

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)

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:

(if applicable)

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:

(if applicable)

Area:

(total floor area; indicate area affected by the building work if less than the total area)

Current, lawfully established, use:

(Refer to [Schedule 2 - Uses of all or parts of buildings](#)) - Building (Specified Systems, Change the Use, and Earthquake-prone buildings) Regulations 2005)

Number of occupants:

(Include number of occupants per level and per use if more than 1)

Year first constructed:

(Insert year, approximate date is acceptable eg: c1920s or 1960-1970)

The owner

Name of owner:

Contact person:

Street address/
Registered Office:

Mailing address:

Telephone number:

Mobile number:

Facsimile:

Daytime:

After hours:

Email address:

Website:

Agent

(only required if application is being made on behalf of the owner)

Name of agent:

Contact person:
(complete if applicable)

Mailing address:

Street address/registered office:

Telephone number: Mobile number:

Facsimile:

Email address:

Website:
(if applicable)

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 council/building consent authority:

(state full name, mailing address, phone number(s), facsimile number(s) and email address(es). Contact details must be in New Zealand)

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:
 day month year

Building work

Description of the building work:

Date building work carried out:
day month year

The personnel who carried out the building work are as follows:

Name	Address	Phone	Registration number

(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):

(list who issued the consent, the date of issue and the consent number)

Estimated value of the building work on which building levy will be calculated (including goods and services tax)

(complete if applicable, only applies if an application for a certificate of acceptance is made under section 96(1)(a) of the Building Act 2004)

\$ *(state estimated value as defined in section 7 of the Building Act 2004)*

The following plans and specifications are attached to this application:

(all plans and specifications must meet the minimum requirements set out in the regulations or any other requirements of the building consent authority)

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:
(complete one of the following)

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:

(specify)

There are no specified systems in the building.

The following are attached to this application:

- Current Record of Title (RT) or evidence of ownership that is in the owner(s) name such as a sale and purchase agreement / lease agreement
A current RT can be digitally obtained online from LINZ for a fee of \$6.00: <https://lrs.linz.govt.nz/search/>
- Project information memorandum.
- Plans and specifications.
- Certificates from personnel who carried out the building work.
- Energy work certificate

FEES

A minimum application fee, plus relevant levies apply at that time.
An acceptance fee will also be charges when processing is complete.

Notes:

- Certificate of Acceptance Fees:
The charges incurred by the Council in processing this application are payable whether or not the application is approved.
- The application for a Certificate of Acceptance does not avoid the possibility of prosecution if the work was carried out illegally.

An appointment must be made with a building control officer to lodge this application.

OFFICE USE

To be paid at the time of lodging the application.
Calculated on what the cost would have been if the consent had been issued when the work was carried out.

LODGEMENT FEE

Administration fee		
Processing fee		
Inspections (<i>Number</i>) _____		
Code Compliance Certificate		
Objective Build Levy		
MBIE Levy (<i>if applicable</i>)		
BRANZ Levy (<i>if applicable</i>)		
TOTAL		

RECEIVING INFORMATION

Building inspector (Lodgement):
Date application accepted:
Receipt/date:

The Building Act 2004 allows for any person to apply for a “Certificate of Acceptance” for any building work carried out on or after 1 July 1992 that has been completed without a building consent.

To apply for a Certificate of Acceptance, the completed application form must be lodged along with any appropriate plans and specifications and the applicant will need to **make an appointment with a building inspector to lodge the application.**

A Certificate of Acceptance will be accepted only for the building work that the Buller District Council is willing to assess.

If the application is accepted, a lodgement fee will be calculated as a deposit only. This fee is calculated on what the work would have cost if a building consent had been issued for the work carried out including any levies. This requirement is mandatory by law and Council cannot exercise any discretion. This fee is not refundable and not part of any fees that will be charged for the assessment of the application and/or building work.

An inspection will be carried out to assess what the Buller District Council will accept as work compliant to the building code.

If there is work that does not comply with the Building Code, or work that cannot be assessed, then the owner may need to engage the services of a chartered professional engineer. Building work that has been identified as needing remediation for the work to be compliant will need to be carried out with a building consent.

There are two charges incurred for a Certificate of Acceptance; a lodgement fee (paid at the time we accept the application) and a processing fee.

Council will not advise the applicant/agent of the outcome of this process until any applicable fees have been paid.

The Buller District Council may still initiate legal action against the owner and or the person carrying out the work.

Declaration to Accompany Application for Certificate of Acceptance



This Declaration **must** be completed, signed and submitted with your application.

Will any building on site be used for commercial and/or industrial purposes?

Yes No

If yes, please provide details (continue on a separate page if required):

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES) applies to activities on a piece of land where an activity or industry described in the current edition of the Hazardous Activities and Industries List (*HAIL*) is being undertaken, has been undertaken, or it is more likely than not that it is being or has been undertaken.

The *HAIL* and other useful information about the *NES*, including a User's Guide on the *NES*, can be found on the Ministry for the Environment's website, <http://www.mfe.govt.nz/land/nas-assessing-and-managing-contaminants-soil-protect-human-health/about-nas>. A copy of the current *HAIL* is attached.

To help determine whether the NES will apply to your activity please answer the following:

Is an activity described on the *HAIL* currently being undertaken on the piece of land which this application applies?

Yes No

Has an activity described on the *HAIL* ever been undertaken on the piece of land to which this application applies?

Yes No

Is it more likely than not that an activity described on the *HAIL* is being or has been undertaken on the piece of land to which this application applies?

Yes No

If yes to ANY of the above, then the NES may apply. Please answer the following:

Is the activity you propose to undertake removing or replacing a fuel storage system or parts of it?

Yes No

Is the activity you propose to undertake sampling soil?

Yes No

Is the activity you propose to undertake distributing soil?

Yes No

Is the activity you propose to undertake subdividing land?

Yes No

Is the activity you propose to undertake changing the use of the land?

Yes No

If you have ticked yes to any of the above activities, then the NES is likely to apply.

For further information about the NES and what is required, please contact Councils Planning Team on:

(03) 788 9603 planning@bdc.govt.nz

I hereby certify that to the best of my knowledge and belief, the information given in this form is true and correct.
(Applicants signature of person authorized to sign on applicant's behalf)

Name (please print)

Signature

Date



Hazardous Activities and Industries List (HAIL)

October 2011

A Chemical manufacture, application and bulk storage

1. Agrichemicals including commercial premises used by spray contractors for filling, storing or washing out tanks for agrichemical application
2. Chemical manufacture, formulation or bulk storage
3. Commercial analytical laboratory sites
4. Corrosives including formulation or bulk storage
5. Dry-cleaning plants including dry-cleaning premises or the bulk storage of dry-cleaning solvents
6. Fertiliser manufacture or bulk storage
7. Gasworks including the manufacture of gas from coal or oil feedstocks
8. Livestock dip or spray race operations
9. Paint manufacture or formulation (excluding retail paint stores)
10. Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds
11. Pest control including the premises of commercial pest control operators or any authorities that carry out pest control where bulk storage or preparation of pesticide occurs, including preparation of poisoned baits or filling or washing of tanks for pesticide application
12. Pesticide manufacture (including animal poisons, insecticides, fungicides or herbicides) including the commercial manufacturing, blending, mixing or formulating of pesticides
13. Petroleum or petrochemical industries including a petroleum depot, terminal, blending plant or refinery, or facilities for recovery, reprocessing or recycling petroleum-based materials, or bulk storage of petroleum or petrochemicals above or below ground
14. Pharmaceutical manufacture including the commercial manufacture, blending, mixing or formulation of pharmaceuticals, including animal remedies or the manufacturing of illicit drugs with the potential for environmental discharges
15. Printing including commercial printing using metal type, inks, dyes, or solvents (excluding photocopy shops)
16. Skin or wool processing including a tannery or fellmongery, or any other commercial facility for hide curing, drying, scouring or finishing or storing wool or leather products
17. Storage tanks or drums for fuel, chemicals or liquid waste
18. Wood treatment or preservation including the commercial use of anti-sapstain chemicals during milling, or bulk storage of treated timber outside

B Electrical and electronic works, power generation and transmission

1. Batteries including the commercial assembling, disassembling, manufacturing or recycling of batteries (but excluding retail battery stores)
2. Electrical transformers including the manufacturing, repairing or disposing of electrical transformers or other heavy electrical equipment
3. Electronics including the commercial manufacturing, reconditioning or recycling of computers, televisions and other electronic devices
4. Power stations, substations or switchyards

C Explosives and ordnances production, storage and use

1. Explosive or ordinance production, maintenance, dismantling, disposal, bulk storage or re-packaging
2. Gun clubs or rifle ranges, including clay targets clubs that use lead munitions outdoors
3. Training areas set aside exclusively or primarily for the detonation of explosive ammunition

D Metal extraction, refining and reprocessing, storage and use

1. Abrasive blasting including abrasive blast cleaning (excluding cleaning carried out in fully enclosed booths) or the disposal of abrasive blasting material
2. Foundry operations including the commercial production of metal products by injecting or pouring molten metal into moulds
3. Metal treatment or coating including polishing, anodising, galvanising, pickling, electroplating, or heat treatment or finishing using cyanide compounds
4. Metalliferous ore processing including the chemical or physical extraction of metals, including smelting, refining, fusing or refining metals
5. Engineering workshops with metal fabrication

E Mineral extraction, refining and reprocessing, storage and use

1. Asbestos products manufacture or disposal including sites with buildings containing asbestos products known to be in a deteriorated condition
2. Asphalt or bitumen manufacture or bulk storage (excluding single-use sites used by a mobile asphalt plant)
3. Cement or lime manufacture using a kiln including the storage of wastes from the manufacturing process
4. Commercial concrete manufacture or commercial cement storage
5. Coal or coke yards
6. Hydrocarbon exploration or production including well sites or flare pits
7. Mining industries (excluding gravel extraction) including exposure of faces or release of groundwater containing hazardous contaminants, or the storage of hazardous wastes including waste dumps or dam tailings

F Vehicle refuelling, service and repair

1. Airports including fuel storage, workshops, washdown areas, or fire practice areas
2. Brake lining manufacturers, repairers or recyclers
3. Engine reconditioning workshops
4. Motor vehicle workshops
5. Port activities including dry docks or marine vessel maintenance facilities
6. Railway yards including goods-handling yards, workshops, refuelling facilities or maintenance areas
7. Service stations including retail or commercial refuelling facilities
8. Transport depots or yards including areas used for refuelling or the bulk storage of hazardous substances

G Cemeteries and waste recycling, treatment and disposal

1. Cemeteries
2. Drum or tank reconditioning or recycling
3. Landfill sites
4. Scrap yards including automotive dismantling, wrecking or scrap metal yards
5. Waste disposal to land (excluding where biosolids have been used as soil conditioners)
6. Waste recycling or waste or wastewater treatment

H Any land that has been subject to the migration of hazardous substances from adjacent land in sufficient quantity that it could be a risk to human health or the environment

I Any other land that has been subject to the intentional or accidental release of a hazardous substance in sufficient quantity that it could be a risk to human health or the environment