

Lodging a Certificate of Acceptance Application

What is a Certificate of Acceptance?

The Building Act 2004 allows for any person to apply for a "Certificate of Acceptance" for any building work that has been completed without a building consent. This however is only applicable to work carried out after the inception of the Building Act 1991 (1 July 1992).

A "**Certificate of Acceptance**" must be applied for on the appropriate form which can be picked up from the Buller District Council or downloaded from www.bullerdc.govt.nz

For any work completed without a building consent and prior to 1 July 1992 there is no process available through Council for acceptance or qualification of this work. Where such building work is the subject of a condition for a building report in a sale and purchase agreement, then you will need to obtain the services of a qualified person from the private sector.

If you build without a Building Consent, Council can issue you with an infringement notice with a fine of \$750.00, or take legal action where you may be liable for a fine of up to \$200,000. You may also have trouble selling the building or obtaining insurance. If the building is damaged or destroyed because of a fault occurring in the unauthorised work, an insurance company could legally refuse to pay out.

Council is bound by the Building Act 2004 and has a role to ensure the health and safety of the public, with regard to buildings, is always maintained.

How to Apply

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

Inspection / Assessment

- 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 outside of 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 upgrading in order for the work to be compliant will need to be carried out with a building consent.

Fees / Costs

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**.

Note: 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.

NOTE: The applicant must make an appointment with a building inspector in order to lodge an application for Certificate of Acceptance.

Appointments Only by Arrangement

Westport office: 788-9111

Reefton office: 732-8821

Fines for building without consent can be up to \$200,000