



### Purpose

The purpose of this document is to describe the policy in relation to issuing a code compliance certificate (CCC).

### Scope

This document is used when issuing a CCC.

### References

- Building Act 2004, section 95
- Building (Forms) Regulations 2004 (2004/385) – Form 6 – Code Compliance Certificate
- Building (Forms) Regulations 2004 (2004/385) – Form 13 – Notice to Fix
- BLD-31.1-FLOW, Code compliance certificate (CCC)
- BLD-31.2-PROC, Code compliance certificate (CCC)
- New Zealand Building Code – Compliance Documents – B2 - Durability
- CENV 4073, Application for code compliance certificate (Section 92 Building Act 2004)

### Policy

Every building consent (BC), including staged consents, and amendments, requires a CCC to be issued to complete the BC process. The owner must apply for a CCC after all the building work has been carried out under the BC that was granted. The application must be made as soon as practicable after the work is completed on the prescribed form (Form 6 – Code Compliance Certificate) CENV 4073, Application for code compliance certificate (Section 92 Building Act 2004). All relevant documentation must be submitted and be accepted prior to issuing the CCC. In addition, any outstanding payments must be made before releasing the CCC.

The building consent authority (BCA) must issue the CCC within 20 working days after application, or such further period agreed by to between the BCA and the owner, even if no application has been made within the two years after the date the BC was granted. This period may be suspended if the BCA requires additional information. The issuing of the CCC maybe finishing the building consent, but it starts the 10 year limitation period for liability for the BCA. The BCA may be liable if certain aspects of the building work carried out under the building consent fail in this period.

At present Auckland City carries out special procedures when issuing a CCCs for BCs issued more than five years ago. Requests for a CCC on these have a further final inspection undertaken and any identified failings will be documented on a notice to fix form (Form 13 – Notice to Fix ) to the owner. Auckland City believes that it cannot issue a CCC on these building consents because of the Durability Clause B2 in the New Zealand Building Code. When work in the notice to fix has been addressed, Auckland City may issue a CCC with an exclusion clause about the durability.

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**Note:**

1. In certain cases and providing the owner and the BCA issuing the CCC agree, another BCA may issue the CCC.
2. Where applicable, the building owner is required to provide with the CCC application all certificates issued by a Licensed Building Practitioner (Independent Qualified Person) that relate to specified systems.
3. If no application for issue of CCC is received within two years of granting the building consent, then the BCA is required to consider whether or not to issue the CCC.
4. Before deciding to issue a code compliance certificate a BCA is required to determine if:
  - A warning or ban has been applied to a building method or product associated with the building consent work
  - The building owner has provided an energy works certificate for any energy works associated with the building consent
  - A development contribution was been required to be paid as a condition of building consent and whether or not it has been paid.

When satisfied that all matters affected by any of the above are properly resolved then the BCA may issue the CCC.