

# Milestones and provisions: information transfer at set milestones in the building consent process (only applies to standalone BCAs)

This table provides an overview of the types of information that must be provided to a territorial authority (TA) by a standalone building consent authority (BCA) at milestones in the building consent process. The list is not intended to be an exhaustive list hence the provision for any applicable 'additional information' within the milestones.

Milestone	Provision
<b>Milestone 1:</b> Building consent application under sections 238(1)(c)(i) and 238A(1) of the Building Act	<ul style="list-style-type: none"> <li>› s45 - building consent application (plans and specifications, details of LBPs engaged to carry out RBW and any other related correspondence)</li> <li>› s45B any variations to MultiProof</li> <li>› s31 PIM</li> <li>› s87A statutory declarations, where applicable</li> <li>› s113 intended life of the building, where applicable</li> <li>› any additional information needed to process the application.</li> </ul>
<b>Milestone 2:</b> Building consent decision under sections 238(1)(c)(ii) and 238A(2) of the Building Act	<ul style="list-style-type: none"> <li>› s31 additional PIM information if not provided earlier</li> <li>› s50/51 building consent decision i.e. grant, issue or refusal</li> <li>› any requests and responses to requests for further information</li> <li>› any other information that was used to process the building consent application, all correspondence and details of any extension.</li> </ul>
<b>Milestone 3:</b> Code compliance certificate (CCC) decision under sections 238(1)(c)(iii) and 238A(3) of the Building Act	<ul style="list-style-type: none"> <li>› s90 inspection outcomes (inspections records)</li> <li>› s91 or 95A CCC decision</li> <li>› s45A minor variations</li> <li>› records of work and certificates of work provided by LBPs under s45(2) or s88(1)(a)</li> <li>› s102/ s104 compliance schedule</li> <li>› s94(3) energy work certificate</li> <li>› any other information that was used to process the CCC decision</li> </ul>

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<b>Milestone 4:</b> Other sections 238(1)(c)(iv) and 238A(4) of the Building Act	<ul style="list-style-type: none"> <li>› records of any information on any land or building received by the BCA from a statutory authority</li> <li>› details about the building levy collected (if any)</li> <li>› certain information about the standalone BCA</li> <li>› any other information that is relevant to the building consent or BCA that has not been provided, this might include:               <ul style="list-style-type: none"> <li>– s52 lapse of building consent</li> <li>– s93(1b) extension of time</li> <li>– s93(2b) two-year reminder</li> <li>– s165 (notice to fix - standalone BCA)</li> <li>– s87A statutory declarations if not provided earlier</li> </ul> </li> </ul>

The [BCA/TA functions table](#) clarifies requirements for the transfer of information if the BCA (that is a TA) undertaking the consenting function is not the TA of the district where the building is located.

## Form of information transfer

As above, section 238 of the Act creates a requirement for a standalone BCA to provide information to a territorial authority. If the information will be provided electronically, it is important that this requirement is read in conjunction with Part 4 of the Contract and Commercial Law Act 2017 (CCLA).

The CCLA says that if the law requires information to be provided, and that information is available electronically, then it can be given electronically - as long as:

- › the way the information is provided or created must reliably ensure that it stays accurate and unchanged, taking into account the purpose for which it is needed and the circumstances in which it is provided; and
- › the information must be easy to access and able to be used again later; and
- › the person who must receive the information agrees to receiving it electronically and, if relevant, agrees to receiving it by electronic communication.