



Building Consent Approval

How to ensure acceptance of your evidence of compliance

The (New Zealand) Building Act 2004 states under Para 40 (1):

“A person must not carry out any building work except in accordance with a building consent.”

Under Para 44 (1) it states:

“An owner intending to carry out building work must, before the building work begins, apply for a building consent to a building consent authority that is authorised, within the scope of its accreditation, to grant a building consent for the proposed building work.”

Under Para 49 (1) it further states:

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

Key elements for every application are:

1. Use of the correct form(s) and completing it (or them);
2. Provision of sufficiently detailed plans and specifications showing what is proposed;
3. Evidence of suitable competence on the part of the designer, engineer and any other expert relied upon, *together with* evidence that the materials and products intended to be used meet the performance requirements of the New Zealand Building Code.

Where it is widely recognised that a **material** or **product category** has in the past, had service issues, especially with structural or durability or weathertightness requirements, then a Council will expect a third-party assessment - typically in the form of an ‘Appraisal’, ‘CodeMark’ or similar.

Currently there are just two NZ based entities publishing building product Appraisals; BEAL and BRANZ. Both organisations have several years of history in this specialised field. BEAL report that, apart from one instance of a Council objection, all Appraisals have been accepted up and down the Country. Interestingly, BEAL have some requirements for acceptance that BRANZ seem to ignore...

No doubt, some Councils have questioned some Appraisals - but in the case of BEAL, all have been accepted as evidence of compliance with the Building Code for a material or building product, as part of an application for a Building Consent.

Clearly, the answer to the question of ‘how do I ensure getting Council acceptance of my building material or product’, is to get a third-party assessment in the form of an Appraisal, preferably from BEAL, or maybe BRANZ.
