

Notification of change of use

Section 114 of the Building Act 2004



IMPORTANT NOTES:

- You cannot make the proposed change of use until Council provides written confirmation that the building (in its new use) will meet the requirements of the Building Act and the Building Code.
- You do not need to complete this form if you have applied for a building consent in relation to this change. The change of use will be processed as part of the building consent.

SECTION 1: The Building

Street address	<input type="text"/>		
Legal description of land where building is located	<input type="text"/>		
Building name	<input type="text"/>		
Number of levels (including ground level and any levels below ground)	<input type="text"/>	Year first constructed	<input type="text"/>

SECTION 2: The Owner(s)

Full name of owner(s)	<input type="text"/>
Owner(s) mailing address	<input type="text"/>
Owner(s) phone number	<input type="text"/>
Owner(s) email	<input type="text"/>

SECTION 3: Contact Person (if not the owner)

The contact person must be located in New Zealand. This person must have authority to permit a person to enter the building for the purpose of inspecting any specified systems.

Full name	<input type="text"/>
Mailing address	<input type="text"/>
Phone number	<input type="text"/>
Email	<input type="text"/>

SECTION 4: The project

The change of use relates to: All of the building Part of the building

The part of the building includes: [Describe the affected part of the building, for example the location within the building, level/unit number etc]

Building height (m)

Building area (m²)
Total or footprint area

Proposed period for the new use (temporary or permanent)

Age of building or year first constructed

Building layout (describe and reference plans)

Reason for the change of use (e.g. new occupancy, temporary accommodation)

Location of the building in relation to other buildings, public places, and natural hazards

SECTION 5: Current use (old use)

Current lawfully established use as per the [Building \(Specified Systems, Change the Use, and Earthquake-prone Buildings\) Regulations 2005](#)

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"/>

Occupant load (employees and contractors onsite)

Fire hazard category (FHC)

Risk group

SH	SM	SI	CA	WB	WS	VP
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Public access (select one)

 Yes / No

Type of public access (primary purpose, occasional etc)

SECTION 6: Proposed use (new use)

Proposed use as per the Building (Specified Systems, Change the Use, and Earthquake-prone Buildings) Regulations 2005

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"/>

Occupant load (employees and contractors onsite)

Fire hazard category (FHC)

Risk group

SH	SM	SI	CA	WB	WS	VP
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Public access (select one)

 Yes / No

Type of public access (primary purpose, occasional etc)

SECTION 7: Compliance comparison

Under the new use, the building complies with the following Building Act and Building Code requirements for Change of Use or requires the following upgrades:

Provisions of the Building Code for change of use (section 115)	Complies	Upgrade Required	Details (plans and specifications)
Means of escape from fire (NZBC C4, D1, F6, F8)	<input type="checkbox"/>	<input type="checkbox"/>	
Protection of other property (NZBC C3)	<input type="checkbox"/>	<input type="checkbox"/>	
Sanitary facilities (NZBC G1, G12, G13)	<input type="checkbox"/>	<input type="checkbox"/>	
Structural performance (NZBC B1)	<input type="checkbox"/>	<input type="checkbox"/>	
Fire-rating performance (NZBC C3)	<input type="checkbox"/>	<input type="checkbox"/>	
Access and facilities for people with disabilities (NZBC D1, D2, G5, G1, F7)	<input type="checkbox"/>	<input type="checkbox"/>	
Other building code aspects (for new uses that are SH/SR only)	<input type="checkbox"/>	<input type="checkbox"/>	

Once the difference between current provisions and requirements for a new building are established, Council must then decide to what extent the existing building must be upgraded.

In order for Council to consider a change of use application, it is recommended for more complex changes of use that a compliance worksheet (gap analysis), as above, be provided together with a cost benefit analysis and plans. The Cost Benefit analysis will consider the costs of full compliance against the proposed work to make the building as compliant as possible. Council will consider this and may require some changes to ensure that the building complies "as near as is reasonably practicable", with the provisions of the Building Code.

These requirements may not be required for simple changes and complex changes might be better dealt with via a Building Consent. The applicant is also reminded that there may be a change in the rates charged by council for the property if the change is accepted.

SECTION 8: Attachments

The following documents are attached to this written notice:

- | | |
|---------------------------------------------------|------------------------------------------------|
| <input type="checkbox"/> Plans and specifications | <input type="checkbox"/> Cost benefit analysis |
| <input type="checkbox"/> Fire reports | <input type="checkbox"/> Maps |
| <input type="checkbox"/> Other: | |

SECTION 9: Written notice (must be signed by the owner)

I consider no upgrade requirements are required for the building in its new use, and I require the territorial authority supply me with written notice allowing the change of use to proceed.

I consider the upgrades proposed above are sufficient to ensure the building complies with the required aspects of the Building Code as nearly as is reasonably practicable, on this basis I request the territorial authority supply me with written notice allowing the change of use to proceed.

Print name

Signature

Date

SECTION 10: Submit your application

Please note that an application fee applies. Refer to our Fees and Charges for details.
You can return the form to one of our service centres, by post, or by email.

www.fndc.govt.nz | Memorial Avenue, Kaikohe | Private Bag 752, Kaikohe 0440 | ask.us@fndc.govt.nz | 0800 920 029