

Issuing of Building Permits (Demolitions/Removal) And The Owner Builder

This replaces previous Minister's Guideline MG/09 issued June 2005

Pursuant to section 188(1)(c) of the Building Act 1993 (the Act) I hereby issue the following Guideline concerning the functions of municipal building surveyors and private building surveyors in respect of section 24(1)(c) of the Act. Note that section 188(7) of the Act provides that municipal building surveyors and private building surveyors must have regard to this Guideline in carrying out their functions.

A relevant building surveyor must not issue a building permit for the demolition or removal of a building under section 24 of the Act unless:

The person nominated as the builder on the application for a building permit is a registered building practitioner in the appropriate category or class having regard to section 176(7) of the Act.

If the owner is nominated as the builder it is the owner who must demonstrate that he or she has the necessary knowledge, experience, equipment and storage facilities to properly conduct the demolition operations as required by Regulation 304 of the Building Regulations 2006. It will be expected in these circumstances that it will be rare for a building permit to demolish a building to be issued to an owner builder.

ROB HULLS MP
Minister for Planning