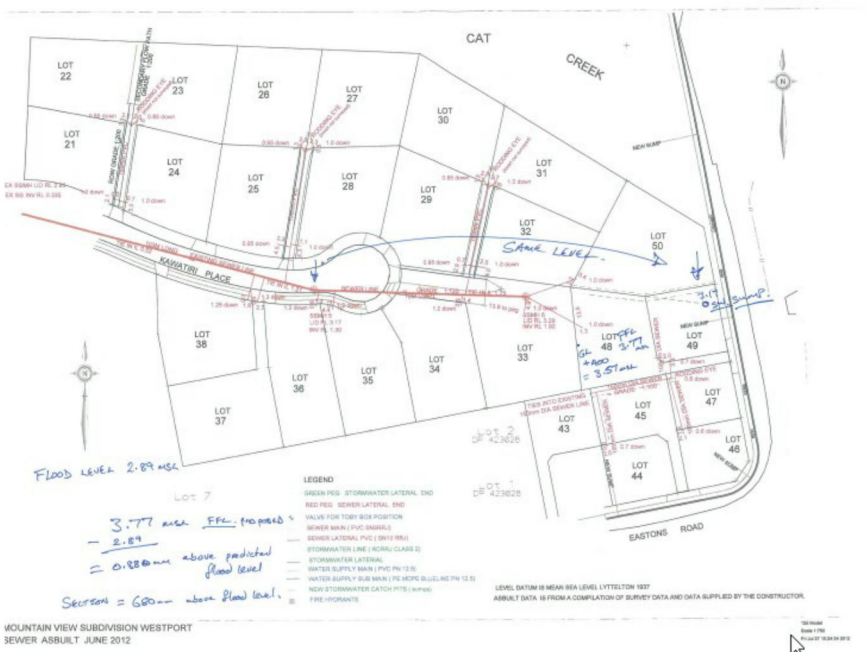
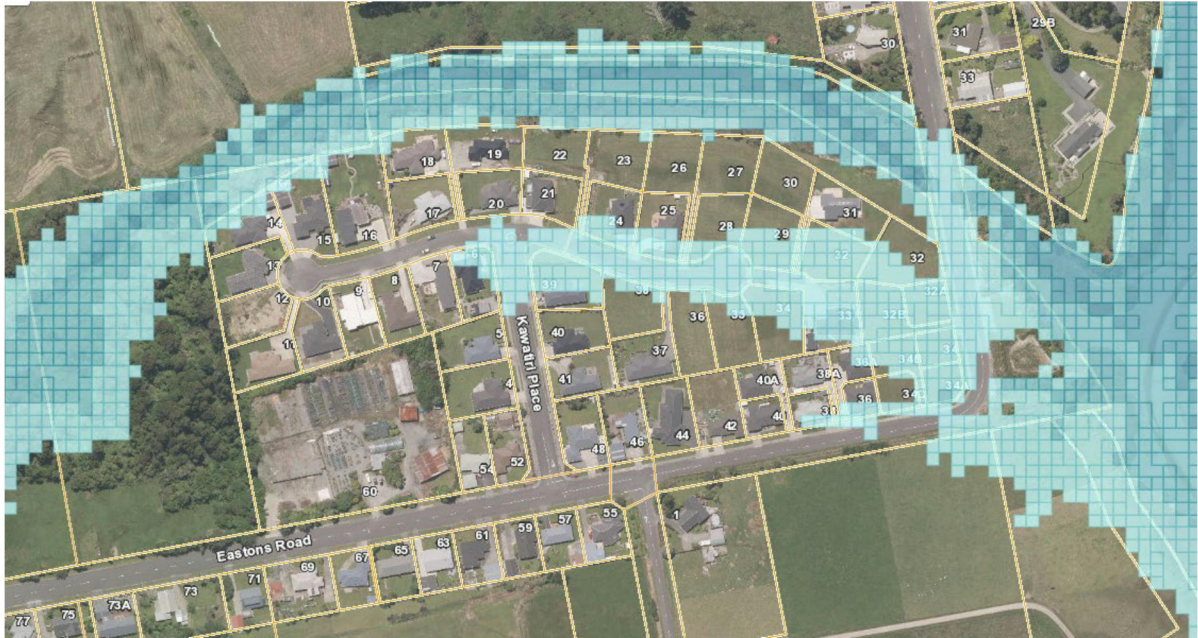


From: BDC Lgoima
To: [REDACTED]
Subject: Official Information Request for Finished floor Heights & Other Information Ref: 013/22
Date: Thursday, 31 March 2022 2:05:00 pm
Attachments: TM-12 Natural Hazards.doc
lmaoe001.png
lmaoe012.png
lmaoe005.png

Dear [REDACTED]

We refer to your official information request dated 18 February 2022 for establishing finished floor heights for new dwellings. Thank you for your patience to date.

The information you have requested is attached and as below.



You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

If you wish to discuss this decision with us, please feel free to contact the Buller District Council by return email to lgoima@bdc.govt.nz.

Please note that it is our policy to proactively release our responses to official information requests where possible. Our response to your request will be published

shortly at <https://bullerdc.govt.nz/district-council/your-council/request-for-official-information/responses-to-igoima-requests/> with your personal information removed.

Kind regards

Sean Judd | Group Manager Regulatory Services
DDI 03 788 9614 | Mobile 022 31 00 883 | Email sean.judd@bdc.govt.nz

Buller District Council | Phone 0800 807 239 | bullerdc.govt.nz
PO Box 21 | Westport 7866

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Building on land subject to natural hazard

PURPOSE

1. To ensure that a building consent is not granted if the land on which the building work is to be carried out is subject to one or more natural hazards or is likely to accelerate, worsen or result in a natural hazard unless adequate protection work or restoration of any damage as a result of the building work has taken place.
2. However if it is reasonable to grant a waiver or modification of the relevant code clause/s in respect of the hazard and the work will not accelerate, worsen or result in a natural hazard to grant the consent subject to the conditions specified in s.71-79 of the BA04:in the case of an application made by or on behalf of the Crown to the appropriate Minister or Surveyor
3. E1.3.2 of the NZ Building Code requires that surface water resulting from an event having a 2% probability of occurring annually, shall not enter buildings. In order to achieve this BDC has set a building height for floor level of 300 mm above highest known flood level. In the case of Westport which has the benefit of a recent NIWA study with accurate flood levels the height has been set at 150 mm above the highest known flood level (formerly BDC policy 7.15 Building in Flood Prone Areas).

PROCEDURE

- 1.0 When land on which the building is to be sited is affected by erosion, falling debris, subsidence, inundation or slippage as identified either by Planner or BCO in the processing checks under either the RMA or Act tabs in AlphaOne.
 - 1.1 Identify whether adequate protection work or restoration of any damage as a result of the building work will mitigate the hazard. If so, no further action is required.
 - 1.2 Check [CFR Endorsement Register](#) (s:/Building/Landonline/CFR Endorsement Register) and property records to check if CFR has already been endorsed.
 - i. If yes, no further endorsement will be required but a condition must be included on the consent advising that the land is subject to a hazard and that the CFR has already been endorsed.
 - ii. If not, Identify whether building work to be carried out is likely to accelerate, worsen or result in a natural hazard but it is reasonable to grant a waiver or modification of the building code in respect of the natural hazard/s concerned. If so, consent may be issued conditional on CFR being endorsed.
 - 1.3 BCO to complete processing sheet [BAM 173](#) and forward complete application including a current CFR to Wpt AO. If no current CFR supplied with application BCO to arrange for a CFR search and print out to confirm legal description/s at cost to applicant.
 - 1.4 Wpt AO or other delegated officer to produce certificate for owners consent ([BAM 073](#)) and certificate for LINZ Notification ([BAM 373](#)) and forward to owner together with Building on Natural Hazardous Land information sheet [BAM 405](#). Alternatively, the owner is advised certificates available at Council office for signing. Refer BAM 673 for Wpt AO procedures.
 - 1.5 No further processing to commence, application placed on Hold.

- 1.6 [CFR Endorsement Register](#) updated with date request sent to owner (s:/Building/Landonline/CFR Endorsement Register)
- 1.7 If applicant does not give approval to have the CFR endorsed, building consent application to be refused.
- 1.8 If approval for CFR endorsement is received Wpt AO to update CFR register and property notes and advise BCO that owner's consent has been received.
- 1.9 BCO to release consent from Hold and continue processing with notification of endorsement under s.75(2) included as a consent condition.
- 1.10 Complete waiver or modification requirements if application does not meet Building Code requirements. [TM-23](#)
- 1.11 Wpt AO to complete registration process ([BAM 073](#)), include a note in electronic property records and ensure all documentation is saved to the A1 file and shared drive for the relevant consent.

FOR REMOVAL OF S73 ENDORSEMENT FROM CFR REFER [TM-12.1](#)