you are considering a non-residential building project, you book a meeting with our project team early in the design stage to discuss specific details.

Please contact our Call Centre on **04 296 4700** or **0800 486 486**.

### **Engineering information**

- Engineering calculations
- Engineer's details (if not on plans)
- Producer statements and Certificate of Work (if Restricted Building Work).

### **Specifications**

One set of specifications with relevant section headings is required

Specifications must be specific to the project and contain no irrelevant information

The basic information such as site address, legal description and owners name and address, should be clearly shown

Specifications should include details of all materials and fittings (including specific installation details of proprietary products and systems) required for the project and indicate compliance with the various clauses of the Building Code.

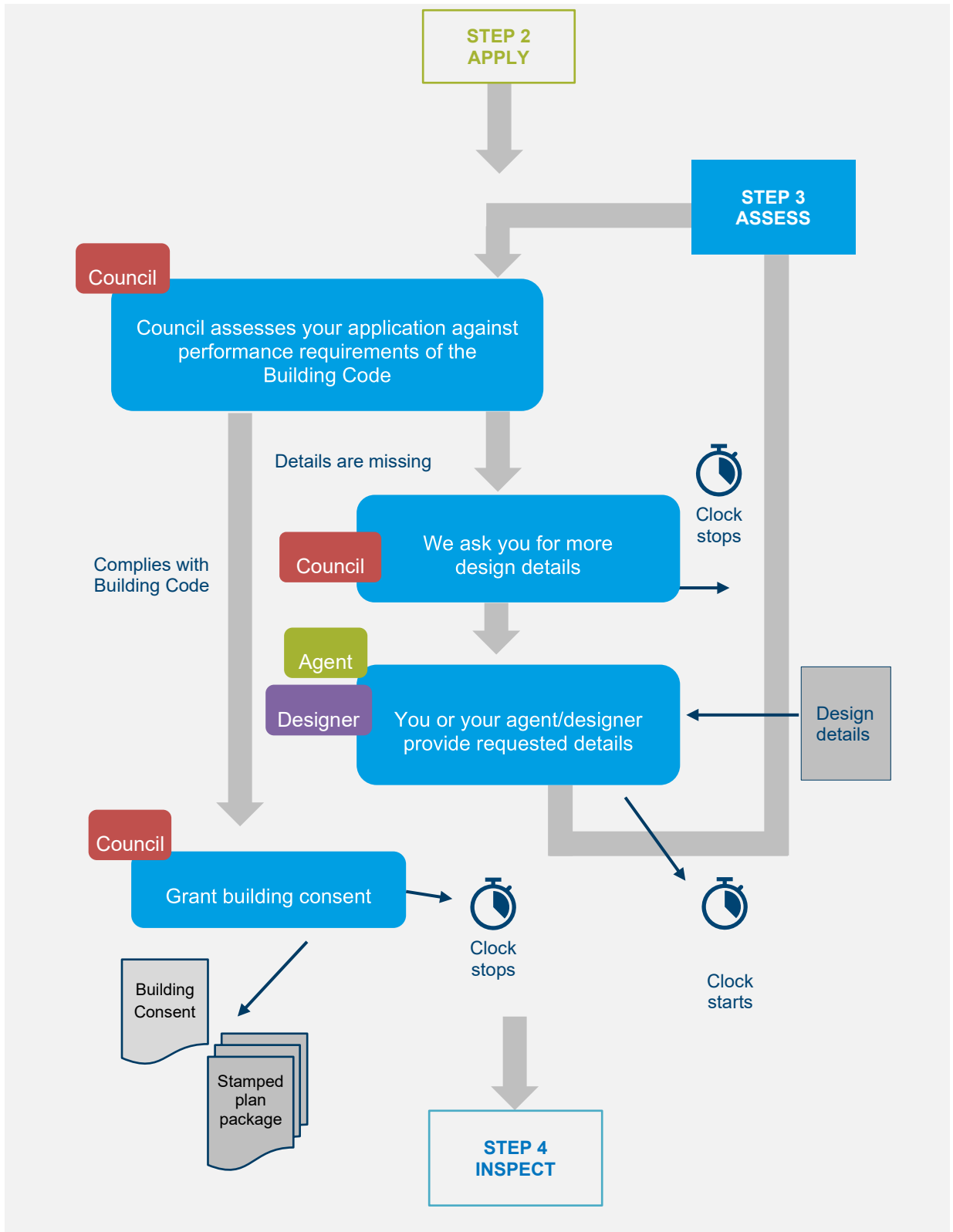
#### **NOTE:**

If your project is classed as Restricted Building Work your application must include a **memorandum of work** and, if known, details of all Licensed Building Practitioners involved.

Specifications can also contain construction details if not shown on plans.

# STEP 3: ASSESS

This diagram shows the typical main steps in the assessment process for a building consent.



## Processing your consent

### How long will it take?

Once your application has been submitted, we have 20 working days — 10 days for MultiProof consents — to process and decide whether to grant or refuse your building consent application.

The Act defines a working day as Monday to Friday, excluding statutory holidays and the days between 20 December and 10 January inclusive. Our working day 'clock' starts from the time we receive your application and you have paid the required fee.

However, if we need you to provide more information to ensure your application meets Building Code requirements, we may stop the clock.

It's mainly up to you how many and how long these delays might be. By submitting a fully completed application with good quality supporting information you can minimise the processing time.

### What happens when we receive your application?

We receive most applications for building consents electronically via Simpli using this link [www.simpli.govt.nz/apply-online](http://www.simpli.govt.nz/apply-online)

We will assess whether you have provided all the necessary, sufficient and relevant information in the application to enable us to determine compliance with the provisions of the Building Code to the extent required by the Act.

If at this point the Building Team determine your application is incomplete, they may decline your application. We will let you know what extra information you need to provide.

Once we receive a completed application and you have paid the appropriate fee, the statutory 20-day timeframe for the approval process starts.

We check that:

- your proposal provides reasonable grounds to demonstrate the Building Code provisions will be met to the extent required by the Act

- the required Council fees and any levies have been paid.

When all the above requirements are met, we will grant a building consent in accordance with section 51 of the Act. We will collate the documentation and send it to you.

Building work cannot start until you have received your consent and met any additional Resource Management Act requirements.

### Technical review by specialist staff

Our specialist building staff review the application's supporting documents such as plans and specifications to verify compliance with the applicable Building Code clauses.

Features that are technical reviewed may include but is not limited to:

- building structure
- weather tightness
- durability
- safety from falling
- plumbing and drainage
- outbreak of fire
- means of escape
- fire resistance
- control of fire and smoke
- environmental health (if the premises is used for health or food services)
- alcohol licensing (if a licensed premise).

### **What happens if we discover deficiencies?**

If we discover deficiencies in the information during this detailed review process, we will ask you for more information. This may include comments from Fire and Emergency New Zealand (if applicable). Any information provided by specialists, such as fire and structural engineers, may also need peer review.

If this happens, we will suspend the 20-day time period until such time as we receive the information requested. We will restart the clock, once we have received and verified all the new information.

Once we are satisfied, on reasonable grounds, that the provisions of the Building Code would be met if the building work were completed in accordance with the plans and specifications provided with the application, we must grant the building consent if all charges and levies have been paid.

Conversely, if we are not satisfied we may refuse to grant the consent. In this case, we will advise you in writing and give the reason for not granting consent.

### **Why was my application declined?**

If we decide the application is incomplete, we may decline your application. We will let you know what additional information you need to provide.

### **Conditions**

The Act provides that the consent is granted with conditions where there is a hazard, or the building is over two or more allotments.

### **Resource Management Act requirements**

An important part of the assessing your building consent application is to identify any requirements under the Resource Management Act. We look specifically at any Plan rules that minimise effects on the environment. The two most influential Plans are:

- the Combined District and Regional Plan
- the Discharge Plan (for on-site wastewater disposal issues).

## What the planners check

The planners check for any issue that may impact on the actual lot you are building on (on-site effects) and any impacts on neighbouring properties. The onsite effects are:

- site coverage and consequent loss of amenity values
- inter tenancy and other noise
- the activity proposed for the site.

They also consider off-site effects such as:

- shading
- noise
- increased lighting glare
- traffic.

A building that has constraints under the Resource Management Act may be required to get resource consent as well as a building consent to authorise the building process and end use.

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

### More information

See [Other approvals you may need](#) for more information about resource consents.

## What if you don't agree with our decision?

If you do not agree with our decision, you may seek a 'determination' from the Ministry of Business, Innovation and Employment (MBIE).

Refer to determinations on MBIE's building website:

[www.building.govt.nz/resolving-problems/resolution-options/determinations/](http://www.building.govt.nz/resolving-problems/resolution-options/determinations/)

If you don't think you have received good service from us you can make a formal complaint to us. See how to contact us on our website:

<https://www.kapiticoast.govt.nz/contact-us/contact-council/>

### More information

See also [If you are unhappy with our services](#).

## Legal requirements for a building consent

As a territorial authority, there are legal requirements for the building consents we issue. These are set out below.

1. Firstly, the consent must be issued in the prescribed form and have attached to it a copy of:

- a) the Project Information Memoranda (if any) for the building work to which the building consent relates
  - b) a development contribution notice under section 36 (if any)
  - c) a certificate issued under section 37 (if any); and
2. The consent must contain confirmation that Heritage New Zealand has been notified under section 39 (if applicable).
  3. If a compliance schedule is required as a result of the building work, the consent must state:
    - a) the specified systems that must be covered by the compliance schedule
    - b) the performance standards for the specified systems that are required by the Building Code
  5. If an amendment to an existing compliance schedule is required as a result of the building work, the consent must state:
    - a) the specified systems that must be covered by the compliance schedule
    - b) the performance standards for the specified systems that are required by the Building Code.
  6. The consent must be granted subject to the condition that we may inspect the work during normal working hours, either on site or off site where the building work is being undertaken elsewhere.
  7. The consent may be granted with other condition requirements. These may be related to waivers or modifications, hazard notification, building over two or more allotments certificate, or the limited life of the building as may apply.

## Legal limitations of a building consent

The issue of a building consent does not, of itself:

relieve the owner of the building or proposed building to which the building consent relates of any duty or responsibility under any other Act relating to or affecting the building or proposed building or

permit the construction, alteration, demolition or removal of the building or proposed building if that construction, alteration, demolition or removal would be in breach of any other Act.

## Lapse of a building consent

A building consent lapses and is void if the building work to which it relates does not start within either:

- 12 months from the date of its issue or
- any further period that we allow.

## MultiProof consents

A national multiple-use approval — known as MultiProof — is a statement that a set of plans and specifications for a building complies with the Building Code. They are for standardised building designs which are intended to be replicated several times. This creates time and cost savings for volume builders as it removes the need for the same or substantially similar building designs to be assessed repeatedly by individual building consent authorities.

A building consent is still needed for building with a MultiProof approval. The role of building consent authorities in this case is to:

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

## Where do I get a MultiProof approval?

The Ministry of Business, Innovation and Employment (MBIE) issues MultiProof approvals.

The approval is a statement that a specific set of building plans and specifications complies with the Building Code. Under the Act, building consent authorities must accept a MultiProof approval as evidence of compliance with the Building Code.

## How long will it take?

We have 10 working days to issue a MultiProof building consent.

## What will it cost?

MultiProof applications cost less to reflect our reduced time spent processing these consents.

You can get a copy of these fees either at our offices or online at:

<https://www.kapiticoast.govt.nz/services/a-z-council-services-and-facilities/fees-and-charges/building-consent-fees/>

### More information

More information on MultiProof approvals is available on MBIE's building website:

[www.building.govt.nz/building-code-compliance/product-assurance-and-multiproof/multiproof/](http://www.building.govt.nz/building-code-compliance/product-assurance-and-multiproof/multiproof/)



## Next steps

Once the approval process is complete your project can start, provided you don't need any other approvals. We will identify any other approvals necessary when we check your application against the District Plan.

When you receive your building consent you should read it carefully and contact us if you have any questions.

## Producer statements

A producer statement, while not specifically mentioned in the Act, can be valuable additional information that helps us determine compliance with the Building Code.

The statement may confirm that certain work will be carried out in accordance with particular technical specifications of the Building Code and/or comply with specified clauses. It could cover any of the following areas:

- design

- design review

- construction

- construction review.

We may accept producer statements submitted on forms prescribed by professional organisations like chartered professional engineers.

You must include copies of calculations that form the basis of any producer statements.

## Acceptance of producer statements

We accept a producer statement at our discretion. We are still responsible for ensuring compliance with the Building Code has been achieved.

## Other approvals you may need

### What is a resource consent?

A resource consent is permission given by a council to use or develop a natural or physical resource and/or carry out an activity which affects the environment in some way.

Resource consents help achieve sustainable resource management by regulating and monitoring the use of natural and physical resources.

They sometimes include conditions which are designed to make sure any adverse environmental effects are avoided, remedied, or mitigated.

### How do you find out if your proposal needs consent?

If you wish to use land for a particular activity, such as erecting a building, making additions to a building or subdividing land, you must check the Operative Kāpiti Coast District Plan (2021) and the coastal hazard provisions of Kapiti Coast District Plan (1999) to find out if your proposal is a 'permitted activity'.

The District Plan contains rules about different types of activities in different parts of the district. Anything not permitted by the Plan requires a resource consent, which will be for either a land-use consent, a subdivision consent or a deemed permitted boundary activity.

If your proposal is a permitted activity and complies with all the requirements outlined in the District Plan, you can go ahead once your building consent has been approved.

If your proposal is **not** a permitted activity under the District Plan, it may need a resource consent. The resource consent process will vary depending on the type of activity you propose.

You should also check relevant Greater Wellington Regional Plans to see what activities need resource consent.

### What type of activities need resource consent?

The kinds of activities that may require resource consent include:

- building a new house or making additions or alterations
- subdividing a property
- building or other activities in the coastal marine area
- pruning, removing or working near a protected tree
- building a swimming pool
- discharging wastewater or stormwater
- discharging pollution into the air
- incinerating, cremating or burning outdoors
- earthworks.

## How the District Plan defines activities

How your activity is defined under the District Plan will determine whether you require resource consent. The District Plan defines activities as one of the following depending on the extent of their impact on the environment:

- permitted
- controlled
- restricted discretionary
- discretionary
- non-complying
- prohibited.

## Six types of resource consent

There are six types of consent. We deal with the following three:

- land-use consents
- subdivision consents
- consents required under national environmental standards, particularly the following four:
  - National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health
  - National Environmental Standard for Telecommunication Facilities
  - National Environmental Standard for Forestry
  - National Environmental Standard for Electricity Transmission Activities.

Greater Wellington Regional Council deals with the three other types of consent and some land-use consents. The three other types of consent are:

- coastal permit
- discharge permit
- water permit.

## Land-use consent

Land-use consent relates to the use of land and buildings, including the construction of buildings and earthworks.

You will need to complete an application for land-use consent where all or part of your proposed activity or structure is not allowed as of right or does not fully comply with all of the relevant rules and permitted activity standards of the District Plan. For example, the activity exceeds the maximum height, is above the height in relation to the boundary, or is within a side yard.

## Earthworks

The District Plan has rules for earthworks. Site works by definition are building works and can be covered by a building consent. If this is to apply, site works can only be undertaken after the building consent has been granted.

### Permitted activity standards for earthworks

The following examples of permitted activity standards apply when carrying out earthworks for any activity such as constructing new dwellings and relocating buildings, building roads and access ways to building sites.

Earthworks shall not be undertaken either:

- on slopes of more than 28 degrees, or
- within 20 metres of a water body, including wetlands and coastal waters.

In all other areas managed under the District Plan's earthworks chapter, for earthworks to be permitted, they must not involve:

- the disturbance of more than 50 cubic metres (in volume of land) in the General Residential Zone, Working Zones, Natural Open Space Zones and Open Space Zones within a five-year period
- the disturbance of more than 100 cubic metres (in volume of land) in rural zones within a five-year period and
- altering the existing ground level by more than 1 metre, measured vertically.

In all other situations, for earthworks to be permitted, they must involve the disturbance of less than 50 cubic metres (in volume of land) in the residential areas or 100 cubic metres in rural areas. They also must not alter the existing ground level by more than 1 metre, measured vertically. If the earthworks exceed any one of these thresholds, you will need resource consent.

In the residential zone, this standard does not apply:

- if the earthworks are associated with an approved building development that is subject to a building consent, and
- provided they do not extend more than 2 metres beyond the foundation line of the building.

### Other earthworks restrictions

The District Plan has some other earthworks restrictions if they are proposed within any of the following:

- identified historic heritage sites, geological sites or ecological sites
- outstanding natural landscapes
- specific flood hazard categories, that is:
  - overflow paths
  - residual overflow paths
  - ponding

- stream or river corridors
- flood storage and fill control flood hazards.

### More information

For full information on earthworks provisions read the District Plan's chapter: Earthworks, Natural Hazards, and Historic Heritage.

Some earthworks are also managed under the National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil to Protect Human Health (2011). See below for more information.

Earthworks may also be regulated under legislation and regulations which we do not administer, such as:

The Heritage New Zealand Pouhere Taonga Act 2014

NZECF:34 Electrical Safe Distances 2001.

For more information on earthworks rules under the District Plan or the NES, contact our Resource Consents staff or access the District Plan on our website:

[Operative Kapiti Coast District Plan 2021](https://eplan.kapiticoast.govt.nz/eplan/property/0/0/204? fp=true)

<https://eplan.kapiticoast.govt.nz/eplan/property/0/0/204? fp=true>

## Subdivision consent

A subdivision consent is required to legally divide land or buildings for separate ownership, such as new lots or sections, unit title, flat plans (cross-lease), or company lease. Subdivision of buildings must take into consideration section 116A of the Act.

For more information relating to the Resource Management Act 1991, and the subdivision requirements contained within the District Plan, contact our Resource Consents staff.

Consent notices may be placed on records of title at the time of subdivision to ensure subsequent landowners comply with consent conditions that are ongoing.

Typically, these conditions relate to:

- stormwater provisions
- recommended minimum build levels
- rural water supply
- rural wastewater treatment and disposal
- specific foundation requirements.

#### NOTE

Private drainage needs a building consent before any work starts.

## Consents required under national environmental standards

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health applies to land which is identified as contaminated or potentially contaminated based on the site's history of previous activity. It specifies resource consent requirements for activities, such as:

- removal or replacement of fuel storage systems
- soil sampling and disturbance
- subdivision and changes in land use to a more sensitive use, that is industrial to residential.

The National Environmental Standard for Telecommunication Facilities applies to the planning and operation of a telecommunication facility, such as a mobile phone transmitter. It specifies when such a facility can be a permitted activity.

The National Environmental Standard for Electricity Transmission Activities applies to existing high voltage, electricity transmission lines (that is the national grid). It specifies resource consent requirements for electricity transmission activities that do not meet the terms and conditions for permitted activities.

## Development contributions

### Development contribution

Every new residential or commercial development places demands on the district's resources and services such as the transport network, water supply, waste water, community infrastructure and open space and reserves.

A development contribution is a levy on new developments, which is collected under the Local Government Act 2002. It ensures any development that creates extra demand on council infrastructure contributes to the extra cost it imposes on the community.

A development contribution may be assessed at one of three stages (whichever comes first):

1. when a resource consent (subdivision or land use) is granted under the Resource Management Act 1991
2. when a building consent is granted under the Building Act 2004 or
3. when an authorisation for a service connection is granted

If a development contribution is relevant to your project, we will not issue a Code Compliance Certificate until you have paid the development contribution.

### Financial contribution

A financial contribution is a levy on new developments, which is collected under the Resource Management Act 1991. Financial contributions are collected for:

- all land-use and subdivision consents

as a requirement for permitted land-use activities where we determine the activities will increase demand for Kāpiti's reserves and public open spaces and where a financial or development contribution has not already been paid for the same development or purpose with the same level and intensity of development.

We will use the contribution for reserves and public open spaces to:

- contribute to district-wide facilities
- address deficits within the district
- improve existing reserves and public open spaces.

## Vehicle crossings

It is every property owner's responsibility to provide vehicle access from the public road carriageway to the property boundary for the purposes of off-street parking or unloading. Generally, we only permit one vehicle access per property.

If you are constructing an access from your building site onto the legal road or are undertaking other works in the road that relate to your building project, you will need an additional permit from our Access and Transport team for work in the road corridor.

Some examples of activities requiring a permit are:

- constructing footpaths and vehicle crossings
- trenching or other work within the berm or shoulder of the road
- tree work, scaffolding and crane work.

### What you need to do

Before undertaking work in the legal road and/or the road reserve you must make a Corridor Access Request (CAR) and get a Works Access Permit (WAP) from the Access and Transport team.

Before you or your contractor start any excavation make a 'Before U Dig' inquiry to check where underground services are located. This is a web-based service that lets you access plans and information that can be emailed to you. This service also allows you to make a Corridor Access Request and provide us with a traffic management plan to protect your site, contractors and the public during operations.

The process and the forms that have to be submitted can be found on our website at this link:

#### NOTE

Please be aware that during construction, the property owner is responsible for clearance of silt, water or tracking onto the road from the building site.

#### NOTE

The Before U Dig service has no information on our buried water, wastewater or stormwater assets. See our mapping tools for the location of these buried assets.



<https://www.kapiticoast.govt.nz/services/a-z-council-services-and-facilities/roads/corridor-access-requests-cars/>

### More information

All the relevant forms and standard drawings for vehicle crossings can be found on our website:

<https://www.kapiticoast.govt.nz/services/a-z-council-services-and-facilities/roads/vehicle-crossingsdriveways/>

## Building over or near Council drains

### Can I build over a stormwater or sewer pipeline or within a secondary overflow path?

Most piped services located on private land are covered by an easement. Most easements specifically prevent building on the easement land or having any part of a building overhanging the easement. Easements are intended to give us uninterrupted access in the future and prevent damage occurring to our assets. Some easements, particularly those protecting a secondary overflow path, stormwater attenuation or disposal area, also restrict or prevent earthworks, buildings, fencing, or planting being undertaken within their footprint.

Irrespective of whether the pipe is covered by an easement, we will not permit any structure (including any overhang associated with a building such as eaves) to be built over our mains unless there is no viable alternative and you meet the conditions outlined in *Building over or adjacent to public drains* (Policy 4 April 2002).

### Conditions on Record of Title

To ensure future landowners are aware of the policy requirements, the following conditions must be registered on the Record of Title:

if the pipe fails the landowner is liable for all costs associated with repairs or replacement of the pipe under the building

the landowner is liable for any damage to the building as a result of pipe failure or subsidence

the landowner is solely responsible for all injury, loss or damage which may occur to the building while the Council is carrying out any activity associated with inspecting, maintaining, constructing or repairing the pipe or other works due to the presence of the pipe (including the relocation or removal of the structure)

any other condition the relevant Council asset manager considers necessary.

### Removable carports

We sometimes allow a removable carport to be built over a Council-owned main providing the landowner meets some specific conditions related to:

foundation details, to ensure no loading from the footings or floor is applied to any pipe

the carport structure is never closed in

the landowner accepts sole responsibility for all injury, loss or damage which may occur to the structure while the Council is carrying out any activity associated with the inspection, construction, maintenance or repair of the pipe or other works it undertakes because of the presence of the pipe (including the relocation or removal of the structure).

### **Distance from Council mains**

Other criteria specify the building can be no closer than three metres from the centreline of a Council-owned main. We determine this on a case-by-case basis depending on how deep the pipe is buried.

If relocating the drainage works seems to be essential to erecting the structure or carrying out the works, a landowner must apply to us to divert a Council main to a new location. We would accept such an application at our sole discretion. You would have to pay all costs for the design and relocation of the main, as well as any legal fees associated with the uplift and relocation of the easement in our favour over the relocated pipe. If no easement currently protects the pipe, we would expect you to register an easement in our favour over the relocated pipe.

### **Open drains in private property**

A number of restrictions exist for open drains that pass through private property. These include planning requirements for how close you can build to open drains or streams. Generally, the distance from streams depends on the size of the stream and we determine this on a case-by-case basis.

A lot of open drains in the district are covered by an easement in our favour so you should consult us about any work you are proposing in or around a drain.

### **Easement land**

Generally, we maintain any drain within the district that is covered by an easement in our favour. We maintain these drains to a standard to receive flood flows, not for aesthetic purposes. While we encourage landowners to enhance the landscape and biodiversity potential of any watercourse located on their property, you must provide for our access through the easement land and the enhancements should not restrict the passage of flood flows.

### **Consent for earthworks**

You may need resource consent from both the Greater Wellington Regional Council and us if earthworks are carried out in or within 20 metres of a drain or stream including piping of an open drain.

### **Channel straightening and lining**

Watercourses and drains must remain in a natural state wherever possible. You should only consider channel straightening or lining where planned maintenance is not considered appropriate or there is a threat to life and property. You must carry out any lining or straightening in a manner and by a method that is sensitive to the surrounding environment. We do not consider it appropriate to pipe or close in natural waterways or

drains and we will only approve this in exceptional circumstances. You may need to apply for consent for such work from Greater Wellington Regional Council.

## The District Plan's water demand management and hydraulic neutrality provisions

All new and relocated residential buildings on land where potable public water supply is available must be fitted with rainwater storage tanks with either:

a minimum capacity of 10,000 litres for the supply of non-potable water for outdoor uses and indoor toilets, or

with a minimum capacity of 4,000 litres for the supply of non-potable water for outdoor areas and indoor toilets, and a greywater re-use system for outdoor irrigation. The greywater re-use system shall re-use all water from bathrooms (excluding toilets) and laundry washing machines.

### Potable water supply

Residential buildings in all rural zones must be supplied with a potable water supply.

The quantity of potable water available for use must be on the basis of 250 litres (essential use) per person per day and there must be sufficient storage capacity to supply 4 people for up to 30 days, that is a capacity of 30,000 litres.

#### NOTE

Compliance with the Drinking-water Standards for New Zealand 2005 (revised 2008) and the Building Code, to the extent that this is applicable, shall be one means of complying with this potable water supply standard.

### Hydraulically neutral

The Infrastructure chapter of the District Plan also requires all permitted activities in all zones to be *hydraulically neutral*. This means a nil increase in the peak stormwater run-off discharged from new subdivisions, new buildings or new land-use activities undertaken on the property.

For more information and to ensure your proposal complies with these provisions, refer to our Subdivision and Development Principles and Requirements, 2012.

#### More information

For the full information on water demand provisions check the Infrastructure chapter of the Operative Kapiti Coast District Plan.

# Building consent fees and charges

## What are the fees and charges?

Our fee structure for building consent applications reflects our time for approving applications plus the cost of carrying out the necessary inspections during construction.

In addition, you have to pay levies prescribed by legislation to the Building Research Association of NZ (BRANZ) and the Ministry of Business, Innovation and Employment (MBIE). These are calculated based on the value of the proposed building work.

### Value of the building work

The Building Regulations state the value of the building work shall be the total of all goods and services to be supplied for the project. In all cases, the value should reflect the market value and include site works, plumbing and drainage, all materials and labour, including recycled materials and “do it yourself” labour.

We reserve the right to amend the value stated by the applicant if we believe it is inconsistent with values submitted for similar work by other applicants.

### Refundable infrastructure deposit

You need to pay a refundable infrastructure deposit to us before your building project starts to ensure all damage to our assets in the road reserve are repaired satisfactorily. We will increase the deposit if a vehicle crossing has to be constructed.

A schedule of fees and charges is available from our service centres in Paraparaumu, Waikanae or Ōtaki or you can download it from our website:

<https://www.kapiticoast.govt.nz/services/a-z-council-services-and-facilities/fees-and-charges/building-consent-fees/>

## How can I pay for my building consent?

You can pay for your building consent by cash or EFTPOS at any of our service centres in Paraparaumu, Waikanae or Ōtaki.

You can also pay online:

Select 'Kapiti Coast District Council' as the creditor or

Enter our account number 03-0732-0306101-00.

To help us identify your payment, include **reference details** such as the address of the building for the building consent you are applying for, and/or building consent number if you have been issued one.

**All applications must be accompanied by the appropriate fee.**

## Additional charges

There may be additional charges if the actual costs are more than what we estimated. These charges will be based on actual time spent on the application and other costs, including additional inspections and administration.

You will need to pay these additional charges before we will grant your consent or issue a Code Compliance Certificate.

## Refunds

In certain cases, we will refund you if we have overestimated the costs or they are less than the fee charged.

On completion of your project, we will refund you the infrastructure deposit less an inspection fee. This is so long as you have repaired any damage to our assets satisfactorily and a constructed vehicle crossing meets our specifications. The deposit is released by the Access and Transport Team.

## Next steps

Once you have your building consent you need to be aware of the next step in the process. This includes arranging for inspections and any other statutory obligations which may impact on your building project.

To help you with this, your building consent 'plan package' will include *A Guide to the Inspection Process*. The next section of this document summarises Inspections.

## If you are unhappy with our services

### Complaints about service

We welcome feedback from our customers. We want to hear from you if you feel dissatisfied with any part of our service related to building consent processing or inspection and decisions about Code Compliance Certificates.

Read our guide [Making a building consent authority complaint](#). It is available to download from our website:

<https://www.kapiticoast.govt.nz/media/svli4p2s/form-664-making-a-building-consent-authority-complaint-1.pdf>

Next contact us:

Website: <https://www.kapiticoast.govt.nz/contact-us/contact-council/>

Email: [kapiti.council@kapiticoast.govt.nz](mailto:kapiti.council@kapiticoast.govt.nz)

Phone: 04 296 4700

Freephone: 0800 486 486

Post: 175 Rimu Road, Paraparaumu 5032, New Zealand

### Complaints about technical decisions

If you are unhappy with a technical decision we have made about your building consent you need to refer the matter to the Ministry for Business, Information and Employment so they can make a determination.

More information is available on MBIE's website:

<https://www.building.govt.nz/resolving-problems/resolution-options/determinations/>

# STEP 4: INSPECT

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## What is the inspection process for?

The inspection process is to ensure that we are satisfied, on reasonable grounds, that the completed building project complies with the building consent. This includes the consented plans, specifications and any amendments approved during the process.

## Who needs to be present at inspections?

Whenever possible someone with the authority to make decisions or act on behalf of the consent holder, should be on site during the inspection process. We also recommend that the licensed building practitioner is on site at the time of inspection.

Your approved plans and supporting documents must also be on site at the time of inspection.

## How will I know what inspections I need?

Your building consent will detail inspections that you will need during construction.

You must ensure these inspections do take place as failure to do so may cause significant problems at the completion of your building project and make it hard for you to get a Code Compliance Certificate.

## Alterations/amendments during construction

The Building Act 2004 requires work to be carried out in accordance with the building consent. However, changes often occur during construction either to the design or materials or proprietary systems which require a change to the building consent.

There are two ways these changes can be dealt with:

1. For minor variations, our officer may simply note the plans, record their decision for acceptance, update building consent records, and work can carry on. Some examples of variations could be:

to window/door positioning which does not affect the wall bracing

in insulation to a higher R value

in timber treatment to a higher level

in building wrap.

2. Other changes will require you to apply for an amendment. This may result in work being held up until we have approved and issued the amendment. Examples could include a change to:

the siting of the building

the foot print of the building  
foundation details  
any structural features including trusses  
interior/exterior wall cladding  
roofing material  
service room layouts  
wall bracing.

## What happens at an inspection?

A full set of approved building consent documents must be on site and available to the building officer.

You must ensure the site is clean, tidy and safe.

You must be onsite when a building officer visits as they may have questions or advice for you.

The building officer will record their inspection findings and outcomes and email the results to the appropriate contact person. If there are any outstanding items, the building officer will document these on the site note.

If any inspections need to be repeated, you must pay for these.

When these outstanding items have been completed, you should call for a recheck inspection. Once the building officer sees that the outstanding items have been completed satisfactorily, they will sign off the appropriate inspection.

## How do I arrange an inspection?

We need at least 24 hours' notice before you need an inspection. We try to provide a next day service, but this is not always possible due to work load, available resources and travel distances.

To book an inspection phone our Call Centre on **04 296 4700** or **0800 486 486**, Monday to Friday. We will give you a choice of a morning or afternoon time slot and only under special circumstances will we give a definitive time. In arranging daily inspections, we will always give preference to pre-concrete pour such as foundations, concrete slabs, block fills.

### More information

Download *A Guide to the Inspection Process* (Form 559) from our website:

[Form 559: A Guide to the Inspection Process.pdf](#)

<https://www.kapiticoast.govt.nz/media/0c3byo2p/form-559-a-guide-to-the-inspection-process.pdf>



# STEP 5: CERTIFY

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## The certification process

The certification process is the final act in the building consent process.

### The final inspection

1. The first step in this process is for you to let us know your project is finished and that you are ready for your final inspection where we will check the physical work has been completed.
2. We then let you know we are ready to do a final inspection. We must be satisfied on reasonable grounds the criteria in section 94 of the Building Code have been met.
3. If during the final inspection we find non-complying aspects, we will issue a site instruction to correct the non-compliance.
4. At the same time, you also need to apply for a Code Compliance Certificate. Your application must be accompanied by any applicable energy work certificates and certificates issued by Licensed Building Practitioners.
5. We will review the building consent fees to confirm the correct number of inspections and all fees, including development contribution fees, have been paid.
6. Once the work is completed, all the necessary documentation is provided and all fees are paid, we will issue the Code Compliance Certificate.

### Supporting documents we may need

We may need a number of supporting documents to help make our decision whether to issue the Certificate. Typically, these are:

- producer statements from installers of specific systems
- certificates for energy work (gas and electricity)
- modular component certification or
- a supervision producer statement from an engineer.

If you don't have these supporting documents immediately available, we may issue a request for information and 'stop the clock' until we receive that information.

### Your timeframe to supply documents

If we haven't received this information by the two-year anniversary of building consent grant we will be unable to issue the Code Compliance Certificate and you will need to reapply when all requirements have been met.

## What is a Code Compliance Certificate?

A Code Compliance Certificate (CCC) is a very important document issued by a council (the Building Consent Authority) once it is satisfied on reasonable grounds that the completed building work complies with the building consent.

The absence of a Code Compliance Certificate could have a significant impact on your ability to on-sell the property. Many financial institutes withhold finance until the certificate is obtained. The absence of a Code Compliance Certificate may also affect your insurance.

A Code Compliance Certificate is not a guarantee. It is a statement that based on evidence obtained from the inspections carried out during construction supported by written statements (producer statements) by professionals involved in the project, we are satisfied on reasonable grounds that the building work complies with the building consent.

We have 20 working days to either issue or refuse to issue, the Code Compliance Certificate.

## What if you disagree with our decision?

If you disagree with our decision, you may apply to the Ministry of Business, Innovation and Employment for a determination. See this link:

<https://www.building.govt.nz/resolving-problems/resolution-options/determinations/>

If you do believe you did not receive good service from us you can make a complaint:

<https://www.kapiticoast.govt.nz/contact-us/contact-council>

### More information

To read more about the certification process refer to Form 559 A Guide to the Inspection Process available at:

[Form 559: A Guide to the Inspection Process.pdf](#)

<https://www.kapiticoast.govt.nz/media/0c3byo2p/form-559-a-guide-to-the-inspection-process.pdf>