



Building Compliance Information

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**MARLBOROUGH
DISTRICT COUNCIL**

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Building Legislation

The Building Act

The Building Act 2004 (Building Act) provides for the regulation of building work, the establishment of a licensing regime for building practitioners, and the setting of performance standards, to ensure that:

- People who use buildings can do so safely and without endangering their health;
- Buildings have attributes which contribute appropriately to the health, physical independence and wellbeing of the people who use them;
- People who use a building can escape from the building if it is on fire; and
- Buildings are designed, constructed and able to be used in ways which promote sustainable development.

To achieve this purpose, the Building Act requires anyone proposing to do certain building work to obtain a building consent from a Building Consent Authority (BCA) before commencing building work, with the option of obtaining a Project Information Memorandum (PIM).

The Ministry of Business, Innovation and Employment (MBIE) provide a guide for when a building consent is not required. The document "[Building work that does not require a building consent](#)" can be viewed via MBIE's website.

What is a building consent?

A building consent is the formal approval issued by a BCA stating that certain works, if properly constructed in accordance with the plans and specifications, will comply with the requirements of the Building Act, Building Regulations and the New Zealand Building Code (Building Code). You cannot undertake any building work which requires a building consent without this approval. Most building work requires a building consent, but some minor work is exempt under Schedule 1 of the Building Act.

When is a building consent required?

A building consent is required before you undertake any building work, such as additions, alterations or constructing new buildings and pool barriers, unless the building work is exempt.

Building on land subject to natural hazards

Where Council identifies that the land on which the work is proposed is subject to natural hazards, Council will consider if the work is major or minor and what effect the work will have on the hazard. Depending on the circumstances, the consent could be refused, granted subject to a condition that a natural hazard notification is placed on the title (this will incur additional fees) or no additional action could be necessary.

Council will discuss with you the refusal or notification process if this relates to your consent.

What is Restricted Building Work (RBW) and who are Licensed Building Practitioners (LBP)?

RBW is work that must be completed by, or supervised by, a LBP. LBPs are licensed by MBIE.

RBW applies to, but is not limited to:

- Foundations;
- Framing;
- Roofing;
- Cladding;
- Active fire safety systems in small-medium sized apartment buildings.

LBPs include, but are not limited to:

- Designers;
- Carpenters;
- Roofers;
- External Plasterers;
- Bricklayers; and/or
- Blocklayers.

Registered architects, Chartered Professional Engineers (CPEng) and plumbers are deemed to be LBPs.

It is the owner's responsibility to check that the tradespeople doing and/or supervising the work are LBPs.

RBW is building work to dwellings and small-medium sized apartment buildings that are critical to the integrity of the building.

An exemption is available to owner-builders allowing them to carry out RBW on their own home and build their own home. There are certain criteria for this and details can be found at "[Obligation and responsibilities of owner-builders and their building project](#)".

Building consent applications are not accepted unless they include a Memorandum - Certificate of Design Work from an LBP certifying that the design work complies with the Building Code.

LBPs will also need to provide a Memorandum - Record of Building Work when the work has been completed.

Further information can be found at the [Licensed Building Practitioners](#) website. Also check out the [Restricted Building Work](#) page on the MBIE website.

What is a Building Consent Authority (BCA)?

BCAs are regional or territorial authorities or private organisations registered under Section 273 of the Building Act, and are responsible for performing building control functions under Part 2 of the Building Act.

What is a Project Information Memorandum (PIM)?

A PIM is a memorandum issued by the Territorial Authority (Council) under Sections 32-35 of the Building Act which sets out information relevant to your building work.

This includes information on special land features, including potential:

- Erosion;
- Avulsion (removal of land by water action);
- Falling debris;
- Subsidence;
- Slippage;
- Alluvium (the deposit of silt from flooding);
- The presence of hazardous contaminants which are known to Council which are likely to be relevant to the design, construction or alteration of your proposed building;
- Details of stormwater or wastewater utility systems which relate to the proposed building work, or are adjacent to the proposed building site.

A PIM also identifies any additional approvals required such as:

- Resource Management Act;
- Heritage New Zealand (heritage buildings/sites);
- Fire and Emergency New Zealand.

The memorandum also includes:

Confirmation, subject to other provisions of the Building Act that you may carry out the building work subject to:

- The requirements of the building consent; and
- All other necessary authorisations being obtained.

Copies of other information that may have some design impact on your proposed building work like:

- Drainage plans;
- Water supply plans;
- Other utility plans; and/or
- Any other information that Council holds that is relevant to your project.

Important: A PIM does not give any form of approval under the District Plan or Building Act. Contact the Marlborough District Council's planning department, or your own planning adviser, to determine that your proposal complies with the District Plan. If it does not, and resource consent is required, you are strongly advised to obtain this before seeking building consent to avoid possible expensive changes to your proposal.

Must I apply for a PIM?

No, PIMs are voluntary. They may be applied for separately or in combination with your building consent.

How to apply for a PIM

An application for a PIM can be made on the Project Information Memorandum/ Building Consent application form, available from the Marlborough District Council in Blenheim or the Picton library. This application form can also be obtained from the Marlborough District Council [website](#) . Alternatively applications can be made online via Council's [online service portal](#).

The application form must be completed in full, and signed and dated before being submitted.

Documentation required

All applications must be accompanied by a copy of:

- A site plan
- Floor plan
- Building elevations
- Site access; and
- Drainage plan.

How long does it take?

Council is required to issue the PIM within 20 working days of the application being received. In most cases the BCA gathers PIM information in order to process your building consent.

Note: Providing all fees are paid, the PIM will be posted or emailed to the applicant when it is issued. If the PIM is applied for with the building consent, the timeframe for issue of both is 20 working days.

How long does it take to get a building consent?

Building consent processing time depends on the complexity of the project and whether or not all site specific information has been provided. Most building consents will be approved within 20 working days. However, if information is found to be lacking, the time clock is suspended and not restarted until all the requested information is provided.

How do I apply for a building consent?

You need to complete an application form and provide information relevant to your building project. Information is contained within an application pack which can be obtained from:

- [Marlborough District Council website](#); or
- Council's main office in Blenheim or from the Picton Service Centre located at the Picton Library.

How do I lodge an application?

Once you have gathered all the necessary information, you can either apply online using the [online portal](#), or post the application in, or deliver it in person to our office. It is recommended that you lodge your application using the [online portal](#). Fees are payable at the time the consent is issued. A fee schedule can be accessed through the [Marlborough District Council website](#).

It is important to ensure that the designer provides site and project specific documentation that clearly shows Building Code compliance. Poor quality applications take longer to process and additional fees may be charged due to the length of time it takes to process.

Consent Processing

How is my application processed?

All applications, regardless of how they are received, are vetted to check if all information has been provided - this is not a technical check. Your application may be rejected at this time if insufficient information has been provided.

Once vetted, the application is then receipted and entered into the system as lodged. The application is then allocated to the various departments within Council for processing. Each department will review your application and assess it for compliance against the requirements of the Building Code as prescribed in the Building Act. If there are any questions or concerns, you will be requested to supply further information/clarification. The 20 working day time clock is suspended until this information is provided in full.

Requests for additional information will be sent to the agent identified on the application. Identifying the area of drawings that have changed in response to a request for further information will help speed up the processing of your consent.

Once all departments involved in the process are satisfied with compliance, a final check is made to ensure all work has been assessed correctly before the building consent is granted.

The granting of the consent shows that the BCA is satisfied on reasonable grounds that, if the project is constructed in accordance with the approved plans, the project will comply with the Building Act, Building Code and Regulations.

How will I be notified of the approval?

Once your consent has been granted, it will be issued. Council will notify the contact person, nominated on the application form, that the stamped approved documents are available through the Council website on the [Property Files Online](#) page.

If your application has been refused, a letter or email will be sent advising you of the reasons.

Work cannot start until the building consent has been granted.

External parties

Some commercial projects may need reviewing by the Fire Engineering Unit of Fire and Emergency New Zealand. They have 10 days to provide feedback. Your fire designer should notify you of this if needed, and this should be clearly identified in the consent documentation.

In some cases the BCA may send applications externally for review, in particular for engineering or fire peer review. When busy, the BCA may also send consents to external contractors to process your consent.

How long is my building consent valid for?

The Building Act provides that if work to which the consent relates has not started within 12 months from the date of the issue of the consent, the consent will lapse and be of no effect. This means that you will need to apply for a new consent.

If a Code Compliance Certificate (CCC) application has not been made by the two year anniversary after granting the building consent, the BCA is required to make a decision on whether or not it is possible to issue a CCC.

In either case the BCA will try to contact you to remind you of these provisions. If the project has been delayed, you may apply for an extension to this time.

What sort of information do I need?

Building consent applications can be complex. Council recommends that you engage a professional person to help with the design work and drawings. Each application must be accompanied by the information required:

1. **Certificate of Title** (no older than 3 months)
2. **Plans** (one complete set and can be provided electronically):
 - 2.1 Site Plan - Scale 1:200 (recommended scale). The site plan must show the proposed building work in relation to the property boundaries, existing buildings, drainage and water supply systems, spot levels and datum.
 - 2.2 Floor Plan - Scale 1:100. To be fully dimensional, including wall and partition sizes, designation of rooms, doors and window openings, sanitary fittings, fixed units, appliances such as wood-burners, cooking and heating units.
 - 2.3 Cross Section - Scale 1:50. To show full details of construction of foundations, reinforcing, floor structure, wall and roof structure, insulation and height above ground level.
 - 2.4 Elevations - Scale 1:100. Four elevations of the proposed building are required to show all doors, windows, roof heights and external materials and finishes.
 - 2.5 Drainage Plan - Scale 1:200. To show means and location of sewage and stormwater disposal systems and any existing drains on site. Water supply details must be shown. (Only a certifying plumber/craftsman drainlayer or licensed person working under their supervision can carry out plumbing/drainage works.)
 - 2.6 Details - Scale 1:5. These are generally structural and weather tightness details to show how the critical elements of the building work are to be constructed.

3. **Specifications** - Specifications must be relevant to the particular building and to the plans submitted.
4. **Engineering calculations/fire report** (if applicable)
5. **Alterations to existing buildings** - Under Section 112 of the Building Act, a BCA must not grant a building consent to alter all or part of an existing building unless it is satisfied that, after the alteration, the building will (among other things) comply As Nearly As is Reasonably Practicable (ANARP) with the Building Code provisions relating to means of escape from fire and access and facilities for persons with disabilities. Section 112 of the Building Act also gives territorial authorities some powers to allow alterations to existing buildings. (If you intend to change the use of the building different provisions apply.)

To determine whether an existing building complies ANARP with the Building Code, means of escape from fire and access and facilities for persons with disabilities after the proposed building work has been carried out, BCAs and TAs will need information on the building's current level of compliance.

6. **Wall bracing layout** (if applicable)
7. **Roof truss** (if applicable) - Manufacturer's Truss Design and Producer Statement
8. **E2 risk matrix** (demonstrating weather tightness features)
9. **H1 analysis** (demonstrating insulation requirements)
10. **Information related to Specified Systems and the Compliance Schedule (CS)**

Change of use, extension of life and subdivisions

If you intend to change the use of the building, extend the life, or subdivide you may need to seek professional help with the application or come and speak to us about the type of information you may need to supply.

What if my application is for a heating appliance only?

You must supply the make, model, year of manufacture and a copy of the manufacturer's installation instructions. You must also supply a complete floor plan of the building indicating where the appliance is to be fitted and showing the location of the smoke detectors. Also show evidence that the fireplace complies with the [emissions regulations](#).

Where can I get a current Certificate of Title?

Contact Land Information New Zealand on 0800 ONLINE/0800 665 463
Or alternatively, on payment of \$20.00, Council can obtain a copy on your behalf.

Is there other information that I might need?

New Vehicle Access - Any building which requires a new vehicle access must be approved. Contact Marlborough Roads on 03 520 8330 or at Level 1, The Forum, Market Square, Blenheim.

RAPID Number - Each new dwelling within the rural area is required to have a number at the gate similar to street numbers in town. This is essential and particularly helpful in emergencies.

What about a resource consent?

Some proposals require a land use resource consent. If unsure whether the proposed works require a resource consent, the details can be discussed with the planning department at the Marlborough District Council. Please phone 03 520 7400 and ask for the planning department. Alternatively if a PIM is applied for, the PIM will identify if a resource consent is needed.

How much will my building consent cost?

This depends on the type of application, cost of work involved and the zone the building work is within. Charges include costs such as:

- Levies payable to MBIE (payable on all applications \$20,444 or more); (Building Levy Order GST inclusive);
- Levies payable to the Building Research Association of New Zealand (BRANZ) (payable on all applications \$20,000 or more);
- Issue of Code Compliance Certificate;
- Issue of Compliance Schedule (if applicable);
- Development Contribution (if applicable).

A schedule of fees is available from Council's [website](#). Fees can be paid at the office or by internet banking.

Fees will be calculated at the time the application is issued and all fees will be invoiced when the consent is issued. A cancellation fee may apply if you withdraw your application.

The BCA may charge additional fees for processing time where an unreasonable amount of time has had to be spent processing the consent or for additional inspections due to failed inspections.

Who is the Building Research Association of New Zealand (BRANZ) and why is my application levied?

BRANZ Limited is an independent research, testing and information resource for the building and construction industry.

Who is the Ministry of Business, Innovation and Employment (MBIE)?

MBIE is the government department responsible for regulating the building industry.

Can I change my plans later?

Yes. If you need to change anything on your plans, you must apply for an amendment before carrying out any changes to your approved plans. At the end of the building project, the approved building consent documentation needs to be an accurate reflection of what has actually been built. Changing the details of the original consent drawings can be completed in two ways, via either a major or minor amendment. If you have made changes without approval, the BCA may stop your job until the changes are resolved.

Amendments

Major amendments are those where work is outside the scope of the original consent, e.g. additional footprint or increases in floor area, construction method, and significant changes to layout. An amendment form is required to be completed and fees payable.

Minor variations

Minor variations are changes that do not usually affect compliance with the Building Code, e.g. non-structural walls or doors. You may need to change the position of a door in a non-bracing wall and will need to provide information to record the change, however it is not necessary to complete a new building consent application form. This may be able to be approved on site by the Council inspector. There may be a cost involved in approving the minor variation.

What are building consent conditions?

These are conditions imposed on your building consent which are deemed necessary to ensure compliance. For example, all building consents are issued subject to the condition that officers of the BCA are entitled at all times, during normal working hours, or while work is being done, to inspect building work which is being carried out. Other conditions may be in relation to building on a site subject to specific hazard conditions or building over two or more allotments for example.

What are building consent endorsements/advice notes/reminders?

Building consent documents are often endorsed or have notes added by the consenting authority to remind the building owner about specific aspects of construction to achieve compliance. For example, a note may be added regarding specialist inspections that may be required. These endorsements will be noted on the actual consent. It is important that you read and understand all endorsements of the building consent before commencing work. If you do not understand any endorsement imposed, please contact Council to discuss.

The Inspection Process

When can work begin?

Although work can begin when you have received your building consent, if resource consent is required, you may need to wait until that is also issued.

What inspections do I need?

In most cases a Building Control Officer from Council will need to visit the building at various stages during the work to ensure work complies with the consent. Typically the inspector will record the inspection by making notes and taking photos.

When your application is processed, the Building Control Officer will determine what inspections are necessary. Each inspection will be identified on your building consent. Typical inspections may include (but are not limited to) foundations, slab, pre-wrap, post-wrap, pool fencing, wet area membranes, fireplaces, pre-line building and plumbing, post-lining, drainage and a final.

In some cases commercial finals will require two inspectors to undertake the inspection and review Specified Systems.

Non-standard inspection types will be noted on the inspection list for your consent.

Sometimes it is necessary for specialists to conduct inspections in addition to the inspections carried out by the BCA. If a specialist inspection is necessary you will be advised when the consent is issued. Generally these inspections are necessary to confirm ground stability or specific design by a registered engineer.

It is the agent/owner's responsibility to ensure that the BCA is contacted at the appropriate times to undertake the required inspection. The completed inspection reports are available on the Council website when the inspection is completed.

Please ensure the inspection requirements are read and they are understood before commencing work. If in doubt, please ask Council.

Missed inspections may mean that a CCC cannot be issued.

How do I book an inspection?

Building inspections are booked through the Council administration team by phoning 03 520 7405 (do not contact the building inspectors directly).

Inspections can also be requested through [Smart Maps](#). Inspections are undertaken Monday-Friday 8.00 am to 5.00 pm (excluding public holidays).

You must provide the following information when booking an inspection:

- Site address;
- Building consent number;
- Name and telephone number of contact person on site;
- Date and time the inspection is required; and
- Type of inspection, i.e. plumbing, drainage, foundation, pre-slab, pre-line, etc.

Note: It is your (or your builder's) responsibility to notify Council before you require an inspection. Please call well in advance of needing an inspection as the number of days waiting time can vary from week to week. The number of [waiting days](#) can be viewed on Council's website.

How do I know if the inspection has been passed?

At the conclusion of all inspections the outcome of the inspection is recorded on the site inspection record and is available on the Council website. It is required that the owner or an agent is available on site for all inspections to ensure they are clear on the outcome.

You may be asked to stop work or continue with conditions (conditional continuation) if the Council inspector fails the inspection or work is non-compliant or unsafe.

Note: No plans and documentation on site - **no inspection**.

What if the inspection is not approved?

If the inspection fails, the work to be fixed will be recorded on the inspection record. Another inspection will be required to inspect the remedial work. In some cases work may have to stop, in other cases some work may be allowed to continue, or an amendment may need to be applied for. If the work is not remedied to the satisfaction of the Building Control Officer, it is possible that a Notice to Fix (NTF) will be issued.

Re-inspections may incur additional charges.

Please note that Building Control Officers may refuse to complete the inspection if the site is deemed to be unsafe.

What is a Notice to Fix (NTF)?

A NTF is a formal notice issued by the BCA advising that certain works have not been carried out in accordance with the building consent or the Building Code/ Building Act. If a NTF is issued, you must address the issues identified within the prescribed timeframe to prevent further action being taken. Typically a NTF will be issued for serious or ongoing breaches. If a NTF is issued, documentation identifying and explaining the process will accompany it.

Do I need a final inspection?

Yes, all building consents require a final inspection. The purpose of the final inspection is to ensure that all work is completed to the extent required by the building consent.

Although there is no imposed timeframe on an owner to complete work, at the two year anniversary of the granting of your consent, the BCA is required to decide if a CCC can be issued. If you cannot complete the work within this timeframe, it is essential that you contact Council to discuss timeframes.

An owner must apply for a CCC once all the work described in their building consent is completed. To make an application you must complete an Application for CCC form, including filling in details of who did the work and when the work was completed.

Once the application has been made, the BCA has 20 working days to decide whether to issue a CCC. The BCA will complete an inspection, if a final inspection has not already occurred, and ensure all required documentation has been provided. The required documentation will be listed on the issued building consent. If all building work complies and the required documentation is supplied, a CCC will be issued. If the required documentation or the building work does not show compliance with the documentation the CCC cannot be issued and the 20 working day clock is stopped.

The CCC can only be issued where the BCA is satisfied on reasonable grounds that the work complies with the consented documents.

What is a Code Compliance Certificate (CCC)?

A CCC is the final certification confirming that the BCA is satisfied on reasonable grounds that all works undertaken complies with the building consent. You must apply for a CCC after all work has been completed. This is an important document and should be retained for future reference.

A CCC can be withheld until development levies are paid or any other fees are paid, such as additional inspections, etc. Fees can be paid by internet banking or at the Council offices.

Producer Statements

In some cases the BCA may accept a Producer Statement from a suitably qualified person verifying compliance with the Building Code or consent.

A Producer Statement (expert opinion) for design (PS1) has, in the past, been accepted in the processing of a building consent which clearly identifies the intent of the design and construction details required for completion.

Some details of your building consent may be required to be peer reviewed by a CPEng. A Producer Statement (PS2 Design Review) will be required to be supplied from the CPEng.

Council can complete this process for you or you can elect to have the structural design reviewed by your own engineer. All costs are the responsibility of the owner.

Below are details for when a peer review is or is not required:

1. Simple designs to NZS3604, i.e. bracing, foundations, would not need to be reviewed.
2. Simple steel beams (with good connection details shown) would also not need to be peer reviewed.
3. Sheds with an importance level 1 and in a rural situation, i.e. hay sheds, do not need to be peer reviewed.
4. A shed with an importance level 2 and to be used for residential dwellings may need to be peer reviewed.
5. Complex designs outside the scope of NZS3604 and structural designs completed by an engineer that is not a CPEng, whether deemed simple designs or not, would need to be peer reviewed and a PS2 would need to be supplied with the building consent.
6. The occupant load of the building over 500 persons would need to be peer reviewed.
7. The value of works exceeds \$5,000,000.00 would need to be peer reviewed.
8. The fire report uses verification methods or alternative solutions would need to be peer reviewed.

If you choose to have the design peer reviewed, please ensure that the engineer who completes the peer review (and provides the PS2) is a CPEng and has the correct competence to complete the review. Council will require evidence that the engineer is a CPEng and that their area of expertise is suitable to complete the review of your design.

These details can be found on the Institution of Professional Engineers (IPENZ) website or by contacting IPENZ on 04 473 9444.

It is strongly recommended that you check to ensure the engineer you are using is competent to do what you require.

A Producer Statement (Construction Review) PS4 (statement of expert opinion) will be required to be issued by the agreed suitably qualified independent design professional where requested prior to issuing a CCC. It must state that the building was constructed as per the building consent documents and be accompanied by copies of all inspection reports and site notes for the project made during construction of the building works.

Site Safety for inspectors

You are responsible for the safety of visitors to the work site, including those undertaking building inspections. You must provide safe access to parts of the construction necessary for inspection. Ladder access must be securely founded and tied. Scaffold access and roof edge protection is generally required.

Council inspectors will not inspect unsafe sites.

What are MultiProof approvals?

MultiProofs are issued by the National Multiple-Use Approval Service of MBIE. A MultiProof is a statement by the Ministry that a specific set of building plans and specifications complies with the Building Code.

A MultiProof is not, and does not replace, a building consent. The holder of a MultiProof must obtain a building consent each time they wish to construct the design to which the MultiProof relates. The BCA will only need to assess the Building Code compliance of site-specific features that are excluded from the MultiProof. The BCA has 10 days to issue a MultiProof consent.

Commercial and Industrial Properties

Section 363 of the Building Act - Public Premises

It is the owner's decision as to when a building can be occupied, however if your building is open to the public, whether free of charge or by payment of a charge, the building cannot be used or occupied until a CCC is issued.

In certain circumstances it may be possible to apply for a Certificate for Public Use (CPU), which will allow a building or part of a building to be used by the public before the CCC is issued. Each application will be considered on a case-by-case basis.

What are public premises?

Any building which is open to the public whether free of charge or by payment of a charge, including:

- Shopping malls;
- Cinemas;
- Marae;
- Camping grounds;
- Garages and workshops;
- Funeral homes;
- Office and retail complexes; and
- Rest homes, etc.

What is a Compliance Schedule (CS)?

A CS is a document issued by the BCA for buildings which contain Specified Systems. Specified Systems include:

- Automatic systems for fire suppression;
- Cable cars (residential dwellings);
- Other fire safety systems or features (systems for communicating information intended to facilitate evacuation, final exits, fire separations, signs);
- Mechanical ventilation or air conditioning systems;
- Escape route pressurisation systems;
- Automatic back-flow preventers connected to a potable water supply;
- Lifts, escalators, travellers, or other systems for moving people or goods within buildings;

- Mechanical ventilation or air conditioning systems;
- Automatic or manual emergency warning systems for fire or other dangers;
- Emergency lighting systems;
- Smoke control systems;
- Emergency power systems for, or signs relating to, a system or feature specified for any of the above;
- Electromagnetic or automatic doors or windows;
- riser mains for use by fire services;
- Building maintenance units providing access to exterior and interior walls of buildings; and
- Audio loops or other assistive listening systems.

The CS must be kept in the location nominated on the Compliance Schedule Statement and BWoF. That way it and other documents are readily available for inspection by authorised people (such as Council inspectors, fire service personnel and IQPs).

What is a Compliance Schedule Statement?

A Compliance Schedule Statement is issued by the BCA and serves as temporary notification of CS requirements. It will list the inspection, maintenance and reporting procedures necessary to keep the Specified Systems in good working order. It is issued at the same time as the CCC. It must be replaced in 12 months with a Building Warrant of Fitness (BWoF), which is issued by the building owner.

How do I obtain a Compliance Schedule?

A CS must be applied for at the same time a building consent application is made and will be issued with a CCC by the BCA for:

- New buildings (if the building has one or more Specified Systems); or
- An upgrade to an existing building or systems, required as a result of a change of use or alterations, which may also require a building consent.

When applying for a CCC for a building that contains Specified Systems, you should attach to the application relevant certification for the Specified Systems as well as details of the Specified Systems and plans showing Specified System locations and/or layout.

What information do I need if I am applying for a Compliance Schedule?

Your architect/designer should provide information relating to the performance standards for each Specified System contained within the building at the time the application for building consent is made. The performance standards will identify the inspection, maintenance and reporting procedures required for each system.

Can I be prosecuted for not obtaining a Compliance Schedule or if the Building Warrant of Fitness has expired?

Yes, depending on the alleged offence, the fine ranges from \$20,000 to a maximum of \$200,000.

What is a Building Warrant of Fitness (BWoF)?

A BWoF is a statement issued annually on the anniversary of the issue of the CS by the building owner to Council stating that the requirements of the CS have been fully met.

The BWoF must have attached to it all CCCs issued by the Independent Qualified Person (IQP). These documents must be issued on the prescribed form (Form 12A) and certify that the inspection, maintenance and reporting procedures stated in the CS have been fully complied with during the previous 12 months.

What documents should I keep regarding the Building Warrant of Fitness?

You are legally required to obtain written reports relating to the inspection, maintenance and reporting procedures of the CS which must be signed by the IQPs or LBP who has carried out any of the listed procedures (inspection, maintenance or reporting).

You are required to keep all reports together with the CS for a period of two years and produce those reports for inspection when required.

What is an Independent Qualified Person (IQP)?

An IQP is a person who is qualified to carry out any performance inspection, maintenance, reporting or recommendation on a Specified System.

All IQPs are required to be registered on the [IQP Register](#) which is administered by the Timaru District Council.

Complaints

What happens if I am unhappy about any decision the Building Consent Authority has made?

You have the right to appeal any decision the BCA has made or to complain about any building control function the BCA undertakes. A customer has a right to complain and have their complaint managed.

What is a building control function?

- Meeting statutory timeframes;
- Lodgement or vetting of building consent applications;
- Processing of building consent applications;
- Inspection of work under construction;
- Issuing of a Notice to Fix;
- Issuing of Code Compliance Certificates;
- Issuing Compliance Schedules;
- Failure to provide appropriate information or advice;
- Fees and charges; and
- Failure to meet legislative or Building Code requirements.

How do I make a complaint?

You can make a complaint in person, however it must be accompanied by a written statement. Complaints not made in writing or made anonymously will not be acted upon.

Complaints should be addressed to:

Building Control Group Manager
Marlborough District Council
PO Box 443
Blenheim 7240

What information is required?

- Date incident occurred;
- Nature of complaint (guidance information, vetting, lodgement, inspection, NTF, CCC or CS);
- Copies of any supporting information (if applicable); and
- Relationship (customer, regulator or stakeholder).

How long does it take?

All complainants will be responded to within 72 hours of the receipt of the complaint, at which time you may be asked whether you wish to be heard in relation to the complaint or to provide further information.

All complaints will be acted upon within 10 working days of receipt of the complaint, unless a request for further information is made.

Do I have a right of appeal?

Yes, if you do not agree with the outcome you may request a review of the decision. All appeals must be made in writing, setting out the reasons why you disagree with the decision.

All appeals should be addressed to:

Chief Executive
Marlborough District Council
PO Box 443
Blenheim 7240

All appeals will be responded to within 10 working days.

What else can I do?

If you are still unhappy or choose to use an alternative route to settle a matter of doubt or dispute, you may apply to MBIE for a Determination. Visit [determinations](#) for further information on this service and to download the form needed to make a complaint (Form 14).

In some cases you can seek a determination from MBIE where there is a matter of doubt or dispute or lay a complaint with the MBIE regarding a building control function. Queries of this nature should be made to MBIE directly.

Useful Websites/Telephone Numbers

Ministry of Business, Innovation and Employment

www.mbie.govt.nz

0800 24 22 43

BRANZ

www.branz.co.nz

0800 80 80 85

Land Information New Zealand

www.linz.govt.nz

0800 665 463

Institution of Professional Engineers of NZ

www.ipenz.org.nz

04 473 9444

Fire and Emergency New Zealand

www.fireandemergency.nz/

04 496 3600

NZ Homeowners' Building Guide

www.buildingguide.co.nz

09 360 8885

Worksafe

www.worksafe.govt.nz/

04 897 7699

Licensed Building Practitioners

www.lbp.govt.nz

0800 60 60 50

Plumbers Gasfitters and Drainlayers Board

www.pgdb.co.nz

0800 743 262

Useful Publications

[The Building Act 2004](#)

[The Building Code](#)

**For further information on any building consent matter, please call the
Council's Customer Service Centre (03 520 7400)**