



Building (Forms) Regulations 2004

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 8th day of November 2004

Present:

Her Excellency the Governor-General in Council

Pursuant to section 402 of the Building Act 2004, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council and on the recommendation of the Minister for Building Issues, makes the following regulations.

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Regulations

- 1 Title**
These regulations are the Building (Forms) Regulations 2004.

2 Commencement

- (1) These regulations (except regulations 5 and 8 and Part 2 of the Schedule) come into force on 30 November 2004.
- (2) Regulations 5 and 8 and Part 2 of the Schedule come into force on 31 March 2005.

3 Interpretation

- (1) In these regulations, unless the context otherwise requires,—
Act means the Building Act 2004
form means a form set out in the Schedule.
- (2) A reference to a numbered form in these regulations is a reference to that form set out in the Schedule.

Forms

4 Form of agreement between residential property developer and purchaser

An agreement between a residential property developer and a purchaser of a household unit under section 364(2) of the Act (which relates to a transfer without a code compliance certificate) must be in form 1.

5 Other forms

The forms specified in the first column of the following table must be used in respect of the matters specified in the third column:

Form	Relevant section(s) of Act	Matter
2	33, 45	Application for project information memorandum and/or building consent
3	36	Development contribution notice
4	37	Certificate attached to project information memorandum
5	51	Building consent
6	92	Application for code compliance certificate
7	95	Code compliance certificate
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10	105	Compliance schedule statement
11	106	Application for amendment to compliance schedule
12	108	Warrant of fitness

Form	Relevant section(s) of Act	Matter
13	164, 165	Notice to fix
14	178	Application for determination

General provisions on forms

6 Use of forms

- (1) Form 1 may not contain any differences from the form that is prescribed.
- (2) Use of any other form is not invalid only because it contains minor differences from a form prescribed by these regulations as long as the form that is used—
 - (a) has the same effect as the prescribed form and is not misleading; and
 - (b) contains all the information required by the prescribed form and the information is in the same order as appears on the prescribed form.

7 Forms must be accompanied by documents required by forms

- (1) A form must be accompanied by a document that is required to be attached to the form.
- (2) The document referred to in subclause (1) is part of the form.

Revocation

8 Revocation

- (1) The Building Regulations 1992 (SR 1992/150) are revoked.
- (2) However, despite the revocation of the Building Regulations 1992,—
 - (a) regulation 3 and the First Schedule of those regulations continue in force; and
 - (b) so much of regulation 4 and the Second Schedule of those regulations as relate to forms 16 (application for approval as an individual building certifier) and 17 (application for approval as a corporate building certifier) continue in force and apply for the purposes of section 441 of the Act until 31 May 2006.

rr 4, 5

Schedule Forms

Part 1 Agreement between residential property developer and purchaser

Form 1

Agreement between residential property developer and purchaser *Section 364(2), Building Act 2004*

Information for purchasers

- (1) Signing this form is optional.
- (2) You should take independent legal advice before signing this form.
- (3) Before signing this form, you should consider—
 - (a) the effect that the absence of a code compliance certificate for the household unit may have on you; for example,—
 - (i) will you be able to insure the household unit?
 - (ii) will you be able to draw down mortgage finance for the purchase of the household unit?
 - (iii) will you be able to sell the household unit?
 - (b) whether you (instead of the developer) will have to pay a development contribution to obtain the code compliance certificate; and
 - (c) the extent of the work required to obtain the code compliance certificate.
- (4) If you sign this form, then you must apply for a code compliance certificate for the household unit as soon as practicable after all building work to be carried out under the building consent for the household has been completed.

This agreement is made between—

[insert full name and address]

(residential property developer)

and

[insert full name and address]

(purchaser)

(together the **parties**)

The residential property developer and the purchaser have entered or intend to enter into a contract for the sale and purchase of *[insert street address of household unit]* (**household unit**) dated *[insert date of contract, if any]* (**contract**).

Part 1—continued

Background

As at the date of this agreement, a building consent has been granted in relation to the household unit but a code compliance certificate has not been issued.

Section 364(1) of the Building Act 2004 (**Act**) provides that a residential property developer commits an offence if that developer completes a sale of the household unit or allows the purchaser into possession of the household unit before a code compliance certificate has been issued for the household unit, unless the parties enter into an agreement in accordance with section 364(2) of the Act.

The parties wish to enter into this agreement under section 364(2) of the Act to enable the residential property developer to complete a sale of the household unit or to allow the purchaser of the household unit to enter into possession of the household unit before a code compliance certificate has been issued in relation to the household unit.

Agreement

- (1) In consideration of entering into the contract, the parties agree that the residential property developer may, before a code compliance certificate has been issued in relation to the household unit,—
 - *(a) complete the sale of the household unit:
 - *(b) allow the purchaser to enter into possession of the household unit.
- (2) If there is any conflict between this agreement and the contract, the provisions of this agreement prevail.

Signed by the residential)
 property developer in the) Signature of residential
 presence of) property developer

.....

Witness signature

.....

Full name

.....

Address

.....

Occupation

Part 1—*continued*

Signed by the purchaser)
in the presence of) Signature of purchaser

.....
Witness signature

.....
Full name

.....
Address

.....
Occupation

*Delete if inapplicable.

Part 2
Other forms

Form 2

Application for project information memorandum and/or
building consent

Section 33 or section 45, Building Act 2004

The building

Street address of building: *[for structures that do not have a street address, state the nearest street intersection and the distance and direction from that intersection]*

Legal description of land where building is located: *[state legal description as at the date of application and, if the land is proposed to be subdivided, include details of relevant lot numbers and subdivision consent]*

Building name:

Location of building within site/block number: *[include nearest street access]*

Number of levels: *[include ground level and any levels below ground]*

Level/unit number:

Area: *[total floor area; indicate area affected by the building work if less than the total area]*

Current, lawfully established, use: *[include number of occupants per level and per use if more than 1]*

Year first constructed:

The owner

Name of owner: *[include preferred form of address, eg, Mr, Miss, Dr, if an individual]*

*Contact person:

Mailing address:

Street address/registered office:

Phone number: Landline: Mobile:

 Daytime: After hours:

Facsimile number:

Email address:

Website:

The following evidence of ownership is attached to this application:
[copy of certificate of title, lease, agreement for sale and purchase,

Part 2—*continued*

Estimated value of the building work on which the building levy will be calculated (including goods and services tax): \$ [*state estimated value as defined in section 7 of the Building Act 2004*]

§Project information memorandum

The following matters are involved in the project:

- †Subdivision
- †Alterations to land contours
- †New or altered connections to public utilities
- †New or altered locations and/or external dimensions of buildings
- †New or altered access for vehicles
- †Building work over or adjacent to any road or public place
- †Disposal of stormwater and wastewater
- †Building work over any existing drains or sewers or in close proximity to wells or water mains
- †Other matters known to the applicant that may require authorisations from the territorial authority: [*specify*]

||Building consent

¶The following plans and specifications are attached to this application:

The building work will comply with the building code as follows:

Clause	Means of compliance	Waiver/modification required
[<i>list relevant clause numbers of building code</i>]	[<i>refer to the relevant compliance document(s) or detail of alternative solution in the plans and specifications</i>]	[<i>state nature of waiver or modification of building code required</i>]

Compliance schedule

†The specified systems for the building are as follows: [*specified systems are defined in regulations*]

†The following specified systems are being altered, added to, or removed in the course of the building work:

†There are no specified systems in the building.

Attachments

The following documents are attached to this application:

- †Plans and specifications [*list*]
- †Project information memorandum
- †Development contribution notice
- †Certificate attached to project information memorandum

Part 2—*continued*

*Delete if the applicant is an individual.

†Delete if inapplicable.

‡Contact details must be in New Zealand.

§Delete this section if this is an application for a building consent only.

||Delete this section if this is an application for a project information memorandum only.

¶All plans and specifications must meet the minimum requirements set out in the regulations or required by the building consent authority.

Form 3

Development contribution notice

Section 36, Building Act 2004

To: *[name and address of owner]*

A code compliance certificate for the building work referred to in the attached project information memorandum will not be issued until a development contribution of \$ is paid. The development contribution must be paid to *[name of territorial authority and address of place/s where payment can be made]*.

If the development contribution is not paid,—

- (a) the Council may, under section 208(b) of the Local Government Act 2002, withhold the code compliance certificate that would be issued under section 95 of the Building Act 2004:
- (b) the building consent authority, under section 94(4) of the Building Act 2004, must refuse to issue a code compliance certificate for the building work until it has received—
 - (i) evidence that the development contribution has been paid or made by the owner to the Council; or
 - (ii) a copy of a written agreement between the owner and the Council that the code compliance certificate may be issued:
- (c) the Council may, under section 208(d) of the Local Government Act 2002, register the development contribution under the Statutory Land Charges Registration Act 1928 as a charge on the title of the land in respect of which the development contribution was required.

Signature:

Position:

Part 2—*continued*On behalf of: [*name of Council*]

Date:

Form 4

Certificate attached to project information memorandum

*Section 37, Building Act 2004***Restrictions on commencing building work under the Resource Management Act 1991**

The building work referred to in the attached project information memorandum is also required to have the following resource consents under the Resource Management Act 1991:

[*list resource consents required*]

As these resource consents will or may materially affect the building work to which the attached project information memorandum relates, until they have been granted *no building work may proceed/*building work may only proceed to the extent stated below:

Failure to comply with the requirements of this notice may result in legal action being taken against you under the Resource Management Act 1991.

Signature:

Position:

On behalf of: [*name of Council*]

Date:

*Delete if inapplicable.

Form 5

Building consent

*Section 51, Building Act 2004***The building**

Street address of building:

Legal description of land where building is located:

Building name:

Location of building within site/block number:

Level/unit number:

Part 2—*continued***The owner**

Name of owner:

*Contact person:

Mailing address:

Street address/registered office:

Phone number:

Landline:

Mobile:

Daytime:

After hours:

Facsimile number:

Email address:

Website:

First point of contact for communications with the building consent authority: [*state full name, mailing address, and any phone number(s), facsimile number(s), and email address(es)†*]

Building work

The following building work is authorised by this building consent:

This building consent is issued under section 51 of the Building Act 2004. This building consent does not relieve the owner of the building (or proposed building) of any duty or responsibility under any other Act relating to or affecting the building (or proposed building). This building consent also does not permit the construction, alteration, demolition, or removal of the building (or proposed building) if that construction, alteration, demolition, or removal would be in breach of any other Act.

‡This building consent is subject to the following conditions:

§(a) the building must be altered, removed, or demolished on or before the end of [*insert number*] years from the date of issue of this consent (being the specified intended life of the building); and

‡(b) [*state any other conditions*]

Compliance schedule

A compliance schedule ‡is/‡is not required for the building.

‡The compliance schedule must contain the following specified systems and comply with the performance standards for those systems required by the building code: [*list required systems*]

Part 2—*continued***Attachments**

Copies of the following documents are attached to this building consent:

‡Project information memorandum number

‡Development contribution notice

‡Certificate attached to project information memorandum

Signature:

Position:

On behalf of: [*name of building consent authority*]

Date:

*Delete if the applicant is an individual.

†Contact details must be in New Zealand.

‡Delete if inapplicable.

§Delete if the building is intended to have a life of 50 years or more.

Form 6

Application for code compliance certificate

*Section 92, Building Act 2004***The building consent**

Building consent number:

Issued by: [*name of building consent authority that granted building consent*]

***The owner**

Name of owner: [*include preferred form of address, eg, Mr, Miss, Dr, if an individual*]

†Contact person:

Mailing address:

Street address/registered office:

Phone number: Landline: Mobile:

 Daytime: After hours:

Facsimile number:

Email address:

Website:

The following evidence of ownership is attached to this application:
[*copy of certificate of title, lease, agreement for sale and purchase,*

Part 2—continued

or other document showing full name of legal owner(s) of the building]

‡Agent

Name of agent: [only required if application is being made on behalf of the owner]

§Contact person:

Mailing address:

Street address/registered office:

Phone number: Landline: Mobile:

 Daytime: After hours:

Facsimile number:

Email address:

Website:

Relationship to owner: [state details of authorisation from the owner to make the application on the owner's behalf]

First point of contact for communications with the building consent authority: [state full name, mailing address, phone number(s), facsimile number(s) and email address(es)]

Application

All building work to be carried out under the above building consent was completed on [insert date]

The personnel who carried out the building work are as follows: [list names, addresses, phone numbers, and (where relevant) registration numbers]

The following specified systems are contained on the compliance schedule for the building and, in the opinion of the personnel who installed them, are capable of performing to the performance standards set out in the building consent:

[list specified systems]

I request that you issue a code compliance certificate for this work under section 95 of the Building Act 2004.

The code compliance certificate should be sent to: [state which address, and whether owner or agent]

Signature of ¶owner/¶agent on behalf of and with the authority of the owner:

Name of person signing:

Date:

Part 2—*continued***Attachments**

The following documents are attached to this application:

- ¶ Certificates from the personnel who carried out the work
- ¶ Certificates that relate to the energy work
- ¶ Evidence that specified systems are capable of performing to the performance standards set out in the building consent

*Delete this section if details have not changed from the building consent.

†Delete if owner is an individual.

‡Delete this section if the application is not being made on behalf of the owner.

§Delete if the agent is an individual.

||Contact details must be in New Zealand.

¶ Delete if inapplicable.

Form 7

Code compliance certificate

*Section 95, Building Act 2004***The building**

Street address of building:

Legal description of land where building is located:

Building name:

Location of building within site/block number:

Level/unit number:

Current, lawfully established, use: [*include number of occupants per level and per use if more than 1*]

Year first constructed:

The owner

Name of owner:

*Contact person:

Mailing address:

Street address/registered office:

Phone number:	Landline:	Mobile:
	Daytime:	After hours:

Facsimile number:

Email address:

Website:

Part 2—*continued*

First point of contact for communications with the building consent authority: [*state full name, mailing address, phone number(s), facsimile number(s), and email address(es)*†]

Building work

Building consent number:

Issued by: [*name of building consent authority that issued the building consent*]

Code compliance

The building consent authority named below is satisfied, on reasonable grounds, that—

- (a) the building work complies with the building consent; and
- ‡(b) the specified systems in the building are capable of performing to the performance standards set out in the building consent.

‡Attachment

‡Compliance schedule

Signature:

Position:

On behalf of: [*name of building consent authority*]

Date:

*Delete if the applicant is an individual.

†Contact details must be in New Zealand.

‡Delete if inapplicable.

Form 8

Application for certificate of acceptance

Section 97, Building Act 2004

The building

Street address of building: [*for structures that do not have a street address, state the nearest street intersection and the distance and direction from that intersection*]

Part 2—*continued*

Legal description of land where building is located: [*state legal description as at the date of application and, if the land is proposed to be subdivided, include details of relevant lot numbers and subdivision consent*]

Building name:

Location of building within site/block number: [*include nearest street access*]

Number of levels: [*include ground level and any levels below ground*]

Level/unit number:

Area: [*total floor area—indicate area affected by the building work if less than the total area*]

Current, lawfully established, use: [*include number of occupants per level and per use if more than 1. If use was changed by the building work this application relates to, state previous use.*]

Year first constructed:

The owner

Name of owner: [*include preferred form of address, eg, Mr, Miss, Dr, if an individual*]

*Contact person:

Mailing address:

Street address/registered office:

Phone number:	Landline:	Mobile:
	Daytime:	After hours:

Facsimile number:

Email address:

Website:

The following evidence of ownership is attached to this application: [*copy of certificate of title, lease, agreement for sale and purchase, or other document showing full name of legal owner(s) of the building*]

†Agent

Name of agent: [*only required if application is being made on behalf of the owner*]

‡Contact person:

Mailing address:

Street address/registered office:

Phone number:	Landline:	Mobile:
	Daytime:	After hours:

Part 2—*continued*

Facsimile number:

Email address:

Website:

Relationship to owner: *[state details of authorisation from owner to make the application on the owner's behalf]*

First point of contact for communications with the council: *[state full name, mailing address, phone number(s), facsimile number(s) and email address(es)]*

Application

I request that you issue a certificate of acceptance for the building work described in this application.

Signature of owner/agent on behalf of and with the authority of the owner:

Date:

<i>space for council use</i>

Building work

Description of the building work:

Date building work carried out:

The personnel who carried out the building work are as follows: *[list names, addresses, phone numbers, and (where relevant) registration numbers]*

Did the building work result in a change of use of the building?

Yes/No

If Yes, provide details of the new use:

Intended life of the building if 50 years or less: years

List building consents previously issued for this project (if any):

¶Estimated value of the building work on which building levy will be calculated (including goods and services tax): \$ *[state estimated value as defined in section 7 of the Building Act 2004]*

**The following are attached to this application:

Reasons why a certificate of acceptance is required:

The owner, or the owner's predecessor in title, carried out building work for which a building consent was required, but a building consent was not obtained because: *[explain in detail]*

A building consent could not practicably be obtained in advance because the building work had to be carried out urgently: *[delete one of the following]*

Part 2—*continued*

- ||(a) for the purpose of saving or protecting life or health or preventing serious damage to property as follows: *[explain in detail]*
- ||(b) in order to ensure that a specified system was maintained in a safe condition or made safe as follows: *[explain in detail]*

||The building consent authority that granted the building consent is unable or refuses to issue a code compliance certificate in relation to the building work, and no other building consent authority will agree to issue a code compliance certificate for the building work: *[state details of name of building consent authority and building consent granted]*

Compliance schedule

||The specified systems for the building are as follows: *[specified systems are defined in regulations]*

||The following specified systems were altered, added to, or removed in the course of the building work:

||There are no specified systems in the building.

Attachments

The following are attached to this application:

||Project information memorandum

||Plans and specifications

||Certificates from personnel who carried out the building work

||Energy work certificate

*Delete if the applicant is an individual.

†Delete this section if the application is not being made on behalf of the owner.

‡Delete if the agent is an individual.

§Contact details must be in New Zealand.

||Delete if inapplicable.

¶ Delete if inapplicable, only applies if an application for a certificate of acceptance is made under section 96(1)(a) of the Building Act 2004.

**All plans and specifications must meet the minimum requirements set out in the regulations or any other requirements of the building consent authority.

Part 2—*continued*

Form 9

Certificate of acceptance

*Section 99, Building Act 2004***The building**

Street address of building:

Legal description of land where building is located:

Building name:

Location of building within site/block number:

Level/unit number:

The owner

Name of owner:

*Contact person:

Mailing address:

Street address/registered office:

Phone number:

Landline:

Mobile:

Daytime:

After hours:

Facsimile number:

Email address:

Website:

First point of contact for communications with the council: [*state full name, mailing address, phone number(s), facsimile number(s) and email address(es)†*]

Acceptance of compliance

The territorial authority named below is satisfied, to the best of its knowledge and belief and on reasonable grounds, that, insofar as it can ascertain, the building work described below complies with the building code:

‡The territorial authority was only able to inspect the following parts of the building work and this certificate is qualified as follows:

Nothing in this certificate limits the requirement that a person must not carry out building work except in accordance with a building consent, nor does it relieve any person from the requirement to obtain a building consent for building work.

‡ Attachments

‡ Compliance schedule

Part 2—*continued*

Date:

This statement is valid for 12 months after the date stated above.

*Delete if the applicant is an individual.

Form 11

Application for amendment to compliance schedule

*Section 106, Building Act 2004***The building**Street address of building: [*for structures that do not have a street address, state the nearest street intersection and the distance and direction from that intersection*]Legal description of land where building is located: [*state legal description as at the date of application, and if the land is proposed to be subdivided, include details of relevant lot numbers and subdivision consent*]

Building name:

Location of building within site/block number: [*include nearest street access*]

Level/unit number:

Current, lawfully established, use: [*include number of occupants per level and per use if more than 1*]**The owner**Name of owner: [*include preferred form of address, eg, Mr, Miss, Dr, if an individual*]

*Contact person:

Mailing address:

Street address/registered office:

Phone number:

Landline:

Mobile:

Daytime:

After hours:

Facsimile number:

Email address:

Website:

Evidence of ownership: [*copy of certificate of title, lease, agreement for sale and purchase, or other document showing full name of legal owner(s) of the building*]

Part 2—*continued***† Agent**

Name of agent: *[only required if application is being made on behalf of the owner]*

‡ Contact person:

Mailing address:

Street address/registered office:

Phone number: Landline: Mobile:
 Daytime: After hours:

Facsimile number:

Email address:

Website:

Relationship with owner: *[state details of authorisation from owner to make the application on the owner's behalf]*

First point of contact for communications with the council: *[state full name, mailing address, phone number(s), facsimile number(s) and email address(es)]*

Application

I request that the compliance schedule for the above building be amended as follows:

Specified system	Amendment	Reason
		<i>[state why amendment is required to ensure that the specified system meets the performance standards]</i>

Attachments

Copy of existing compliance schedule

Signature of ||owner/||agent on behalf of, and with the authority of, the owner:

Date:

*Delete if the owner is an individual.

†Delete this section if the application is not being made on behalf of the owner.

‡Delete if the agent is an individual.

§Contact details must be in New Zealand.

||Delete if inapplicable.

Part 2—*continued*

Form 12

Warrant of fitness

*Section 108, Building Act 2004***The building**

Street address of building:

Legal description of land where building is located:

Building name:

Location of building within site/block number:

Level/unit number:

Current, lawfully established, use: [*include number of occupants per level and per use if more than 1*]

Year first constructed:

Intended life of the building if 50 years or less: years

Highest fire hazard category for building use: [*state number*]**The owner**

Name of owner:

*Contact person:

Mailing address:

Street address/registered office:

Phone number:	Landline:	Mobile:
	Daytime:	After hours:

Facsimile number:

Email address:

Website:

Warrant

†The maximum number of occupants that can safely use this building is:

The inspection, maintenance, and reporting procedures of the compliance schedule for the above building have been fully complied with during the 12 months prior to the date stated below.

The compliance schedule is kept at:

Attachments

†Certificates relating to inspections, maintenance, and reporting

†Recommendations for amendments to the compliance schedule

Signature of owner:

Date:

Part 2—*continued*

*Delete if the owner is an individual.

†Delete if inapplicable.

Form 13

Notice to fix

Sections 164 and 165, Building Act 2004

To: *[name and address of owner]*

***And to:** *[name and address of person carrying out or supervising the building work]*

The building

Street address of building:

Legal description of land where building is located:

Building name:

Location of building within site/block number:

Level/unit number:

Particulars of contravention or non-compliance

[Insert details of failure or error with reference to any relevant building consent]

To remedy the contravention or non-compliance you must: *[state any building work that must be carried out and whether a certificate of acceptance must be applied for]*

This notice must be complied with by: *[date or time frame]*

Further particulars

*You must contact the territorial authority for the district within which the building is situated on completion of the required building work.

*All building work must cease immediately until the authority that issued this notice is satisfied that you are able and willing to resume operations in compliance with the Building Act 2004 and regulations under that Act.

*The following building work must cease immediately until the authority that issued this notice is satisfied that you are able and willing to resume operations in compliance with the Building Act 2004 and regulations under that Act: *[insert details of building work]*

If you do not comply with this notice you commit an offence under section 168 of the Building Act 2004 and may be liable to a fine of up to \$200,000 and a further fine of up to \$20,000 for each day or part of a day that you fail to comply with this notice.

Part 2—*continued*

Signature:

Position:

On behalf of: [*name of territorial authority*]

Date:

*Delete if inapplicable.

Form 14

Application for determination

*Section 178, Building Act 2004***Applicant**Name: [*include preferred form of address, eg, Mr, Miss, Dr, if an individual*]

*Contact person:

Mailing address:

Phone number:

Landline:

Mobile:

Daytime:

After hours:

Facsimile number:

Email address:

The applicant is:

†The owner of the building

†The territorial authority of the district in which the building is located

†The building consent authority responsible for consenting to the building work

†The licensed building practitioner concerned with the relevant building work

†The owner of other property (as defined in section 7 of the Building Act 2004) affected by the building work [*include details of the property so affected: street address and legal description and the provision of the building code that requires the property to be protected*]

†The regional authority of the region in which the dam is located

†A person who has a direct interest in the matter for determination if the matter for determination relates to the provision of access and facilities for persons with disabilities [*state the nature of the direct interest*]

†A person or organisation who or that has a right or obligation under any other Act to give written notice to a territorial authority about

Part 2—*continued*

Building Act matters [*state details of the relevant right or obligation*]

Other parties

The other parties to this application are [*state names and mailing addresses*]:

†The owner of the building

†The territorial authority of the district in which the building is located

†The building consent authority responsible for consenting to the building work

†The licensed building practitioner concerned with the relevant building work

†The regional authority of the region in which the dam is located

†A person or organisation who or that has a right or obligation under any other Act to give written notice to a territorial authority about Building Act matters [*give details of the relevant right or obligation*]

Copies of this application have been sent to all the abovenamed parties.

The †building/†dam

Street address: [*for structures that do not have a street address, state the nearest street intersection and the distance and direction from that intersection*]

Legal description of land where †building/†dam is located: [*state legal description as at the date of application and, if the land is proposed to be subdivided, include details of relevant lot numbers and subdivision consent*]

†Building/†Dam name:

Current, lawfully established, use: [*include number of occupants per level and per use if more than 1*]

Year first constructed:

Matter for determination

I apply for a determination in relation to the following matter/s: [*include, for each applicable item, all relevant details, including any reasons given by the building consent authority, territorial authority, or regional authority for its decision*]

- (a) Whether the following building work complies with the building code: [*state details of the building work*]
- (b) The decision of the [*name of building consent authority*] to—

Part 2—*continued*

- (i) †issue/†refuse to issue a †building consent/†code compliance certificate/†compliance schedule for the following building work: [*state details of the building work*]
 - (ii) refuse to allow an extension of the period during which the following building work must be commenced before the building consent lapses: [*state details of the building work*]
 - (iii) issue a notice to fix for the following building work: [*state details of the building work*]
 - (iv) refuse to allow an extension of the period during which it must decide whether to issue a code compliance certificate for the following building work: [*state details of the building work*]
 - (v) amend a †building consent/†notice to fix/†code compliance certificate for the following building work: [*state details of the building work*]
 - (vi) †impose a condition/†amend a condition on a †notice to fix/†compliance schedule for the following building work: [*state details of the building work*]
- (c) †The decision of [*name of territorial authority*] to—
- †(i) †grant/†refuse an application for a waiver or modification of the building code for the following building work: [*state details of the building work*]
 - †(ii) †issue/†refuse to issue a certificate of acceptance for the following building work: [*state details of the building work*]
 - †(iii) amend the compliance schedule for the building in the following manner: [*state details of the building work*]
 - †(iv) †issue/†amend/†impose a condition on a notice to fix for the following building work: [*state details of the building work*]
- (d) [*Name of territorial authority*]'s exercise of its power to require the following building work as the result of an alteration to or change of use of the building: [*state details of the building work*]

Part 2—*continued*

- (e) The issue of a certificate under section 224(f) of the Resource Management Act 1991 by the [*name of territorial authority*] that the building complies or will comply with the building code: [*state details of the subdivision and the effect it will have on the building*]
- (f) [*Name of territorial authority*]'s †exercise of/†failure to exercise its power to deal with a †dangerous/†earthquake-prone/†insanitary building as follows: [*state details of the building work*]
- (g) [*Name of regional authority*]'s †exercise of/†failure to exercise its powers in relation to the dam as follows: [*state details of the building work*]

†Related applications

The following applications have been made and are related to this application [*give date of application and name of applicant*]

Hearing

†I request that the chief executive hold a hearing on this application so that I may speak and present evidence.

†I wish to give written/spoken evidence in te reo Māori.

Attachments

The following documents are attached to this application: [*list plans, specifications, other documents, and correspondence provided in support of this application*]

Signed by the applicant:

‡ Name and position (print):

Date:

*Delete if the applicant is an individual.

†Delete if inapplicable.

‡Only required if applicant is not an individual and application is signed by an authorised officer or agent of the applicant.

Diane Morcom,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations (except regulations 5 and 8 and Part 2 of the Schedule) come into force on 30 November 2004. Regulations 5 and 8 and Part 2 of the Schedule come into force on 31 March 2005.

These regulations prescribe various forms for the purposes of the Building Act 2004.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 11 November 2004.

These regulations are administered in the Department of Building and Housing.
