

Your building warrant of fitness is due to expire, so what can you do?

Do something; your Council is there to assist you through this process, use them if you need them. If you do nothing you will be in contravention of the requirements of the Building Act 2004 because you haven't supplied a current Building Warrant of Fitness.

Keeping up with the maintenance and safety inspections of your compliance schedule items assists with supplying a current Building Warrant of Fitness.

What if your maintenance and safety inspections aren't current?

If your maintenance and safety inspections aren't current, Council's minimum expectation is for you to arrange a thorough "catch-up" inspection of each Compliance Schedule item and rectify any maintenance defects. You will be required to negotiate with Council a period of time by which all "catch-up" inspections are to be completed.

In this instance an amended Building Warrant of Fitness can be supplied to reflect the period of time for which all Compliance Schedule items have been complied with.

Building warrant of fitness: non-compliance issues

If you don't supply a current building warrant of fitness, what can you expect from Council?

A telephone call and warning letter to advise you of your options.

You will be given the opportunity to negotiate with Council a period of time by which "catch-up" inspections are to be completed.

If you don't comply with the warning letter, what is Council obligated to do?

Inspect your building to determine the exact extent of your non-compliance and charge you for the cost of the inspection, and

Issue a Notice to Fix and charge for the costs of issuing that Notice. Failure to comply with a Notice to Fix is an offence in itself, in addition to offences for non-compliance with your Compliance Schedule requirements.

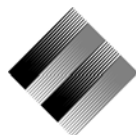
Council's final recourse should you not comply with the Notice to Fix is to prosecute.

Council has an obligation to the public to ensure your building is safe for people to work and visit.

It is to everyone's advantage for you to comply with the requirements of your Compliance Schedule and the provisions of the Building Act 2004.

10 good reasons why you should have a current building warrant of fitness

- If your building has been issued with a compliance schedule under Section 108 of the Building Act 2004, you are legally obligated to have a current building warrant of fitness
- You will have peace of mind that the building is safe for people to work and visit
- Your insurance policy will not be invalidated because of non-compliance
- Loans and refinancing will not be delayed because of non-compliance
- Any liquor licence application will not be held up by your territorial authority because compliance schedule requirements have lapsed
- The Land Information Memorandum (LIM) from this Council will be positive with regard to compliance schedule requirements
- Any proposed sale of property will not be delayed because of non-compliance
- You need not receive and pay for a visit from a building inspector, the occupational safety and health service or the fire service
- You will not receive a Notice to Fix and associated charges from this Council for non-compliance with the compliance schedule requirements
- You will not face severe penalties resulting from prosecution by this Council nor finish up with a record of conviction and adverse publicity



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INFORMATION VALID AT TIME OF PRINT 10/08

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*is about to expire or has expired -
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