



Department of
Building and Housing
Te Tari Kaupapa Whare

Project information memoranda: Guidance on changes from 31 January 2010

November 2009



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Introduction

Purpose

The purpose of this document is to provide guidance to territorial authorities (TAs) and building consent authorities (BCAs) on:

- changes to legislative requirements
- how these changes affect TAs and BCAs
- recommended changes to systems and processes for BCAs
- advice to TAs how to correctly apply the PIM process
- what BCAs need to consider when processing building consents where no PIM has been applied for.

The document also aims to provide consent applicants such as designers, developers and property owners with:

- guidance on the benefits of obtaining a PIM early during the design phase for certain projects
- examples of building projects requiring a consent that may not benefit from information obtained from a PIM.

Guidance is also provided for future BCAs that are not TAs registered under section 193 of the Building Act 2004 (private BCAs).

What is a PIM?

A project information memorandum (PIM) is a report that a TA (your local city or district council) issues to a property owner (or their agent), who is considering carrying out building work that requires a building consent. The report provides information on any special features of the land and regulatory requirements likely to be relevant to proposed building work. Used appropriately, a PIM can be an extremely useful tool to help inform design requirements, and reduce time and costs during the consent approval process.

The Building Amendment Act 2009

Amendments to provisions of the Building Act 2004 (the Act) relating to national multiple-use approvals, minor variations to building consents and PIMs were passed in July 2009. Electronic copies of the Act and the Building Amendment Act 2009 (Amendment Act) are available online at www.legislation.govt.nz.

From 31 January 2010, when a building consent authority (BCA) receives a building consent application, the TA will no longer be required to issue a PIM unless the owner specifically applies for one.

Reason for changes

Changes were made to PIM requirements because experience showed that:

- only a minority of PIM applications were made separately before a building consent application
- the Act needs to be more flexible to account for different types or scale of building projects, particularly where PIM information will not add much value to the process
- government wanted to provide owners with the choice to decide whether they believed they would benefit from a PIM or not.

What has changed and when do changes relating to PIMs take effect?

Following are the key changes to the Act that relate to PIM requirements.

Section of the Act	Requirements that apply before 31 January 2010	Changes to requirements that apply from 31 January 2010
s31	A TA must issue a PIM for all proposed building work within the TA's district that requires a building consent and provide a copy of the PIM to the owner.	A TA is required to issue a PIM and provide a copy to the owner only when the TA receives an application for a PIM from another BCA (ie, a BCA outside the TA's district) or an owner, for proposed building work that requires a building consent within the TA's district.
s35	There is no requirement for TAs to issue a PIM in a prescribed form (ie, TAs can devise their own PIM forms).	If any PIM form is prescribed (ie, in regulations made under the Act) then TAs must issue PIMs using the prescribed form.
s36	A TA <u>may</u> attach to a PIM a notice, in the prescribed form, to the effect that a code compliance certificate for the building work will not be issued unless the development contribution is paid.	A TA <u>must</u> issue a development contribution notice, in the prescribed form, and attach the notice to the PIM or, if no PIM has been applied for, provide the notice to the BCA for them to attach to the issued consent.
s37	Where a resource consent has not yet been obtained and the resource consent will or may materially affect building work to which a PIM relates, a TA must attach to the PIM a certificate, in the prescribed form, to the effect that until the resource consent has been obtained— <ul style="list-style-type: none"> no building work may proceed; or building work may proceed only to the extent stated in the certificate. 	The requirement for a TA to issue a certificate, in the prescribed form, remains. However, where a building consent is sought and no PIM has been applied for, the certificate must be provided to the BCA for them to attach to the issued consent.
s39	A TA must advise the New Zealand Historic Places Trust within 5 days after receiving an application for a PIM when— <ul style="list-style-type: none"> the application affects a registered historic place, historic area, wāhi tapu, or wāhi tapu area; and the TA has not previously issued a PIM for the building work to which the application applies. 	A TA must advise the New Zealand Historic Places Trust within 5 days after receiving an application for a PIM, <u>or after a BCA receives an application for a building consent</u> , when— <ul style="list-style-type: none"> the application affects a registered historic place, historic area, wāhi tapu, or wāhi tapu area; and the TA has not previously advised the New Zealand Historic Places Trust about the building work to which that application relates.
s212	A TA must issue a PIM before or at the same time as granting a building consent.	As per section 31 above, a TA is required to issue a PIM and provide the owner with a copy only when the TA receives a PIM application.

What remains the same?

It is important to note that, after the changes, which take effect from 31 January 2010:

- A PIM remains a very useful tool for people considering certain building work that requires a building consent. For many building projects, there are real benefits in obtaining a PIM early as part of the design process
- BCAs that are not the TA (ie, private BCAs not registered under section 193 of the Act) still need to apply to the TA for a PIM upon receiving a building consent application
- BCAs are still required (when processing a building consent application) to consider whether information that was previously contained in or attached to a PIM is relevant to proposed building work. For example, natural hazards that may affect the proposed building work, the requirement to pay a development contribution, district plan requirements that might necessitate the need for a resource consent, developing a fire evacuation scheme, or notifying the New Zealand Historic Places Trust
- the information required in a PIM, when one is specifically applied for, under section 35 remains the same.

There will be no change to sections 32, 33, 34 and 38 of the Act relating to PIMs¹.

Owners may still apply for a PIM under section 32 if they are considering carrying out building work that requires a building consent. TAs must also still accept the application and adhere to statutory timeframes provided for under section 34 of the Act ie, a PIM must be issued within 20 working days unless further information is required and the clock is stopped. The TA should issue PIMs in accordance with their usual process. TAs are also reminded they are still authorised to request any information they reasonably require to decide whether to accept the PIM application.

PIM applications should still be made on Form 2 of the Building (Forms) Regulations 2004.

TAs are still required to provide a copy of a PIM if applied for to a network utility operator or statutory authority if the PIM contains information previously supplied to the TA by that operator or authority (eg, Transit New Zealand, Transpower New Zealand, or Telecom New Zealand Ltd).

¹ s32 Owner may apply for project information memorandum
s33 Content of application
s34 Issue of project information memorandum
s38 Territorial authority must give copy of project information memorandum in certain circumstances

What information does the Act require a PIM to contain?

Section 35 (1) of the Act specifies that a PIM must include:

- (a) *information likely to be relevant to the proposed building work that identifies—*
 - (i) *the heritage status of the building (if any); and*
 - (ii) *each special feature of the land concerned (if any); and*
- (b) *information likely to be relevant to the proposed building work that, in terms of any other Act, has been notified to the territorial authority by a statutory authority; and*
- (c) *details of any existing stormwater or wastewater utility systems that—*
 - (i) *relate to the proposed building work; or*
 - (ii) *are on, or adjacent to, the site of the proposed building work; and*
- (d) *details of any authorisation in respect of the proposed building work that the territorial authority, on its own behalf and on behalf of any network utility operator (if the territorial authority is acting as agent for a network utility operator by prior agreement with the network utility operator), is authorised to refuse or require under any Act, except this Act, and, in respect of each authorisation,—*
 - (i) *a statement of the requirements to be met in order for the authorisation to be granted or imposed; and*
 - (ii) *the conditions to which an authorisation will be subject; and*
- (e) *if the territorial authority considers that the owner of the building or proposed building to which the project information memorandum relates is likely to be required, under [section 21A](#) of the Fire Service Act 1975, to make provision for a scheme that provides for evacuation from the scene of a fire, a statement to that effect; and*
- (f) *if the territorial authority considers that notification to the New Zealand Historic Places Trust is likely to be required under [section 39](#), a statement to that effect; and*
- (g) *either—*
 - (i) *confirmation, subject to this Act, that building work may be carried out subject to the requirements of a building consent and subject also to all other necessary authorisations being obtained; or*
 - (ii) *notification that building work may not be carried out because any necessary authorisation has been refused, despite the issue of any building consent; and*
- (h) *if [section 75](#) applies, the statement referred to in [section 75\(2\)](#); and*
- (i) *if the building is one that is intended to be used for, or associated with, 1 or more of the purposes specified in [Schedule 2](#), a statement that the building must comply with—*
 - (i) [section 118](#) (relating to access and facilities for persons with disabilities to and within buildings); and
 - (ii) *the provisions of the building code that relate to providing for persons with disabilities to have access to buildings and to facilities within buildings.*

For the purposes of section 35 of the Act (s.35(2) refers):

'land concerned'—

- (a) means the land on which the proposed building work is to be carried out; and*
- (b) includes any other land likely to affect or be affected by the building work*

'special feature of the land concerned' includes, without limitation, potential natural hazards, or the likely presence of hazardous contaminants, that—

- (a) is likely to be relevant to the design and construction or alteration of the building or proposed building; and*
- (b) is known to the territorial authority; and*
- (c) is not apparent from the district plan under the [Resource Management Act 1991](#).*

Should information in a PIM vary depending on the type of building work proposed?

A PIM aims to provide information that is likely to be relevant to the design and construction of proposed building work and to identify any authorisations required. PIMs should always be project specific. TAs need to exercise some judgement and technical expertise in preparing the PIM. It is not helpful to include non-project specific information that is not likely to be relevant to the proposed building work.

For example, for a new dwelling the TA should include information on:

- known natural hazards on the site such as erosion, subsidence, falling debris, inundation or slippage. This might involve searching a property file, previous subdivision and geotechnical reports, and GIS records
- details of any existing stormwater and wastewater systems/services. Common practice is to provide copies of drainage and other services plans for the site in question
- development contribution requirements
- resource consent requirements. This will often require a town planning review.

When processing a PIM for alterations to an old commercial building, the TA should include additional information on:

- whether a fire evacuation scheme under section 21A of the Fire Service Act 1975 is likely to be required
- the heritage status of the building
- whether the TA has notified the New Zealand Historic Places Trust.

When should a PIM be sought?

The best time to obtain a PIM is early in the design stage of a substantial building project, and before completing plans and specifications, and applying for a building consent. Information in the PIM can help designers, developers and other consent applicants to modify initial ideas. That can avoid costly additional design work later, and delays in obtaining consent approval (eg, those incurred through district plan or network utility operator requirements identified during the building consent process).

Examples of building projects requiring a building consent that may benefit from an early PIM application include:

- a new house
- significant additions to a house that involve changing the footprint or adding another storey
- a new commercial building
- significant external additions/alterations to a commercial building
- external or internal additions/alterations to historic buildings
- building projects of a large scale that are carried out in stages (eg, hospitals, shopping malls, sports stadiums, museums, schools etc.)
- building over two or more allotments (subdividing an allotment/building)
- building across network utility operator's assets or public stormwater or sewer systems (eg, a building on road reserve)
- buildings on land subject to one or more natural hazards (eg, coastal projects subject to inundation/tidal effects, or structures adjacent to a cliff that may be affected by falling debris, subsidence)

When might a PIM not be relevant?

Examples where applying for a separate PIM might not be necessary or add much value include alterations that are within the building's existing footprint and outside the scope of Schedule 1 such as:

- installing new sanitary fixtures in an existing dwelling that are additional to existing ones (eg en-suite, bathroom, laundry, wc)
- installation of a new wet-area shower
- domestic sprinkler systems
- creating a mezzanine within an existing residential or commercial building
- recladding a residential dwelling with non-comparable material (eg, monolithic with weatherboard)
- repairing a fire-damaged residential building
- constructing, altering, or removing internal structural walls/elements such as beams, lintels or posts
- installation of stairs
- installation of new kitchen or bathroom/toilet to an existing commercial building
- installation of specified systems and building services such as a lift or upgrading a fire safety system.

The benefits of applying early for PIMs

Following are examples of text that TAs and BCAs might like to provide to consent applicants, who are considering carrying out building work that requires a building consent, and who consider a PIM might add value.

PIM benefits

There are benefits to applying for a PIM early during the design phase for certain building projects.

A PIM provides the consent applicant information about land and legislative or regulatory requirements that have been notified to the TA that are likely to be relevant to the proposed building work.

Information on land includes 'special features of the land concerned' such as natural hazards eg, erosion, subsidence, falling debris, inundation or slippage, or the likely presence of hazardous contaminants that are not apparent from the District Plan under the Resource Management Act 1991 (RMA) eg, former landfill sites.

Legislative or regulatory requirements include authorisations such as a resource consent required under the RMA, or whether the TA may need to notify the New Zealand Historic Places Trust.

An early PIM application for certain building projects offers definite advantages. The information from the TA can usefully inform building design work and allow consent applicants or designers to seek other authorisations (eg, resource consent) that might be needed to undertake a proposed building project well ahead of time, or enable re-designs to avoid requiring other authorisations.

Knowing potential site issues and designing to accommodate them can also speed up the subsequent building consent process. The building consent review process is likely to face fewer requirements for further information and so be processed more quickly and cheaply.

The PIM can also give greater certainty to consent applicants or designers through an early confirmation of whether building work is allowed.

PIM content

Section 35 of the Building Act 2004 identifies the PIM content. It will include, where known, information on:

- any heritage status of the building
- any 'special feature' of the land concerned
- in terms of any other Act, relevant information that another statutory authority has notified to the TA
- details of any existing stormwater or wastewater systems/services that relate to the proposed building work or are on, or adjacent to, the site of the proposed building work
- details of any authorisations required by the TA (or required on behalf of a network utility operator). The PIM will state the requirements of the authorisation(s) and the conditions to which any authorisation will be subject.
- likely requirement for a fire evacuation scheme (under section 21A of the Fire Service Act 1975)
- likely requirement for New Zealand Historic Places Trust approval.

The PIM will focus on the 'land concerned', which means the land on which the proposed building work is to be carried out and any other land likely to affect or be affected by the building work.

PIM application

An application for a PIM is made using Form 2 from the Building (Forms) Regulations 2004. Details to be completed include applicant details, the location of the proposed/existing building, and a description of the proposed building work outlining:

- any change of building use
- the intended building life
- previous consents
- the estimated value of building work
- identification of matters involved in the proposed project, which may include:
 - subdivision
 - land contour alteration
 - new/altered utility connections
 - changes to building locations or dimensions
 - changes to vehicle access
 - work over or adjacent to roads or public places
 - disposal of stormwater or wastewater
 - building work over or near drains, sewers or water mains
 - other matters that may require TA authorisation.

The TA can request any information it reasonably requires in relation to any authorisations or requirements applied by the TA that are relevant to the proposed building project. For example, the PIM application should include enough information to determine if there are any associated RMA planning issues. This includes information such as land contours and drawings showing the sunlight access plane. To give the necessary detail to the TA, preliminary design plans should accompany the PIM application, but these do not need to include the comprehensive, technically detailed drawings and specifications required for building consent applications. Normally, a good site plan, floor plan and elevation drawings will suffice.

Any PIM application must be accompanied by the payment of fees set by the TA.

The TA must issue the PIM within 20 working days of receiving the application but can suspend the process if more information is required from the applicant.

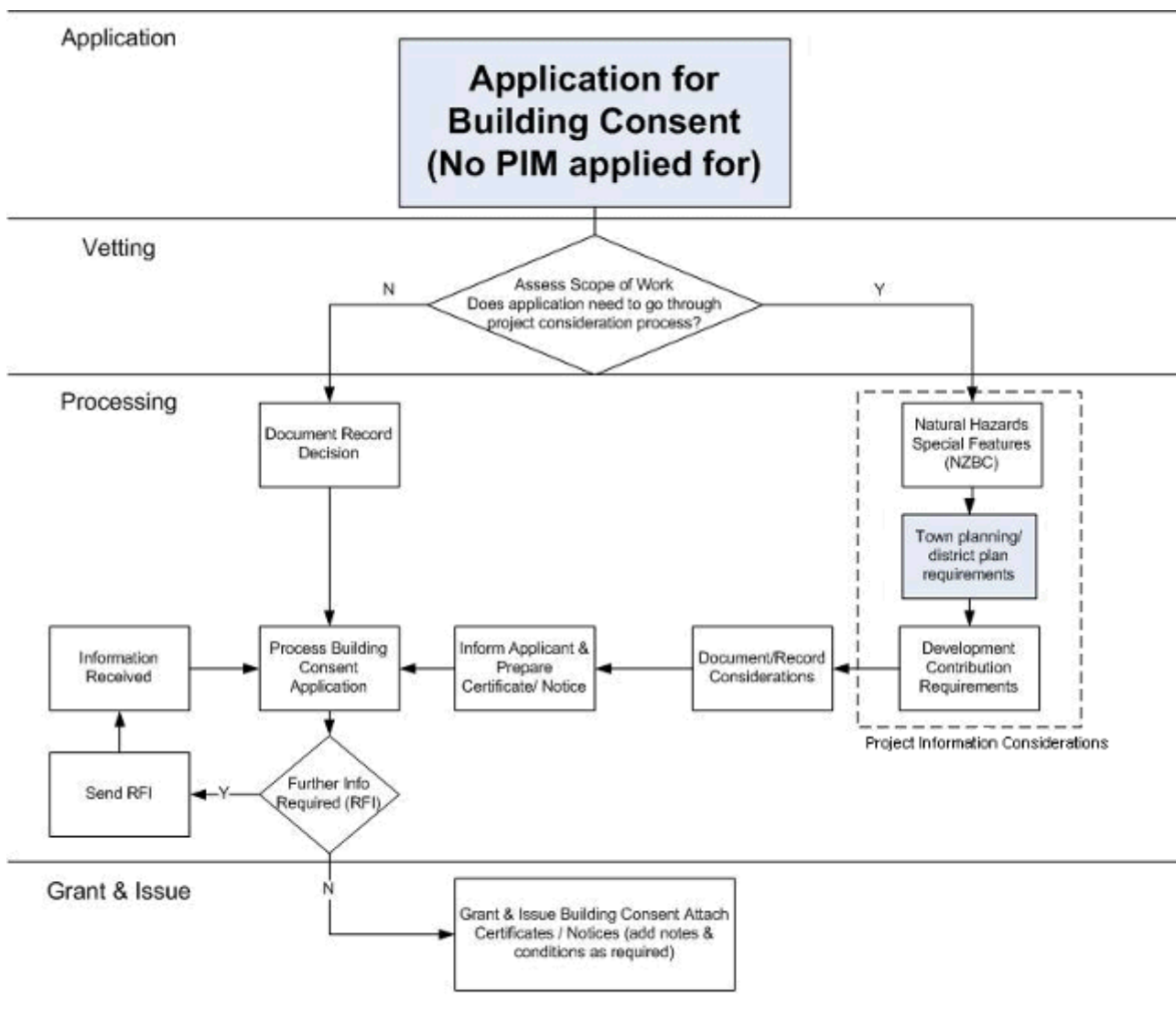
If the proposed building work relates to a dam, PIM applications should be made to both the local TA and the regional authority where the proposed building work is located. This applies whether or not the building is in whole or partly a dam. Building work associated with dams also includes work on appurtenant structures, which are structures integral to the proper functioning of the dam (eg, intake towers, powerhouse structures, tunnels, canals, low-level outlets, and gate hoist mechanisms and their supporting structures.)

For further information about PIMs please contact the Council on [telephone number] or look up the Council's website [website address]."

How do changes affect territorial authorities and building consent authorities?

The most important change for BCAs is how to process building consent applications made without a PIM. That is because matters such as natural hazards, district plan requirements and development contribution payments must still be considered by the BCA.

The flow chart below outlines a process that BCAs might like to follow:



* Project Information Considerations: Natural Hazards, special features of the land, RMA and/or development contribution requirements

Other issues for TAs and BCAs to consider:

- amending prescribed forms relevant to PIMs (see Appendix 1)
- even though Form 2 (Application for project information memorandum and/or building consent) does not need to be revised, the Department recommends that TAs and BCAs remind applicants to clearly indicate on the form when they are applying for a separate PIM (ie, as opposed to simply applying for a building consent without a PIM)
- a notification section (eg, check boxes) on the issued building consent (see Appendix 1) to ensure the consent recipient is informed about matters such as: the need to obtain resource consent approval; pay a development contribution fee; develop a fire evacuation scheme; and TA notices given to the New Zealand Historic Places Trust about the proposed building work
- an 'early warning' process to alert consent applicants to matters that will be covered in the notification section of the consent. For example, sending a letter to the applicant as soon as the BCA has identified matters that are likely to be relevant to the proposed building work (applicants/designers/developers can then consider whether they need to revise their design, or provide additional information or apply for a resource consent)
- revising processes related to section 36 development contribution notices, section 37 resource consent certificates and section 39 New Zealand Historic Places Trust notices for situations where no PIM has been applied for
- private BCAs (future BCAs that are not TAs registered under section 193 of the Act) still need to apply to the TA for a PIM upon receiving a building consent application (section 31(1) of the Act still applies).
- BCAs are still required (when processing a building consent application) to consider whether information that was previously contained in or attached to a PIM, is relevant to the proposed building work. Refer to project information considerations section of the flow chart on page 13.

How do changes affect designers, builders, developers and other consent applicants?

Designers, builders, developers and other consent applicants will still need to assess early whether PIM information is needed to inform the design phase of a proposed building project.

To minimise the potential for delays and additional costs later on, questions to ask in the early stages of thinking about a project include:

- Are there likely to be any special features or potential natural hazards that might affect the proposed design?
- Are authorisations other than a building consent likely to be required before commencing any building work? (For example, resource consent under the RMA)
- Are there any additional costs to consider, such as having to pay a development contribution fee or having to obtain a resource consent?
- Are there likely to be any infrastructure or major services on the site that the designer may need to accommodate or build clear of?
- Are there likely to be requirements to provide a fire evacuation scheme?
- Are notifications to the New Zealand Historic Places Trust likely to be required?

As already indicated, the nature of the proposed building work will influence decisions about the need for a PIM. The Department recommends that owners seek advice from professionals such as designers, architects or engineers on PIM information that might inform the proposed design.

Additional Q and As

1. **Q.** When do changes to the Act related to PIMs come into effect?
A. From 31 January 2010. However, given this day falls on a Sunday, it is recommended to implement changes from the following day, Monday 1 February 2010.
2. **Q.** What should BCAs do with applications for building consents received before 31 January 2010?
A. Building consent applications received before 31 January 2010 still require a PIM to be issued unless one for that work has already been issued.
3. **Q.** Do TAs need to change their existing PIM process?
A. No, where a PIM has been applied for, the process remains the same using the authorities' existing PIM process.
4. **Q.** What application form should be used for PIMs after 31 January 2010?
A. Still use Form 2; however the applicant needs to clearly specify what they are applying for (ie, a building consent only, PIM only, or both a PIM and a consent).
5. **Q.** Do BCAs need to introduce a new process where no PIM has been applied for?
A. It will depend on the operating system in each authority. BCAs need to consider the relevance of information previously provided under section 35 of the Act by the TA. For example,
 - resource consent needed before building work can begin
 - the building's heritage status
 - development contribution notice required
 - notifying New Zealand Historic Places Trust of the proposed building work
 - special features such as natural hazards
 - fire evacuation scheme
 - details of existing stormwater or wastewater utility systems affected by proposed building work
 - any other authorisations required (eg, authorisation from an NUO or other service providers)
 - construction of a building over two or more allotments.

Depending on what processes were in place before, BCAs might be able to use existing PIM processes (refer flow chart on page 13).
6. **Q.** Are there any prescribed forms that need to be changed?
A. Yes, see the changes recommended as per Appendix 1.
7. **Q.** What is happening regarding Fire Service notifications?
A. Where relevant, it is recommended that BCAs note on building consents that a fire evacuation scheme may be required.

8. **Q.** What is the new process for development contribution notices?
- A.** The TA still issues the notice. However, rather than attaching it to the PIM, the TA provides the notice to the BCA which, in turn, should attach it to the building consent.

Appendix 1: Suggested form changes

Form 3 (word version available from the CACP Group at the Department of Building and Housing)

DEVELOPMENT CONTRIBUTION NOTICE (Building Consent)

Section 36, Building Act 2004

To: [Owner Name]
[Owner Postal Address]

A code compliance certificate for the building work referred to in the attached project information memorandum [Number] **or building consent** [Number] will not be issued until a development contribution of [\$] is paid. The development contribution must be paid to [name and contact details of city or district council]

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:

.....
On behalf of: [name of Council]

.....
Date: [insert date]

Development contribution notice notes

- Following is the calculation of the development contribution payable:

If you require further information you can contact Council on:

Form 4 (word version available from the CACP Group at the Department of Building and Housing)

RESTRICTIONS ON COMMENCING BUILDING WORK UNDER THE RESOURCE MANAGEMENT ACT 1991 UNTIL THE RESOURCE CONSENT CURRENTLY BEING PROCESSED HAS BEEN GRANTED OR ONE BEEN APPLIED FOR

Section 37, Building Act 2004

Form 4 Certificate issued by the [local city or district council]

[Contact Name]

[Building Consent Number]

[Contact Postal Address]

[Property ID]

Attention:

The building work referred to in the attached project information memorandum **or building consent** is also required to have the following resource consent(s) under the Resource Management Act 1991:

Land use consent for [state non-compliance]
Subdivision consent

[It is noted that resource consent(s) is/are currently being processed under [number]. As this/these resource consent(s) will, or may materially affect the building work to which the attached project information memorandum **or building consent** relates, until it/they has/have been granted, no building work may proceed/building work may proceed only 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.

Once resource consent(s) is/are granted, this restriction can be lifted.

.....
Signature:

.....
Name:

.....
Title:

On behalf of [local city or district council]

Date: [insert date]

Form 5 (word version available from the CACP Group at the Department of Building and Housing)

BUILDING CONSENT [Number]

Section 51, Building Act 2004

The Building

Street address of building:

Building name:

Level/unit number:

Location of building within site/block number:

Legal description of land where building is located:

The Owner

Name of owner:

Contact person:

Street address /registered office:

Mailing address:

Phone numbers:

Landline:

Mobile:

Daytime:

After hours:

Fax number:

Email address:

Website address:

First point of contact for communications with the [local city or district council]

Name:

Mailing address:

Phone numbers:

Landline:

Mobile:

Daytime:

After hours:

Fax number:

Email address:

Website address:

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) Under section 90 of the Building Act 2004, agents authorised by the Council (acting as a Building Consent Authority) are entitled, at all times during normal working hours or while building work is being done, to inspect–
 - ii) land on which building work is being or is proposed to be carried out; and
 - iii) building work that has been or is being carried out on or off that building site; and
 - iiii) any building
- b) The building must be altered, removed, or demolished on or before [enter date where appropriate] (being the specified intended life of the building)
- c) As the building consent is granted under section 73 of the Building Act 2004, a copy of the building consent will be notified to <insert as appropriate: the Minister for <insert portfolio> and the Surveyor-General/the Registrar of the Maori Land Court/the Registrar-General of Land>[delete if non-applicable].

Or

This building consent is subject to no conditions.

Compliance Schedule

A compliance schedule is/is not [delete as appropriate] required for the building.

The compliance schedule must contain the following specified systems and comply with the Building Code's performance standards for those systems:

- Cable cars
- Automatic systems for fire suppression (eg, sprinkler systems).
- Automatic or manual emergency warning systems for fire or other dangers (other than a warning system for fire that is entirely within a household unit and serves only that unit).
- Electromagnetic or automatic doors or windows (eg, ones that close on fire alarm activation).
- Emergency lighting systems.
- Escape route pressurisation systems.
- Riser mains for use by fire services.
- Automatic back-flow preventers connected to a potable water supply.
- Lifts, escalators, travelators or other systems for moving people or goods within buildings.
- Mechanical ventilation or air conditioning systems.
- Building maintenance units providing access to exterior and interior walls of buildings.
- Laboratory fume cupboards.
- Audio loops or other assistive listening systems.
- Smoke control systems.
- Emergency power systems for, or signs relating to, a system or feature specified in any of the previous specified systems

- The following features and systems which form part of the building's means of escape from fire:
 - o Systems for communicating spoken information intended to facilitate evacuation
 - o Final exits
 - o Fire separations
 - o Signs communicating information intended to facilitate evacuation
 - o Smoke separations

Attachments

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

- [Project information memorandum]
- [Development contribution notice]
- [Section 37 certificate]

Other Approvals required

The following other approvals/authorisations are required:

- [Section 37 certificate]
- [Notification that approval needs to be sought from the New Zealand Historic Places Trust]
- [Fire evacuation scheme under section 21A of the Fire Service Act 1975]

.....
Signature:

.....
Name:

.....
Title:

On behalf of [local city or district council]

Date: [insert date]

Appendix 2: Legislative changes to the Act relating to PIMs

PROJECT INFORMATION MEMORANDA CHANGES section 31	
<p>2009 Amended provision under Building Act</p> <p>(section, description)</p>	<p>Building consent authority must apply for project information memorandum</p> <p>(1) A building consent authority must,—</p> <p>(a) on receiving an application for a building consent, apply for a project information memorandum to the territorial authority for the district in which the proposed building work is to be situated; and</p> <p>(b) on receiving the project information memorandum from the territorial authority, provide a copy of the memorandum to the owner.</p> <p>(2) Subsection (1) does not apply if—</p> <p>(a) the building consent authority is the territorial authority for the district in which the proposed building work is to be situated; or</p> <p>(b) a project information memorandum has been issued before the application for a building consent is made.</p>
PROJECT INFORMATION MEMORANDA CHANGES section 35	
<p>2009 Amended provision under Building Act</p> <p>(section, description)</p>	<p>Content of project information memorandum</p> <p>(1AA) A project information memorandum must be issued in the prescribed form (if any).</p> <p>(1) A project information memorandum must include—</p> <p>(a) information likely to be relevant to the proposed building work that identifies—</p> <p>(i) the heritage status of the building (if any); and</p> <p>(ii) each special feature of the land concerned (if any); and</p> <p>(b) information likely to be relevant to the proposed building work that, in terms of any other Act, has been notified to the territorial authority by a statutory authority; and</p> <p>(c) details of any existing stormwater or wastewater utility systems that—</p> <p>(i) relate to the proposed building work; or</p> <p>(ii) are on, or adjacent to, the site of the proposed building work; and</p> <p>(d) details of any authorisation in respect of the proposed building work that the territorial authority, on its own behalf and on behalf of any network utility operator (if the territorial authority is acting as agent for a network utility operator by prior agreement with the network utility operator), is authorised to refuse or require under any Act, except this Act, and, in respect of each authorisation,—</p> <p>(i) a statement of the requirements to be met in order for the authorisation to be granted or imposed; and</p> <p>(ii) the conditions to which an authorisation will be subject; and</p> <p>(e) if the territorial authority considers that the owner of the building or proposed building to which the project information memorandum relates is likely to be required, under section 21A of the Fire Service Act 1975, to make provision for a scheme that provides for evacuation from the scene of a fire, a statement to that effect; and</p> <p>(f) if the territorial authority considers that notification to the New Zealand Historic Places Trust is likely to be required under section 39, a statement to that effect; and</p> <p>(g) either—</p> <p>(i) confirmation, subject to this Act, that building work may be carried out subject to the requirements of a building consent and subject also to all other necessary authorisations being obtained; or</p> <p>(ii) notification that building work may not be carried out because any necessary authorisation has been refused, despite the issue of any building consent; and</p> <p>(h) if section 75 applies, the statement referred to in section 75(2); and</p>

	<p>(i) if the building is one that is intended to be used for, or associated with, 1 or more of the purposes specified in Schedule 2, a statement that the building must comply with—</p> <p>(i) section 118 (relating to access and facilities for persons with disabilities to and within buildings); and</p> <p>(ii) the provisions of the building code that relate to providing for persons with disabilities to have access to buildings and to facilities within buildings.</p> <p>(2) In this section,—</p> <p>land concerned—</p> <p>(a) means the land on which the proposed building work is to be carried out; and</p> <p>(b) includes any other land likely to affect or be affected by the building work special feature of the land concerned includes, without limitation, potential natural hazards, or the likely presence of hazardous contaminants, that—</p> <p>(a) is likely to be relevant to the design and construction or alteration of the building or proposed building; and</p> <p>(b) is known to the territorial authority; and</p> <p>(c) is not apparent from the district plan under the Resource Management Act 1991.</p>
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PROJECT INFORMATION MEMORANDA CHANGES section 36

<p>2009 Amended provision under Building Act</p> <p>(section, description)</p>	<p>Territorial authority may issue development contribution notice</p> <p>(1) This section applies if a territorial authority considers that a development contribution under the Local Government Act 2002 is payable by the owner.</p> <p>(2) The territorial authority must issue a notice, in the prescribed form, to the effect that a code compliance certificate for the building work will not be issued unless the development contribution is paid (development contribution notice).</p> <p>(3) The development contribution notice must be—</p> <p>(a) attached to the project information memorandum; or</p> <p>(b) if no project information memorandum has been applied for, provided to the building consent authority.</p>
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PROJECT INFORMATION MEMORANDA CHANGES section 37

<p>2009 Amended provision under Building Act</p> <p>(section, description)</p>	<p>Territorial authority must issue certificate if resource consent required</p> <p>(1) This section applies if a territorial authority considers that—</p> <p>(a) a resource consent under the Resource Management Act 1991 has not yet been obtained; and</p> <p>(b) the resource consent will or may materially affect building work to which a project information or an application for a building consent relates.</p> <p>(2) The territorial authority must issue a certificate, in the prescribed form, to the effect that until the resource consent has been obtained—</p> <p>(a) no building work may proceed; or</p> <p>(b) building work may only proceed to the extent stated in the certificate.</p> <p>(3) The certificate must be—</p> <p>(a) attached to the project information memorandum; or</p> <p>(b) if no project information memorandum has been applied for, provided to the building consent authority.</p>
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PROJECT INFORMATION MEMORANDA CHANGES section 39

<p>2009 Amended provision under Building Act</p> <p>(section, description)</p>	<p><i>Territorial authority must advise New Zealand Historic Places Trust in certain circumstances</i></p> <p>(1) This section applies if—</p> <p>(a) an application for a project information memorandum, or for a building consent, affects a registered historic place, historic area, wāhi tapu, or wāhi tapu area; and</p> <p>(b) the territorial authority has not previously advised the New Zealand Historic Places Trust about the building work to which that application relates.</p> <p>(2) The territorial authority must advise the New Zealand Historic Places Trust within 5 days after receiving the application.</p>
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PROJECT INFORMATION MEMORANDA CHANGES section 212

<p>2009 Amended provision under Building Act</p> <p>(section, description)</p>	<p>Territorial authority must act as building consent authority [for] its district</p> <p>(1) A territorial authority must perform the functions of a building consent authority within its district, and for any coastal marine area (within the meaning of the Resource Management Act 1991) adjacent to its district that is not within the district of another territorial authority, in relation to—</p> <p>(a) any application for a building consent made to the territorial authority; and</p> <p>(b) any building consent granted under that application.</p> <p>(2) Subsection (1) does not apply in the case of dams.</p> <p>(3) A territorial authority must, in performing its functions as a building consent authority, provide to the New Zealand Fire Service Commission a copy of every application for a building consent of a kind specified by notice under section 46.</p> <p>(4) Subsection (1)—</p> <p>(a) is subject to the territorial authority's power to transfer, under section 233, any or all of its functions, duties, or powers under this Act to another territorial authority; and</p> <p>(b) does not apply to any function so transferred by the territorial authority.</p>
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Further information

For further information and guidance on PIM and other Building Act requirements, please contact the Department's Consent Authority Capability & Performance Group on:

Ph (0800) 242 243 or email info@dbh.govt.nz.

Please address your enquiries 'attention Consent Authority Capability & Performance Group'

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