

Notification of Proposed Change of Use

Sections 114 & 115, Building Act 2004



This notification form is only for Change of Use that do not require a building consent. If building consent is required as a result of the proposed Change of Use, please apply for a building consent at <https://bconline.hamilton.govt.nz/> and the Change of Use will be addressed within the build consenting process.

Completed form to be emailed with relevant attachments as follows:

Email:	building.unit2@hcc.govt.nz
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SECTION 1 - The Building

Street address:	
Legal description of land:	
Building Name:	
Number of levels: (including ground level and any levels below ground)	
Year first constructed:	

SECTION 2 - The Owner(s)

Name(s) of owner(s):			
Owner(s) mailing address:			
Owner(s) street address/registered office: (if different from mailing address)			
Owner(s) phone number:	Landline:	Mobile:	
Owner(s) email(s):			

SECTION 3 - First Point of Contact

<input type="checkbox"/> Owner – per details above, OR	<input type="checkbox"/> Other first point of contact – per detailed below:		
Full name:			
Mailing address:			
Phone number:	Landline:	Mobile:	
Email address:			
Preferred method of correspondence:			

SECTION 4 – The Proposed Change of Use

What is the current legal established use?							Describe:								
CS	CL	CO	CM	SC	SD	SA	SR	SH	WL	WM	WH	WF	IA	ID	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Occupancy Load: Is there public access? Yes No

What is the proposed use?										Describe:					
CS	CL	CO	CM	SC	SD	SA	SR	SH	WL	WM	WH	WF	IA	ID	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Proposed Occupancy Load: Is there proposed public access? <input type="checkbox"/> Yes <input type="checkbox"/> No															
<p>Note: <i>Uses of building are described in <u>Schedule 2 of Building (Specified Systems, Change the Use, and Earthquake-prone Buildings) Regulations 2005</u></i> <i>Change of Use is defined in <u>Section 5 of Building (Specified Systems, Change the Use, and Earthquake-prone Buildings) Regulations 2005</u></i></p>															
Does the change of use relate to all or part of the building?							<input type="checkbox"/> All the building <input type="checkbox"/> Part of the building Describe the affected part of the building, for example, location within the building, level/unit number, etc.:								
Is the change in use "temporary"?							<input type="checkbox"/> Yes, estimated duration in months _____ <input type="checkbox"/> No								
Does the Change of Use incorporate a household unit where one did not exist before?							<input type="checkbox"/> Yes (Compliance with Section 115 (a) of the Building Act is required: the building needs to comply as nearly as reasonably practicable with <u>all</u> relevant building code clauses) <input type="checkbox"/> No								
Has an assessment been made of how the building in its new use will comply as near as is reasonably practicable, with the provisions of the building code as required by section 115 Building Act 2004?							<input type="checkbox"/> Yes (attach the relevant assessment material) <input type="checkbox"/> No								
Will the proposed Change of Use require building work to meet the upgrade requirements of section 115 Building Act 2004?							<input type="checkbox"/> Yes <input type="checkbox"/> Yes, but it is exempt building work (describe the building work in a separate documents ²) <input type="checkbox"/> No								
Have you applied for building consent or a COA (Certificate of Acceptance)?							<input type="checkbox"/> Yes <input type="checkbox"/> No Please provide details:								
Have you applied for resource consent in relation to this change?							<input type="checkbox"/> Yes <input type="checkbox"/> No Please provide details:								

SECTION 5 – Attachments – the following are attached to this notice:

<input type="checkbox"/> Record of Title	<input type="checkbox"/> Plans and specifications of existing and proposed building work	<input type="checkbox"/> Fire Reports addressing means of escape from fire, fire rating performance and protection of other property
<input type="checkbox"/> Structural assessment including seismic performance	<input type="checkbox"/> Details of access and facilities for persons with disabilities (section 118)	<input type="checkbox"/> Sanitary facilities assessment
<input type="checkbox"/> Cost and benefits assessment under section 115 “to as nearly as reasonably practicable”	<input type="checkbox"/> Other (e.g. body corporate approval):	

Note:

- *Where the change of use involves changing the use of the building to incorporate one or more household units where household units did not exist before, the building in its new use, will need to comply to as nearly as reasonably practicable with all the building code performance requirements.*
For section 115, go to: [Building Act 2004](#).
- *The Change of Use may also affect the property rate under the Hamilton Operative District Plan and may also trigger Development Contribution levies to be assessed.*

SECTION 6 – Declaration

Name:	
Position:	
On behalf of <i>[name of the property owner]</i> :	
Signature:	
Date:	

Note:

- 1) *The processing of this notification may identify other authorisations that may be required e.g.*
 - *Certificate of Acceptance*
 - *Resource consent*
 - *Retail premises registration*
 - *Food certificate of registration & license*
 - *Alcohol License*
 - *HSNO test certificate (Hazardous Substances)*

Please visit this website for more information. www.buildwaikato.co.nz

- 2) *Every building or part of a building has a 'use' that has been categorised by law. For the purposes of the Building Act, that use is specified in Schedule 2 of the Building (Specified Systems, Change the Use, and Earthquake-prone Buildings) Regulations 2005 (the Regulations). Schedule 2 divides the uses for all or parts of buildings into four broad activity groups: crowd activities, sleeping activities, working, business or storage activities, and intermittent activities.*