



## Building Brief Overview

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January 2022



To assist as many parties as possible this brief overview starts on the basis that the property that is being looked at to build on is a new title being created by way of the subdivision of an existing property and that the building being considered is a new dwelling.

### **The Subdivision Process and Obtaining Title**

Generally, during the subdivision process the “developer” has to do/provide the following:

- Obtain a Subdivision Resource Consent which may include conditions that have an impact on any proposed building and/or use of the property e.g. colours, building height;
- Have a Geotech investigation completed to prove that there is a potential building platform on the property. Note it may not suit all proposed buildings and may require anywhere from minimal to substantial foundation works – all it has to do is prove it is possible for the property to be built on. Any building on the property will require specific Geotech to ensure the proposed building can actually be built on the property in the proposed location;
- Have the property Surveyed and produce a Survey Plan;
- Provide power to a plinth on the boundary of the property. Note there is no specific location specified so it can be located anywhere on the boundary i.e. not necessarily close to the proposed build platform;
- Provide proof that telecommunications are available to the site. This may be simply a confirmation that mobile services are available or the physical running of cables which is becoming less common and in many case is not possible e.g. no spare capacity on the telephone main cable on the road;
- Once all this has been completed, including any work required under the Resource Consent (e.g. fencing wetlands), the “developer” can apply for a 224c from Council which basically is confirmation from Council that all the required works have been completed to Councils satisfaction and that the title can now be issued;
- The “developer” may choose to add covenants to the title (e.g. minimum house size, restrictions on the type of activities able to be undertaken on the property etc.) or easements (e.g. for power to cross the property, a right of way etc.);
- The “developer” then applies to Land Information New Zealand (LINZ) for the title to be issued. This generally takes 4-6 weeks;

### **The Building Consent Process**

There is no requirement for the title to be issued before the building consent application can be lodged however if there is already a dwelling on another part of the property it is unlikely to be possible prior to the separate title being issued. There are risks associated for all in commencing the process prior to title being issued, (what happens if title is not achieved?) however with careful consideration this should not necessarily preclude this option.

In order to get to the stage where you can build a new dwelling on a property you will generally go through the following process:

- Architect/Designer – Develop concept drawings for the proposed building including layout, physical appearance, dimensions, ground footprint and the intended positioning on the property (site plan);
- Geotech Engineer - Have a Geotech investigation undertaken to check the ground conditions for the proposed footprint of the building (if possible consider using the same Geotech engineer as for the subdivision as they will have done much of the work already however do not be afraid of using another party if you don't feel comfortable with what you are being told);
- Structural Engineer - Have an engineer confirm the building platform can support the proposed building and provide details as to any “specific” foundation requirements (often the Geotech and Structural Engineer are the same person or company and there are benefits from this);
- Stormwater / Wastewater (Septic) Engineer – You need to have a suitably qualified person specify and design these systems to ensure that they meet the requirements.
- Land Use Resource Consent (LUC) – Generally you will need to apply for a Resource Consent to be able to place the designed building on the property in the position you have chosen. While the Subdivision Resource Consent will have identified the build platform even if you are intending to build on the platform Council will generally require another Resource Consent to be able to actually build. You may well need to also apply for Stormwater Discharge, Wastewater Discharge and Earthworks Consents. Be aware that the requirements are more stringent where you are proposing to build within 100m of a “wetland” or “water course”. You may also need to engage an ecologist to evaluate the water etc. quality and the potential impact of your build – the legislation around this came in during 2020 and is called the National Environment Standard – Fresh Water (NES-FW). **RFI's**;
- Architect/Designer – While all the above is happening your architect/designer can proceed with the construction drawings for the building;
- Building Consent (BC) – Once all the above has been completed, and while the LUC etc. is being processed (meant to take a maximum of 20 working days but almost always takes much longer) you can apply for the Building Consent. You do run the risk of needing to make some changes if any issues are raised during the processing of the LUC. **RFI's** (The BC process is meant to take a maximum of 20 working days but can take longer)

**Disclaimer:**

1. *This document is intended to provide a brief overview of the Building process on bare lots and not to be the definitive guide;*
2. *It is strongly recommended that you undertake your own investigation by engaging the services of suitably qualified parties or a turnkey provider such as one of the building companies.*