

The basics

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This page is designed to help you get to grips with what you'll need to consider before carrying out an MDH project. It provides basic information about resource and building consents, and outlines the various options for demonstrating a project will comply with the Building Code.

MDH is becoming increasingly popular throughout New Zealand. It increases the number and density of homes, supporting the growth and development of our cities and urban areas.

As with all housing types, MDH developments require a building consent and may require a resource consent before construction can begin. In addition, all building work must meet the performance requirements of the New Zealand Building Code.



See a flow chart of the building process (<https://www.building.govt.nz/assets/Uploads/projects-and-consents/building-process.pdf>)

Definition of medium-density housing

For the purposes of this section, MBIE has adopted the BRANZ Ltd definition of MDH: multi-unit dwellings of up to six storeys (above ground).

Within this definition, there are three main categories:

- 1-2-storey attached houses (e.g. duplexes, triplexes, semi-attached terraced houses)
- 2-4-storey attached houses (terraced houses)
- 3-6-storey apartments

See the BRANZ Ltd article on medium-density housing (https://www.branz.co.nz/cms_show_download.php?id=00960af7b7e78c78d3f016e04f9bea1d81d4801c)

Building consent

All building work done in New Zealand must comply with the Building Code. In addition, most building work requires a building consent before any work can commence.

Building consents are issued by local councils acting in their capacity as building consent authorities (BCAs). Under the Building Act, a BCA has 20 working days from when it receives a complete application to process it. If your application is incomplete or the BCA requires further supporting information, the process will be paused until you provide the information required.

Read more about applying for building consent (<https://www.building.govt.nz/projects-and-consents/apply-for-building-consent/>).

Resource consent

As with all housing developments, MDH projects may require a resource consent in addition to a building consent before construction can begin.

Resource consent is a formal approval from your local/regional council that allows you to carry out an activity that hasn't been clearly permitted or prohibited by the district/regional plan.

Resource consent is required in a wide range of situations, for example to use or subdivide land, take water, or discharge contaminants in water, soil or air.

Where resource consent is required, it should be obtained before any detailed design work is carried out.

Where resource consent is not required, a council can instead issue a certificate of compliance to establish that the activity is lawful under the Resource Management Act. This does not remove the need to obtain a building consent or comply with any district/regional requirements.

[Read more about resource consents \(https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/check-if-you-need-consents/resource-consent/\)](https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/check-if-you-need-consents/resource-consent/).

Applying for a project information memorandum

A building or land owner who is thinking about carrying out work that requires a building consent may apply to their BCA for a project information memorandum (PIM) at any time. The PIM must be issued within 20 working days of the application being received.

A PIM provides information about the land that might be relevant to any proposed building work. A PIM may include information about natural hazards, stormwater and wastewater systems, and vehicle access, for example.

[Read more about PIMs \(https://www.building.govt.nz/building-officials/guides-for-building-officials/project-information-memoranda/\)](https://www.building.govt.nz/building-officials/guides-for-building-officials/project-information-memoranda/).

Ensuring Building Code compliance

Acceptable Solutions and Verification Methods

All building work in New Zealand must meet the performance requirements of the New Zealand Building Code.

One means of demonstrating compliance with the Building Code is to follow an Acceptable Solution. Acceptable Solutions are produced by MBIE to set out a step-by-step building method. They must be accepted by BCAs as evidence of compliance with the Building Code.

Where an Acceptable Solution has not been established or is not suitable for a building project, compliance can instead be demonstrated using a Verification Method. Verification Methods are tests or calculation methods approved by MBIE that establish a building method will result in compliance with the Building Code.

[Read more about Acceptable Solutions and Verification Methods \(https://www.building.govt.nz/building-code-compliance/how-the-building-code-works/different-ways-to-comply/acceptable-solutions-and-verification-methods/\)](https://www.building.govt.nz/building-code-compliance/how-the-building-code-works/different-ways-to-comply/acceptable-solutions-and-verification-methods/).

Alternative Solutions

Some building work is not covered by an Acceptable Solution or a Verification Method. In particular, higher-density (i.e. medium- or high-density) designs are often outside the scope of these compliance pathways.

In these cases, an Alternative Solution must be developed to demonstrate compliance with the Building Code and satisfy the BCA there are reasonable grounds to grant a building consent. This will usually require expertise from suitably qualified people such as architects or engineers, who may need to develop specific designs that then need to be peer reviewed to demonstrate compliance.

Producer statements are often required to support building consent applications. Producer statements are typically used for specialist work, such as engineering, or where there is a proprietary product installed by appointed contractors. A producer statement can assist the BCA to determine whether the building work complies with the Building Code. Councils will use their judgement when considering producer statements and how much weight to give them.

You also need to be able to show how the products you have selected to use in the design will comply with the Building Code. Talk to the supplier's technical representative for details about product assurance such as any product testing, appraisals or CodeMark certificates.

It is important to use the products and methods specified in the design. Once building consent is approved, a product change or other minor variation will require a building consent amendment, which could slow down the process.

It is also important to have a pre-application discussion with your BCA to help them understand the goals for your project so they can tell you the evidence that will be required to demonstrate compliance. It's helpful to invite your architect/designer, structural engineer and fire engineer to the meeting.

[Read more about Alternative Solutions \(https://www.building.govt.nz/building-code-compliance/how-the-building-code-works/different-ways-to-comply/alternative-solutions/\).](https://www.building.govt.nz/building-code-compliance/how-the-building-code-works/different-ways-to-comply/alternative-solutions/)

Compliance schedules and warrants of fitness

MDH developments that contain certain specified systems need a compliance schedule in place, regular inspections and an annual warrant of fitness. The building owner(s) is responsible for ensuring the continued effective operation of any specified systems and keeping the warrant of fitness up to date.

Compliance schedules are set by the BCA. It lists the building's specified systems and the inspection, maintenance and reporting procedures needed to keep them in good order.

[Read more about compliance schedules \(https://www.building.govt.nz/projects-and-consents/sign-off-and-maintenance/completing-your-project/compliance-schedules/\).](https://www.building.govt.nz/projects-and-consents/sign-off-and-maintenance/completing-your-project/compliance-schedules/)



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