

Making a change to a building consent

This information is aimed at builders, designers and project managers and it assumes a knowledge and understanding of the Building Act 2004. If you want to change your plans before or during construction you need to get approval.

Proposed changes can be typically categorised as one of the following:

- **Minor Variation** – minor modification, or variation to a building consent that does not deviate significantly from the plans and specifications to which the building consent relates, for example; substituting comparable products (such as changing the brand of insulation), re-routing a drain to avoid an obstacle, minor wall bracing changes, minor construction change (such as changing the framing used around a window), removing a solid fuel burner from the original consent, or changing the position of fixtures in a bathroom.
- **Amendment (Major Variation)** – a change that is more than a minor variation and is associated with the original building consent (not new work), for example; a change to part or all of the cladding system, a change from an acrylic shower unit to a wet floor shower, or changes to fire safety aspects.

Any changes to the location or height of building work on site may result in a failed site inspection and the requirement for a full amendment. Even in the case of a small change, the amendment will require assessment by City Planning and Building Services and in some circumstances may result in the need for resource consent. For this reason it is critical that site boundaries are accurately located and the building set out is accurate.

Generally, where the work is not a minor variation but is still within the scope of the original consent, it is an amendment. Where the change involves additional work on another building, or extensive additional work on the same building you will generally need to apply for a new building consent. An example would be adding a new sleepout to a consent that was originally for removing an internal wall. The sleepout requires a new consent.

Amendments applied for two years or more after the date the original building consent was granted are likely to require a new building consent unless they are necessary to allow the project to be completed, for example; removing work that is over budget, or changing a foundation design due to unforeseen site conditions. Amendment applications that add new work for these older consents will not be accepted.

Regardless of whether the proposal is an amendment or a minor variation, the change must be documented and adequately described. Visit our website ([link below](#)) for more information on applying for a minor variation or amendment.

You need to wait for our approval of the proposed amendment or minor variation before you do the work. A minor variation can sometimes be approved on site by the Building Inspector at the time of the inspection. The statutory timeframe to process an amendment is 20 working days. However, amendments may be given some priority depending on our current workloads. Applying as soon as possible will limit delays.

During processing of an amendment our officer will determine whether the change impacts on Building Code performance as was assessed at the time the original consent application was made. The building consent application, and any subsequent amendments that may be necessary, must contain sufficient detail to give us 'reasonable grounds' on which to make a decision. The designer (and/or builder) must demonstrate compliance.

Amendments to a building consent do not extend the time to start or complete the building work; they merely document a change to the approved design in the original consent. The Building Act requires a building consent authority (BCA) to make a decision whether to issue a code compliance certificate two years after the date the building consent was granted, or any further period agreed between the BCA and the owner.

BRANZ (Building Research Association New Zealand) and MBIE (Ministry of Business, Innovation and Employment) levies are payable on amendments if the value of building work for the original consent or consecutive amendments exceeds \$20,000 (BRANZ levy) or \$20,444 (MBIE levy) and there is an increase in costs. The BCA Accreditation levy will also apply.

This guidance must be read in conjunction with the guidance available at www.mbie.govt.nz.

You are also welcome to call us on 03 477 4000 or visit the ground floor of the Civic Centre and talk to our staff.

Alternatively for more information visit our website www.dunedin.govt.nz/services/building-control