

Source Reference: The Business of Building Issue 1:09 (www.thebusinessofbuilding.co.nz)

New Guidance to Help with Building Consent Amendments

Changes or variations to consented building work are commonly proposed during a building project. Some changes are relatively minor (eg: replacing a brand of tap), but others can be quite major changes (eg: using a different cladding system to that which was approved when the initial building consent was granted).

Making changes to consented building work without obtaining the right approvals first can have potentially serious consequences. An obvious risk is that the building work may not comply with the Building Code. This could mean that a building is constructed in a way that is unsafe or unsanitary.

Building consent authorities (city or district councils) need to assess all proposed changes to previously consented building work. They will then decide the best way to approve the change, depending on how significant the change is. There are a number of ways to do this but, fundamentally, at the end of the project what is actually built needs to be consistent with the approved building consent documentation.

Proposed Building Act Changes

In June 2008 the then Minister for Building and Construction, Hon Shane Jones, announced the Government's plans to amend the Building Act 2004 to streamline the building consenting system. One initiative was to provide greater clarity on the requirements for considering and approving amendments to building consents, including distinguishing between 'minor' and 'major' variations to consented building work. The Building Amendment Bill 2008 contains the changes and is currently being considered by Parliament.

New Guidance

While Parliament is deciding on whether to make the proposed changes to the law, the Department has developed guidance to help people in the interim. This guidance sets out the Department's expectations around how proposed variations should be communicated to building consent authorities, be assessed by building officials and the options available for then making the required amendments to the original building consent issued for the building work. The roles and responsibilities of each party are outlined and the document also discusses minor and major variations and the options available for handling each.

The *Guide to building consent amendments* (September 2008) will help the building and construction sector to effectively and efficiently deal with amendments. In particular, the guide encourages builders, designers, homeowners (and their agents), and developers to identify and notify proposed variations at the earliest stage. It also assists building officials to follow a more sound and practical approach to dealing with proposed variations. This should allow for quicker decision making by building officials.

Hard copies of the guide are available from the Department on (0800) 242 243. They are also freely available on the Department's website: www.dbh.govt.nz/publications-about-the-building-act-2004