Consumer Information Building Consent Application Guidance

June 2026

Invercargill
CITY COUNCIL

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BUILDING LEGISLATION

The Building Act

The Building Act 2004 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 well-being of the people who use them
- People who use a building can escape from the building if it is on fire
- Buildings are designed, constructed and able to be used in ways which promote sustainable development

To achieve this purpose the 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. This can be viewed at their website www.building.govt.nz.

What is a Building Consent?

A building consent is the formal approval issued by a Building Consent Authority stating that certain works, if properly constructed in accordance with the plans and specifications will comply with the requirements of the New Zealand Building Act, Building Regulations and the 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 Act. Please refer to MBIE for further information Building work that does not require a building consent.

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 this includes pool barriers, unless exempt.

Please view the Ministry of Business, Innovation and Employments guidance publication “A guide to building work that does not require a building consent” at their web site MBIE Guidance Document.

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

What is Restricted Building Work and who are Licensed Building Practitioners?

Restricted building work | Building Performance (RBW) is work that must be completed by or supervised by a Licensed Building Practitioner (LBP) who are licensed by the Ministry of Business Innovation and Employment.

This ‘restricted building work’ applies to, but is not limited to

- Foundations
- Framing
- Roofing
- Cladding
- Active fire safety systems in small-medium sized apartment buildings (design only)

Licensed Building Practitioners (LBPs) include, but are not limited to

- Designers
- Carpenters
- Roofers
- External Plasterers
- Bricklayers and/or Block Layers

Registered Architects, Chartered Professional Engineers 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 licensed building practitioners.

Restricted work is work on homes and small-medium sized apartment buildings that is critical to the integrity of the building.

An exemption is available to owner-builders (DIY) allowing them to carry out Restricted Building Work (RBW) on their own home and build their own home. There are certain criteria for this and details can be found at Owner-builder obligations | Building Performance.

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

Licensed Building Practitioners (LBP) will also need to provide a Memorandum - Record of Building Work when the work has been completed.

Further information can be found at

Restricted building work | Building Performance

MBIE 'Build It Right' link Video: Build It Right – consumer protection measures | Building Performance

LBP Code of Ethics Code of ethics | Licensed Building Practitioners (lbp.govt.nz)

What is a Building Consent Authority (BCA)?

Building Consent Authorities are regional or territorial authorities or private organisations registered under section 273 of the Building Act 2004, and are responsible for performing building control functions under Part 2 of the Act.

What is a Project Information Memorandum (PIM)?

A Project Information Memorandum (PIM) is a memorandum issued by the Territorial Authority (Council) under sections 32 - 35 of the Building Act 2004 which sets out information relevant to your building work.

This is 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 storm water or wastewater utility systems which relate to your proposed building work, or are adjacent to your 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

A PIM also includes confirmation subject to other provisions of the Act that you may carry out the building work subject to the requirements of the building consent and all other necessary authorisations being obtained.

Also copies of other information that may have some design impact on your proposed building work such as

- 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. Please contact the Invercargill City Council 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 a 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

A PIM application can be made via Simpli https://simpli.govt.nz/. If you are unable to make this application electronically, please contact Council to discuss lodgement options.

Documentation required for a PIM application

- Site plan
- Floor plan
- Building elevations
- Site access
- Drainage plan

How long does it take to get a PIM?

Council is required to issue the PIM in 20 working days of the application being accepted. In most cases the BCA gathers PIM information in order to process your building consent as a matter of course.

If the BCA requires more information, it will issue a Request for Further Information (RFI).

- When an RFI is issued, the 20-day statutory clock stops
- When you provide the requested information the 20-day statutory clock restarts

If further information is required an RFI (Request for Further Information) will be raised and sent to the nominated contact person from the application. If a response is not received within 90 days of the date of this letter, a reminder will be sent with a further 10 days to respond. A decision will be made by Council to refuse or issue the building consent.

Once application has been shown to satisfactorily demonstrate compliance with the Building Act 2004 the Consent will be Granted.

NB: Providing all fees are paid, the PIM will be sent 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 your project and whether or not you have provided all site-specific information. Legislative requirements require all building consents to 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.

Who is responsible for applying for a building consent?

Ultimately the responsibility for obtaining a building consent is that of the owner of the property. However, an owner may appoint another person to act on their behalf. On the application form this other person will be listed as the Agent.

How do I apply for a Building Consent?

As the applicant you need to complete the building consent – Form 2 Application on the Simpli website - https://simpli.govt.nz/. If you are unable to make this application electronically please contact Council to discuss lodgement options.

You need to complete an application form, and provide information relevant to your building project. We have guidance documents available that outline the information that must be included with most types of applications. These can be found at

- Building consents and inspections - Invercargill City Council
- Invercargill City Council
- The Bluff Service Centre

Staged building consents

An owner may make a series of building consent applications for stages of the proposed building work. This may be useful where the scope of each part of the work can be clearly defined.

Applications that might be staged are

- Large multi-storey buildings
- Multi-unit apartments or development blocks
- Shopping malls

- Site works, foundations and drainage, with the balance of work completed under a separate stage (this might occur where it is desirable to start the project early but where plans and calculations have not been completed for the balance of the work).

Staged consents may also be useful where more than one household unit is being built specifically for sale and the units are not connected. A household unit being built specifically for sale cannot normally be transferred without a Code Compliance Certificate (CCC). However, the owner or builder can stage the consents so that a Code Compliance Certificate can be obtained for each unit.

A staged consent will need to be identified at initial consent application. ICC suggests if your project will be completed over multiple stages that you organise a pre-application meeting to discuss fees/charges across the whole project (see link below). Levy Fees including MBIE. BRANZ and Accreditation will be charged at each stage.

How do I lodge an application?

Once you have gathered all the necessary information, you are now able to lodge the application electronically via the 'Simpli' portal https://simpli.govt.nz/. Alternatively, if you do not have access to internet services the application can be posted in or delivered in person to our office in Esk Street, Invercargill. It is however preferred that the Simpli portal is used for your application.

If you are lodging a commercial building consent it is recommended you contact our office on (03) 211 1777 or at vetting@icc.govt.nz to arrange an appointment to have a pre-application meeting.

Fees are invoiced at lodgement and payable before issue. A fee schedule can be accessed at Fees and charges - Invercargill City Council

CONSENT PROCESSING

How is my application processed?

There are two stages to the processing of an application first being a Non-technical (Vetting) completeness check to ensure all relevant documentation is supplied and then a further Technical (Processing) check to ensure compliance with the NZBA 2004 is achieved.

Vetting

When an application is received it is checked by a member of the Vetting team to ensure the application is complete and that all relevant supporting documentation is supplied. If the application has missing documentation or incorrect information an SRFI (Submission Request for Further Information) will be raised and sent to the nominated contact person from the application.

If an SRFI is not responded to within 3 Working Days the application will be rejected. Applications can be re-applied for once all documentation and relevant information is ready.

Building Consent Application Guidance Documents can be on the ICC website under Building Services.

Only complete applications will be accepted for Processing.

Processing

Once the application is formally accepted it is then passed to the Processing team for a technical review against the Building Act 2004.

The Processing team has 20 working days (as per Legislation) to make a decision whether to Grant or Refuse the Building Consent application.

If further information is required an RFI (Request for Further Information) will be raised and sent to the nominated contact person from the application. If a response is not received within 90 days of the date of this letter, a reminder will be sent with a further 10 days to respond. A decision will be made by the Processor to continue or refuse the application.

Once application has been shown to satisfactorily demonstrate compliance with the Building Act 2004 the Consent will be Granted.

Please note a Building Consent will not be issued until consent has been granted and all relevant fees have been paid.

Granting your consent and notification of the approval

Under Section 49 of the Act the BCA must grant building consent applications when it is satisfied on reasonable grounds that the provisions of the Building Code would be met if the building work were properly completed in accordance with the plans and specifications that accompanied the application. Granting the consent is conditional on enabling the building work to be inspected.

Once your consent has been granted Council will issue the approved stamped documents to the Simpli portal. If your application has been refused a letter will be sent advising you of the reasons.

What is “Satisfied on reasonable grounds”?

"Satisfied on Reasonable Grounds” means that a building control officer (BCO) who has a current competency assessment equal or above the category of the building that he or she is assessing has used their technical expertise to review the plans, specifications and supporting documents which may include but are not limited to

- BRANZ appraisals
- CodeMark certificate
- Manufacturer’s specifications
- Engineers’ calculations
- Statements of expert opinions, along with any other specialist’s input that may have been required
- Satisfaction of established compliance with the relative clauses of the New Zealand building code

Building work cannot start until the building consent has been issued.

External Parties

Some projects may need reviewing by the engineering unit of Fire and Emergency New Zealand (FENZ). 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 Fire, Onsite Waste Water or engineering peer review. The BCA utilises external contractors to process building consent applications.

Consent applications reviewed by Fire and Emergency New Zealand Engineering Unit (FENZ)

Under Section 46 of the Building Act 2004 the BCA is required to send certain applications to Fire and Emergency New Zealand (FENZ) Engineering Unit (EU) for review under the Fire Service Act. Where this occurs the Engineering Unit have 10 working days in which to provide their feedback/memorandum to the BCA.

The memorandum issued by the Engineering Unit of FENZ will set out their advice in regard to provisions for means of escape from fire and the needs of persons who are authorised by law to enter the building to undertake firefighting.

Types of applications that are required to be sent are detailed at

https://gazette.govt.nz/notice/id/2012-go2694

There are no additional costs to the applicant associated with this process.

How long is my building consent valid for?

The Building Act 2004 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 you wish to start that work.

The BCA will contact you to remind you of this.

If the project has been delayed, you may apply for an extension to this time.

If a Code Compliance Certificate (CCC) application has not been made by the two-year anniversary of the granting of the building consent, the BCA is required to make a decision on whether or not to issue a CCC. If the BCA decides it cannot issue a CCC at this time the building consent will be given the status of 'CCC Refused' and the owner/applicant will be notified by a refused Code Compliance Certificate notification letter.

CCC Refused status does not restrict you from completing the work and applying for a CCC at a later date however, please be aware that in progressing the work you will need to ensure any further inspections listed under the building consent inspection endorsements are notified to Council for it to be in a position to issue the CCC at completion.

WHAT INFORMATION DO I NEED TO SUPPLY?

Building consent applications can be complex. We recommend that you engage a professional person to help with the design work and drawings.

Each application must be accompanied by the information requirements identified in the Guidance Documents which can be found on the ICC website

Forms and guides - Invercargill City Council

Information to support each application

Please note it is highly preferable that the required documents are uploaded as part of an electronic application via the Simpli applications portal as previously described.

Proof of Ownership must be issued within the previous three months and can be one of the following

- Record of Title
  - Title must include second page showing diagram
  - Consent Notices and Easement Information must be supplied
  - If under a Sales & Purchase Agreement a full copy of the Agreement signed, dated and showing any conditions of settlement must also be supplied

- Rates Notices – Solid Fuel Burner applications only

Where relevant you will need to provide information in relation to the specified systems to be contained on the Compliance Schedule. This includes but not limited to the performance standards, the proposed inspection, maintenance and reporting procedures for specified systems that would be included within your building(s).

Section 112 alterations to an existing building

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 (TA) 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 will comply ANARP (as nearly as is reasonably practicable) with Building Code requirements for means of escape from fire and access and facilities for persons with disabilities, after the proposed building work has been carried out, Council will need information on the building's current level of compliance. This information should be supplied with the consent application, on a Section 112 - Gap Analysis Sheet.

Under S 112 1B, the building must continue to comply with other provisions of the building code immediately before the building work began, continue to comply with those provisions; or if it did not comply with the other provisions of the building code immediately before the building work began, continue to comply at least to the same extent as it did then comply.

Specified Systems

Building consent applications must include compliance schedule information where specified systems are involved. This requires:

- Identification of all specified systems
- Design details for each system
- Performance standards the systems must achieve
- Proposed inspection, maintenance, and reporting procedures

Once the application has been formally received it will be sent to our processing team for a technical review. Any further information requests will be sent via the Simpli portal.

Specified Systems and Performance Standards will be listed on the Building Consent (Form 5).

What if the Performance Standard changes after the Building Consent has been issued?

If there are any changes to the Performance Standards an Amendment application will be required. It is recommended to submit these amendments as soon as possible to avoid any delays in CCC issue.

Amendments can be submitted via the Simpli portal

- Simpli

What if Inspections, Maintenance or Reporting changes after the Building Consent has been issued?

If there are any changes to the Inspections, Maintenance or Reporting a Minor Variation will be required. It is recommended to submit the MV application as soon as possible to avoid any delays in CCC issue.

- How to request a minor variation review
- Building Consent application for Minor Variation to Approved Plans [B148]

Further documentation required prior to CCC issue

As per the required CCC documentation that will be listed on the Building Consent (Form 5) and also listed on the documents tab in Simpli, you will be required to submit a completed B525 Specified System Information Sheet for each system.

Please merge these as one document to upload via Simpli.

- Specified Systems Information Sheet [B525]

Non-Electronic Applications

If you are unable to submit your building consent application electronically via Simpli, you will need to provide a Specified System form for each system being added, modified or removed as part of your supporting documentation.

- Specified Systems [B526]

Producer statements

Producer Statements from Engineers

Producer statements are typically used for specialist work, such as engineering, or where there is a proprietary product which is installed by appointed contractors. Aspects of this work will be outside the council's in-house expertise and a producer statement can assist the council when they are determining whether the building work complies with the Building Code. Councils will use their judgement when considering producer statements and how much weight to give them.

Here are some examples of work where a producer statement might be submitted

- An engineer may provide a statement relating to foundations

- A mechanical engineer may provide a statement relating to heating ventilation and air conditioning systems
- A tiler may provide a statement that the waterproofing membrane has been correctly applied

At the time of submitting the building consent application, you should be submitting relevant PS1s and PS2s.

A PS1 is a producer statement for design. It identifies the intent of the design and construction details required for compliance with the building Code.

A PS2 is a design review (peer review) by another suitably qualified Chartered Professional Engineer. A PS2 may be required by council depending on the construction value or building complexity. We recommend discussing this at a pre-application meeting.

If you choose to have the design peer reviewed using your own engineer, please ensure that the engineer who completes the peer review (and provides the PS2) is a Chartered Professional Engineer (CPEng) and has the correct competence to complete the review. Their review notes and recommendations should also be provided with the building consent application.

Design Producer Statements (PS1) will identify the additional inspections that are to be carried out in addition to the BCA's site inspections (construction monitoring), required by the suitably qualified independent design professional.

More information about Producer Statements can be found on the Engineering New Zealand website, or by calling them on (04) 473 9444.

Ensure that the producer statement is no older than 3 months since the date of signing for site specific designs, or 12 months since the date of signing for proprietary.

Producer Statements from tradesmen/qualified installers

Invercargill City Council uses a register of experts, who are not CPEngs whose producer statements will also be accepted. This register is maintained by the Southern Building Controls Group (SBCG) and is found on the Producer statements - Invercargill City Council of their website.

These producer statements will generally be used to cover installation of components that cannot be inspected by the Building Control Officers, such as waterproofing, membranes, mechanical services and fire alarms.

Producer Statements to support Code Compliance Certificate application

Additional Producer Statements (PS3 and PS4) may be required prior to issuing a Code Compliance Certificate.

AF3P 3rd party inspections

What are 3rd party inspections?

AF3P Third Party Inspection is the inspection by a third-party individual or organisation who is performing with the purpose of certifying compliance of the building work to the New Zealand building code, the issued building consent and associated technical specifications during and after construction. The third-party inspection people or organisation provides technical control, inspection, assessment, and certification services.

Generally, these are structural engineers or specialists in a particular field of construction. Situations where inspections are listed on the building consent documentation and the owner / applicant would like to use a 3rd party to verify the building work rather than ICC inspectors. These requests for 3rd party verification will be considered on a case-by-case basis.

Applications are usually made when the consent is lodged however an application can be made at any time prior to the building work commencing.

AF3P Inspection Procedure

Application: The applicant is to make a request before undertaking the building work using AF3P Application and review for 3rd Party verification in-lieu of on-site inspection(s) and upload via the Simpli portal or consents@icc.govt.nz email if this occurs after a consent is issued.

Review / Decision: A BCO will review and make a quick decision recording the person's ability to undertake the inspection and verification documentation to be supplied. The BCO notifies the applicant of the decision to approve or refuse. The approved AF3P Application for 3rd Party Certification or Evidence in place of on-site inspection is to be upload into the Simpli portal for the owner/agent's reference.

Third party inspections without prior approval: Where BCOs find third party inspections have been completed without approval, they will be instructed to stop work until resolved with the Team Leader of Inspections.

If this occurs the applicant will be asked to provide information on the missed inspections undertaken by a 3rd party for review by the Team Leader who will decide on the course of action which may include approval, further information or issue of an infringement notice under Section 367 of the Act for not complying with Section 90.

Changes of Use

You cannot make the proposed change until Council gives the owner written confirmation that the requirements of the Building Act 2004 have been complied with. This is typically done as part of a building consent.

Every building is designed for a specific use and has to meet Building Code requirements that ensure it will be safe, healthy and durable when used in the way it was designed. If that use changes, the building may need to be altered to support the new use.

A change of use is where a building incorporates a household unit where one did not exist before, or when use of a building or part of a building changes from one use to another as defined in the Building (Specified Systems, Change the Use and Earthquake-prone Buildings) Regulations 2005 (the Regulations) and the new use has more onerous or additional Building Code requirements than the old use.

Once Council receives advice about a change of use, they must confirm to the owner in writing whether they are satisfied that the building (in its new use) will meet the Building Code compliance requirements.

Requirements of the building code

If the change of use involves incorporating one or more household units into the building where there were none before, Council must be satisfied on reasonable grounds that the building (in its new use) will comply as nearly as is reasonably practicable with the building code in all respects.

If you are changing the use of a building or part of a building (section 115 of the Building Act

2004) you will need to supply information with your application

- Means of escape from fire
- Protection of other property
- Sanitary facilities
- Structural performance
- Fire rating performance
- Access and facilities for persons with disabilities will be addressed

For all other cases Council must be satisfied on reasonable grounds that the building (in its new use) will

- Comply, as nearly as is reasonably practicable, with every Building Code provision relating to either or both of
    - Means of escape for fire, protection of other property, sanitary facilities, structural performance and fire-rating performance
    - Access and facilities for people with disabilities (if this is a requirement under section 118 or the Building Act 2004)

- Continue to comply with other Building Code provisions to at least the same extent as before

The above information should be presented on the (Section 115) Change of Use to an Existing Building - Gap Analysis Form as part of your building consent application. Forms and guides - Invercargill City Council

An owner of a building must not change the use of the building in a case where the change involves the incorporation in the building of one or more household units where household units did not exist before, unless the Territorial Authority (Council) gives the owner written notice that the building, in its new use, will comply, as nearly as is reasonably practicable, with the Building Code in all respects.

In addition to the Building Code, the Territorial Authority will also need to be satisfied that the application complies with other aspects of legislation (such as the District Plan) and will advise if additional consents are needed.

If an existing building needs to be upgraded to comply with current building code requirements and there is good reasoning for the upgrade not to be undertaken, an ANARP (As Near as Reasonably Practicable) justification must be documented and provided with the building consent application.

If you are altering an existing building, for change of use or any other purpose, you may trigger upgrade provisions for the whole building. These provisions can be found in the Building Code.

Upgrade provisions relate to

- Means of escape from fire
- Access and facilities for people with disabilities (if relevant)
- Protection of other property

All other aspects of the building must continue to comply with the Building Code to at least the same extent as before the alteration.

Extension of life and subdivisions

Where a building with a specified intended life is issued with a building consent that is subject to the condition that the building be altered before the end of its life, an 'Extension of Life' can be obtained.

An owner of a building must give written notice to Council if it proposes extending the life of a building. If you intend to extend the life of a building (sec 116 Building Act 2004) or subdivide it (sec 116A Building Act 2004) 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?

This application can be made on the Simpli portal https://simpli.govt.nz/

For further information please refer to the Solid Fuel Burners page on the ICC website Solid fuel burners - Invercargill City Council

You will need to show evidence that the Fuel Burner complies with Southlands Regional Air Plan 2016, you can find more information here Air Plan - Environment Southland

Where can i get a current certificate of title?

Contact Land Information New Zealand on 0800 ONLINE/0800 665 463 or www.linz.govt.nz

Is there other information that i might need?

New Vehicle Access

Any building which requires a new vehicle access must be approved. Contact the Council's Works and Services department (03) 2111777 to discuss this. A detailed plan showing the location of the proposed access will need to be supplied with your application.

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?

If you're planning a development, subdivision or building there may be other legislation that you need to consider when submitting your application, such as the Resource Management Act 1991.

Depending on the nature of your project, it could impact on the environment or affect other people and you may need to apply for resource consent as well as building consent. A little under half of all applications for building consent will be checked by a Council planner to see if the proposal complies with the District Plan or if resource consent is required.

If a resource consent is required, a certificate issued under section 37 of the Building Act 2004 is attached to your project information memorandum (PIM) or building consent. A section 37 certificate precludes any work commencing until the resource consent has been granted. We strongly advise you obtain resource consent advice before seeking a building consent to avoid expensive changes to your proposal.

Some proposals require land use resource consent. If you are unsure if your proposal requires a resource consent, you can discuss the details with the planning department at the Invercargill City Council Please phone (03) 2111777 and ask for the planning department.

HOW MUCH WILL MY BUILDING CONSENT COST?

This depends on the type of application, cost of work involved and the level of detail provided.

The Invercargill City Council has a schedule of fees that details the costs associated with each application type. Fees associated with an application are required to be paid before the application is accepted for processing.

There may also be other associated charges that will be included in the total fees such as

- Levies payable to the Ministry of Business innovation and Employment, payable on all applications $65,000 incl. GST or more (Building Levy Order GST inclusive)
- Levies payable to BRANZ (payable on all applications $20,000 or more)
- Accreditation levies (payable on all applications $5,000 or more)
- Additional time spent processing the application
- Additional inspections required
- Issue of compliance schedule (if applicable)
- Vehicle Crossing
- Water meter connection (if applicable)

If you request to withdraw your consent, we may lapse and consider a partial refund of current fees taking into account processing and administration costs.

A schedule of fees is available from our website Fees and charges - Invercargill City Council or collected from The Council's main office in Invercargill or from the Bluff service centre. Fees can be paid at the office or by internet banking.

The BCA may charge additional fees for processing time where a large amount of time has had to be spent processing the consent or for additional inspections.

Please note that any fees or charges outstanding at the time of submitting an Application for Code Compliance Certificate may prevent it from being issued.

If your building consent application is refused once processing has started, you will be charged for time spent and administration costs.

ICC does not charge Development Contributions.

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

BRANZ Limited is an independent and research, testing, and information resource for the building and construction industry. Further information can be found at: www.branz.co.nz

What is the Accreditation Levy?

The Accreditation levy is collected by the Invercargill City Council to cover the statutory biannual accreditation of the BCA.

Who are 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 or a minor variation **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 an amendment or minor variation. 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 to a building consent requires a Form 2 to be completed, so that the amendment can be processed by the BCA.

Amendments can be applied for through the Simpli portal https://simpli.govt.nz/ or a non-electronic application form can be submitted if required Forms and guides - Invercargill City Council

Minor variations

Minor variations are changes that do not usually affect compliance with the Building Code. They are a minor modification, addition, or variation to a building consent that does not deviate significantly from the plans and specifications to which the building consent relates.

The following are examples of minor variations and do not constitute an exhaustive list:

- Substituting one internal lining for a similar internal lining
- Substituting the type of timber treatment
- Minor wall bracing changes
- A change to a component (e.g., fixing bracket)
- A construction change (e.g., the framing method around a window when the window is changed to a door)
- Changing a room's layout (e.g., the position of fixtures in a bathroom or kitchen)
- Changing one brand of insulation for another
- Changing the type of taps
- Altering the position of kitchen joinery or non-structural walls or doors

Minor Variations are to be approved onsite (via inspection). The process and forms are available on our website Forms and guides - Invercargill City Council

WHAT ARE BUILDING CONSENT CONDITIONS?

Once you have made an application for building consent and before the application can be granted (approved), Council must identify any relevant conditions applicable to your project. These conditions relate to specific sections 67, 72, 75, 90, 113 of the Building Act 2004 and will be identified on the building consent.

Waiver and modifications (Section 67)

Waivers and modifications allow the tertiary authority ('TA' or Council) to exercise judgement when dealing with unusual building compliance situations. A waiver or modification of the Building Code

may be subject to any conditions the Council considers appropriate and these conditions are identified within the building consent.

Building on land subject to natural hazards (Section 72-73)

Your consent application may be subject to natural hazards, Council is required to assess whether your project will be subject to one or more of these hazards (identified in Section 71 Building Act).

- Erosion (including coastal, bank and sheet erosion)
- Falling debris (including soil, rock, snow and ice)
- Subsidence
- Inundation (including flooding, overland flow, storm surge, tidal effects and ponding)
- Slippage

New building work or major alterations should be designed with any natural hazard in mind. You can apply for a building consent to carry out work on land with hazards; however, you'll need to demonstrate how you will protect the building, the land, and any other properties potentially affected by the work.

Section 72 of the Building Act 2004 requires Invercargill City Council to consider building consents for new buildings or major alterations on land that is subject to a natural hazard and refuse to grant the building consent if the situation is made worse, or grant the building consent subject to Section 72 if the building work is subject to a natural hazard.

When a building consent is issued subject to section 72, the Council must notify the Registrar General of Land to arrange an endorsement on the Certificate of Title advising that the consent has been issued pursuant to section 72 of the Building Act 2004.

Construction of building on 2 or more allotments (Section 75, 77)

If your building project involves building work that comprises of (crosses the boundary) 2 or more allotments, the council is required to undertake certain obligations. The territorial authority (council) must issue a certificate (section 77 certificate) stating that, as a condition of the building consent for the building work to which the application relates, 1 or more of those allotments specified by the territorial authority (the specified allotments) must not be transferred or leased except in conjunction with any specified other or others of those allotments. Therefore, the building consent cannot be granted until the certificate has been issued or at least a copy of the certificate has been lodged with the Register-General of Land (LINZ). This condition will be noted within the building consent.

Inspections by building consent authorities (Section 90)

Every building consent is subject to the condition allowing agents (staff or contractors) that are authorised by council to carry out inspections during normal working hours for the purpose to inspect

- Land on which building work is being or is proposed to be carried out
- Building work that has been or is being carried out on or off the building site
- Any building

In this section, inspection means the taking of all reasonable steps to ensure that building work is being carried out in accordance with a building consent.

Buildings with specified intended lives (Section 113)

When you make an application for a building consent, either a new build or/and alteration to an existing building and you have stated that the intended life is to be less than 50 years, council may grant (approve) the consent which will be subject to

- The condition that the building must be altered, removed, or demolished on or before the end of the specified intended life
- Any other conditions that the territorial authority (council) considers necessary

These conditions will be noted within the building consent. These are conditions imposed on your building consent which are deemed necessary to ensure compliance.

WHAT ARE BUILDING CONSENT ADVICE NOTES?

Building consents often have advice notes indicated on the Form 5 by the BCA 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. It is important that you read and understand all advice notes of the building consent before commencing work. If you do not understand any of the advice notes, please contact us 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 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. Invercargill City Council offers remote inspection service, where an inspector will complete the inspection using WhatsApp or other video apps from a cell phone.

When your application is processed, the building officer will determine what inspections are necessary. Each inspection will be identified on your site check sheet attached to your building consent. Typical inspections may include but not limited to siting, foundations, concrete masonry, concrete floor slab, pre-cladding, cladding, pool fencing, wet area membranes (new inspection type) and 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 building consent and will be recorded by the inspector within the system accordingly.

Sometimes it is necessary for specialists to conduct inspections in addition to the inspections carried out by the Building Consent Authority (BCA). If a specialist inspection is necessary, you will be advised within the building consent. Generally, these inspections are necessary to confirm ground stability or specific design by a registered engineer.

It is the owner's responsibility to ensure that the BCA is contacted at the appropriate times to undertake the required inspection. Please ensure that you or your agent are on site for the inspection and that you have the consented plans and documentation with you (including any amendments).

The inspection will not be carried out if the approved documentation is not available. Building Inspectors are authorised to conduct inspections at all times during normal working hours. Safe access to all areas to be inspected must be provided to officers carrying out inspections. Our officers may refuse to carry out an inspection if health and safety risks aren't being adequately managed on site.

Please ensure you read inspection requirements and are familiar with them before commencing work. If in doubt, please ask.

Missed inspections may mean that a CCC cannot be issued.

How do I book an inspection?

Building inspections are booked through the administration team by phoning phone (03) 2111777 (please do not contact the building inspectors directly). Inspections are undertaken Monday - Friday 9.00am to 4.00pm (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
- Email address of where the site inspection result will be sent to
- Date and time the inspection is required
- Type of inspection, i.e., plumbing, drainage, foundation, pre-slab, pre-line
- If RBW please provide the names of any relevant LBP's including licence registration number

NB: It is your (or your builder's) responsibility to notify Council a minimum of 24 hours before you require an inspection.

As per Regulation 7A, ICC is committed to ensuring that a minimum of 80% of building inspections are carried out within three working days of your requested inspection date (if we cannot do it on the date you requested).

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 report and emailed to the nominated person. It is a requirement 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 inspector fails the inspection or work is non-compliant or unsafe.

Approved documentation will be used to verify construction.

What if the inspection is not approved?

If the inspection fails, the work to be fixed will be recorded on the site inspection sheet. Another inspection will be required to inspect the remedial work. In some cases, work may have to stop, in others 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 officer, it is possible that a Notice to Fix (NTF) will be issued.

Please note that re-inspections may incur additional charges.

It's also important to understand that building control officers may refuse to complete the inspection if the site is seen to be unsafe.

What is a Notice to Fix (NTF)?

A Notice to Fix (NTF) is a formal notice issued by the Building Consent Authority advising that certain works have not been carried out in accordance with the building consent or the Building Code/Act. If an NTF is issued you must address the issues identified within the prescribed timeframe to prevent further action being taken. Typically, an NTF will be issued for serious or ongoing breaches. If a notice to NTF is issued, documentation identifying and explaining the process will accompany it. We would however prefer to work with you to get compliance rather than go down this track.

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 time frame on an owner to complete work, on the 2-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 us to discuss time frames.

When the work is complete you must apply for CCC by completing a Form 6 application. You will need to supply details of who did the work and when the work was completed. Record of Works by Licensed Building Practitioners, Energy Certificate (gas or electrical if applicable) and Current Manufacturers Certificates (relating to modular components) must be submitted with the Form 6 application.

You can either apply for CCC by completing the Form 6 Application on the Simpli website (https://simpli.govt.nz/) or by completing the non-electronic Form 6 Forms and guides - Invercargill City Council

Once the Form 6 has been accepted the clock is started and 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 documentation has been received. The required documentation will be listed on the building consent. If all building work is in accordance with the Building Consent and Building Code and documentation supplied is acceptable a code compliance certificate (CCC) will be issued. If CCC cannot be issued the 20-working day clock is stopped and further information sought or the CCC will be refused.

The CCC can only be issued where the BCA is satisfied on reasonable grounds that the work complies with the consent and the Building Code.

Does a residential property require a Compliance Schedule?

A Compliance Schedule is a document issued by the building consent authority for buildings which contain specified systems.

Generally, Compliance Schedules apply to commercial buildings, but if a residence contains a cable car it will need to have a Compliance Schedule prepared. This will be done when the Code Compliance Certificate is issued. You can read more about Compliance Schedules in the 'Commercial Buildings and Premises for Business and Professional Purposes' section.

Producer Statements – Construction Review

In some case the BCA may accept a producer statement from a suitably qualified person verifying compliance with the Code or consent.

A producer statement (expert opinion) for design (PS 1) 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 Chartered Professional Engineer (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.

If you choose to have the design peer-reviewed using your own engineer please ensure that the engineer who completes the peer review (and provides the PS2) is a Chartered Professional Engineer (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 at Engineering New Zealand | Te Ao Rangahau (engineeringnz.org) or by contacting Engineering NZ on 04 473 9444.

It is strongly recommended that you check with the building department to ensure the engineer you are using is considered to be competent to do so. Identified also are additional inspections required by the suitably qualified independent design professional that are to be carried out along with and including BCA inspection requirements.

A Construction review PS4 (statement of expert opinion) will be required to be issued by the agreed suitably qualified independent design professional were requested prior to issuing a Code Compliance Certificate. 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 completed 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. Inspectors will not inspect unsafe sites.

What are Multi-Proof Approvals?

Multiproof are issued by the National Multiple-Use Approval Service of the MBIE. A Multiproof Certificate is a statement by the Ministry that a specific set of building plans and specifications complies with the New Zealand Building Code (NZBC).

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 request for further information process is the same as if it was not a multi-proof application. The BCA has 10 working days to issue a Multiproof consent.

What is Built-Ready?

Voluntary certification scheme for off-site modular component manufacturers who meet certain requirements. This scheme forms part of the Building Amendment Act 2021.

If manufacturers meet robust quality standards and criteria, they can apply for certification to produce modular building components in one of two ways:

- Manufacture only – they can manufacture modular building components to a building code compliant design.
- Design and manufacture – they can manufacture modular building components to a building code compliant design that they have developed or adapted themselves.

Third party inspections, audits and post-certification surveillance will ensure certified manufacturers are producing modular components that meet the requirements of the New Zealand Building Code.

BCAs will focus on on-site building work not covered by the MCM certification such as site works, foundations, plumbing and electrical connections or connections to utilities such as sewerage and storm water.

CODE COMPLIANCE CERTIFICATE (CCC)

What a Code Compliance Certificate is

A Code Compliance Certificate (CCC) is the formal confirmation issued by the Building Consent Authority (BCA) that the completed building work complies with the building consent. You should apply for a CCC when all building work is finished and all required documentation has been supplied.

When and how to apply for a CCC

You may apply for a CCC as soon as all building work is complete, all required inspections have been passed, and you have collected the documents needed to support your application.

To apply, you must

- Complete the CCC application (Form 6)
- Provide required supporting documentation
- Pay any outstanding fees or levies
- Submit the application to the BCA (online or in person)

What if a CCC application is not applied for?

If a Code Compliance Certificate (CCC) application has not been made by the two-year anniversary of the granting of the building consent, the BCA is required to make a decision on whether or not to issue a CCC. If the BCA decides it cannot issue a CCC at this time the building consent will be given the status of ‘CCC Refused’ and the owner/applicant will be notified by a refused Code Compliance Certificate notification letter.

CCC Refused status does not restrict you from completing the work and applying for a CCC at a later date however, please be aware that in progressing the work you will need to ensure any further inspections listed under the building consent are notified to Council for it to be in a position to issue the CCC at completion.

How CCC applications are processed

Once your application is received and accepted, the BCA has 20 working days to make a decision.

This may include

- Checking that all mandatory inspections have occurred
- Reviewing inspection records
- Assessing whether supplied documents demonstrate code compliance
- Checking that the completed work matches the approved building consent plans
- Confirming any specified systems are installed and operating as required
- Preparing or updating the compliance schedule (if applicable)

Requests for further information (RFI)

If the BCA requires more information, it will issue a Request for Further Information (RFI).

- When an RFI is issued, the 20-day statutory clock stops
- When you provide the requested information the 20-day statutory clock restarts

If further information is required an RFI (Request for Further Information) will be raised and sent to the nominated contact person from the application. If a response is not received within 90 days of the date of this letter, a reminder will be sent with a further 10 days to respond. A decision will be made by Council to refuse or issue Code Compliance Certificate.

Documentation you will need to provide

You may need to supply some or all of the following

- Record of Building Work (RBW/LBP certificates)
- Certificates from electricians, gasfitters, drainlayers or plumbers
- Producer statements (e.g., PS3/PS4)
- As-Built drawings and details of any changes
- Evidence that required inspections were completed
- Evidence relating to alternative solutions (if applicable)
- Information about specified systems (if applicable)
- Any other information reasonably required to demonstrate compliance with the Building Code and building consent

How the BCA makes it decision

The BCA must be satisfied on reasonable grounds that the building work complies with the building consent, the Building Code and the Building Act 2004 – Section 94.

The decision will be one of the following

CCC Issued
You will receive the CCC along with the compliance schedule (if your building has specified systems)

CCC Refused
The BCA must refuse the CCC if it is not satisfied the building work complies with the building consent. You will receive written reasons for refusal and information about what is needed if you wish to re-apply or seek clarification.

How you will be notified

Once the decision is made, the BCA will notify you in writing.

You will receive

- The CCC (if issued), including approved documentation and/or updated compliance schedule
- Or a refusal letter explaining the reasons and next steps

COMMERCIAL BUILDINGS AND PREMISES FOR BUSINESS AND PROFESSIONAL PURPOSES

Section 363 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 Code Compliance Certificate (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 before the Code Compliance Certificate is issued. Each application will be considered on a case-by-case basis.

What buildings are considered public access?

If the public uses all or part of your building, and you want them to access it before your building work has been signed off as complete, you can apply to your council for a certificate for public use. Your application will need to show that all or part of the building (whatever you are applying for) can be used safely by members of the public.

Premises intended for public uses are likely to include, but are not limited to:

- Shopping malls
- Cinemas
- Marae
- Schools and childcare centres
- Hospitals and rest homes
- Camping grounds
- Visitor accommodation
- Garages and workshops
- Funeral homes
- Clubrooms and recreation centres with public access
- Restaurants and bars
- Offices and retail complexes
- Public foyers in office and apartment buildings
- Public structures

People who control premises should check their building records to ensure all building work affecting the premises has received a building consent and code compliance certificate.

The extent of the premises considered 'affected' will depend on the project. 'Affected by building work' can mean work occurring on the premises or work being done elsewhere in the building if it poses a threat to public safety on the premises.

For example, if you were adding an outside extension or smoking area to a public bar the business could remain open, but in a limited capacity whilst building work is underway. The public must be able to enter without passing by or through the building work. The site and any tools or materials must not be accessible to the public. The public must not be able to access any part of the premises where the structural integrity is compromised by the work, or where the public's safety is compromised.

You can only apply for a certificate for public use if a building consent has been granted but the code compliance certificate has not been issued. You will still need to apply for a code compliance certificate once the building work has been completed.

You need to apply to your council, on the appropriate form 15 or on your local council form. They may need to inspect the building.

Compliance Schedules

What is a Compliance Schedule?

A Compliance Schedule is a document issued by the building consent authority for buildings which contain specified systems. Specified systems as per schedule 1 of the Building (Specified Systems, Change the Use, and Earthquake-prone Buildings) Regulations 2005 include:

1. Automatic systems for fire suppression
2. Automatic or manual emergency warning systems for fire or other dangers
3. Electromagnetic or automatic doors or windows
4. Emergency lighting systems
5. Escape route pressurisation systems.
6. Riser mains for use by fire services
7. Automatic back-flow preventers connected to a potable water supply.
8. Lifts, escalators, travellators, or other systems for moving people or goods within buildings.
9. Mechanical ventilation or air conditioning systems
10. Building Maintenance units providing access to exterior and interior walls of buildings
11. Laboratory fume cupboards
12. Audio loops or other assistive listening systems
13. Smoke control systems
14. Emergency power systems for, or signs relating to, a system or feature specified in any of the clauses 1 to 13
15. Any or all of the following systems and features, so long as they form part of a building's means of escape from fire, and so long as those means also contain any or all of the systems or features specified in clauses 1 to 6, 9 and 13
    a. Systems for communicating spoken information intended to facilitate evacuation; and
    b. Final exits (as defined by clause A2 of the building code); and
    c. Fire separations (as so defined); and
    d. Signs for communicating information intended to facilitate evacuation; and
    e. Smoke separations (as so defined)
16. Cable Cars

A compliance schedule must be kept on site or in an electronic record format and made available to building officers, Independent Qualified Persons (IQP's) and authorised agents.
The compliance schedule needs to list the building's specified system design features and the inspection, maintenance and reporting procedures needed to keep them in good order along with the performance standards that must be met for the life of the building.

Applications for a building consent need to contain compliance schedule information for

- A new building with any specified systems
- Building work in an existing building that includes modifying or adding to the specified systems – this requires an amendment to an existing compliance schedule

A compliance schedule is required for a building that

- Is not wholly a single household unit (for example, includes commercial and industrial buildings but not stand-alone houses) and contains one or more specified systems (including cable cars)
- Is wholly a single household unit and has a cable car attached to it or servicing it

Building consent applications are assessed to determine whether specified systems are being added, altered or removed as part of the project. When the building consent is issued, a list of the specified systems being added or altered and their performance standards is attached. Compliance schedules as a result of building work are issued with the code compliance certificate.

A compliance schedule must be kept on-site unless at another place by mutual agreement with Council. It must be made available to Council officers, independent qualified persons and authorised agents at all times.

Further information can be found on the MBIE website at:

https://www.building.govt.nz/projects-and-consents/sign-off-and-maintenance/completingyour-project/compliance-schedules/#jumpto-compliance-schedulecontent

What is a Compliance Schedule Statement?

A Compliance Schedule Statement is issued by the Territorial Authority (TA) and states the specified systems contained in the building and notes where the Compliance Schedule is kept.

A Compliance Schedule Statement is issued on Form 10 of the building (Forms) Regulations 2004 by the Territorial Authority.

It is required to be publicly displayed for the 12 months after the first Compliance Schedule is issued.

Note – It is not a statement about the performance of the specified systems listed.

How do I obtain a Compliance Schedule?

A compliance schedule must be applied for at the same time a building consent application is made and will be issued with a Code Compliance Certificate (CCC) by the Building Consent Authority (BCA) for

- New buildings (if the building has one or more specified systems)
- An alteration to a building where the work requires a building consent

If you are planning to obtain a CPU on a new building you will need to provide details of the inspection and maintenance descriptions for the specified systems so these can be added as a condition to the CPU. The Compliance Schedule will be issued when the CCC is issued.

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 to apply for a Compliance Schedule?

Your architect/designer should provide you with 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.

The Building Act 2004, section 45(1) (g) specifies that an application for building consent must be accompanied by either one of the following:

- If a compliance schedule is required as a result of building work a list of all specified systems for the building
- If an amendment to an existing compliance schedule is required as a result of the building work, a list of all specified systems that are being altered added or removed in the course of the building work

Plans and specifications as defined under section 7 of the Building Act 2004

Plans and specifications mean the drawings, specifications, and other documents according to which a building is proposed to be constructed, altered, demolished or removed; and includes the:

- Specified systems that the applicant for building consent considers will be required to be included in the compliance schedule under section 100, and;
- The proposed procedures for inspection, maintenance and reporting procedures for the purposes of the compliance schedule for those specified systems.

To comply with section 45 of the Building Act the building consent application must include a completed:

- Specified system form for building consent applications for every specified system in the building that is being added, altered or removed in the course of the building work. Incomplete forms and applications will not be accepted for processing

How do I amend a compliance schedule?

Amendments are required where specified systems are installed or removed. Where systems are altered, we will assess the extent of the changes to the installation, inspection and maintenance performances. Generally, if the performance standards remain unchanged an amendment will not be required.

For example; where the only building work related to a specified system is the relocation of a couple of sprinkler heads and the performance standard of the system remains the same, the code of compliance certificate can be issued without an amended compliance schedule.

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

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

Building Warrant of Fitness (BWOF)

What is a Building Warrant of Fitness (BWOF)?

A Building Warrant of Fitness (Form 12), is a statement issued annually on the anniversary of the issue of the Compliance Schedule by the building owner to Council stating that the requirements of the compliance schedule have been fully met.

The Building Warrant of Fitness (BWOF) must have attached to it all certificates of compliance issued by the Independent Qualified Person (IQP). These documents must be issued in the prescribed form (Form 12A) and certify that the inspection, maintenance and reporting procedures stated in the compliance.

The ICC website has additional information about Building Warrants of Fitness.

As an Owner what am I responsible for?

Section 101 of the Building Act provides that the Owner of the building for which a Compliance Schedule is required under section 100 must obtain a Compliance Schedule.

Failing to do is an offence carrying a fine up to $20,000, and further $2000 for every day that the offence is continued. Owners are responsible for knowing what Specified Systems are installed in their buildings and that these are listed correctly on their Compliance schedule.

Owners are responsible to ensure

- Each of the Specified Systems are performing and will continue to perform to the performance standard
- Provide Council with an annual BWOF on the anniversary of the BWOF renewal date on the Compliance Schedule, accompanied with a Form 12A from an IQP, for each Specified System and any recommendations of amendment to the Compliance Schedule
- Compliance Schedule should be kept at the place stated on the schedule.
- The Compliance Schedule is available for inspection by any person or organisation with the right to inspect the building under the Act
- For the first 12 months after the Compliance Schedule is issued that the compliance statement is displayed in a public place within the building and after 12 months that the BWOF is displayed
- To obtain annual written reports relating to the inspection, maintenance and reporting procedures of the Compliance Schedule
- Annual reports, together with the Compliance Schedule are to be kept for a period of 2 years and produce these reports when required

Recommendation to owners

- Engage with an IQP from the Day that the Compliance Schedule is issued
- Advise Council if the IQP will be your agent and if they are to receive all communication with the owner
- Letters in lieu will not be accepted for SS1 /SS2 and all other systems will be agreed on by council on a case by case

Email documents or contact us for further information at: building.compliance@icc.govt.nz.

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

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

You are required to keep all reports together with the Compliance Schedule (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 IQP's are required to be registered with Council.

The IQP is responsible for:

- Inspecting specified systems to make sure they meet the standard listed in the compliance schedule
- Issuing a Form 12A and annual report for each specified system they are testing and maintaining
- Liaising with the building owner regarding the need to maintain or replace specified systems

COMPLAINTS

What happens if I am unhappy about any decision the building consent authority has made?

You have the right to appeal any decision in relation to building work the Building Consent Authority (BCA) has made, or to lodge a complaint about any building control function the Building Consent Authority (BCA) undertakes. A customer has a right to complain and have their complaint managed.

What is a building control function?

A complaint in relation to building control is defined as a complaint about

- Meeting statutory time frames
- Lodgement or vetting of building consent application
- Processing of building consent applications
- Inspection of work under construction
- Issuing of a notice to fix
- Issuing of code compliance certificates
- Issuing of compliance schedules failure to provide appropriate information or advice fees and charges
- 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. The process for a complaint can be found Complaints - Invercargill City Council

Complaints should be addressed to:

Manager Consenting and Applications
Invercargill City Council
101 Esk Street
Invercargill

What information is required?

- Date incident occurred
- Nature of complaint (guidance information, vetting, lodgement, inspection, notice to fix, code compliance certificate or compliance schedule)
- Copies of any supporting information (if applicable)
- Relationship (customer, regulator, or stakeholder)

How long does it take?

Acknowledgement of the receipt of your complaint shall be issued within 2 working days of the complaint lodgement date. At this time, you may be asked whether you wish to be heard in relation to the complaint or to provide further information.

All complaints shall be fully processed within 20 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 Officer
Invercargill City Council
101 Esk Street
Invercargill

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 *in relation to any council decision to do with building work,* you may apply to the Ministry of Business, Innovation and Employment (MBIE) for a **determination.**

A building owner might want **a determination** when;

- A council refuses to issue a building consent for a proposed building

- They have been refused a code compliance certificate for a building that appears to be completed and they believe is compliant
- Building work on a neighbouring property is affecting the stability of their own property
- They disagree with a notice to fix

Please visit www.building.govt.nz for further information on this service.

USEFUL WEBSITES/TELEPHONE NUMBERS

Name	Website	Phone
Licensed Building Practitioners (LBP) register	Practitioner Search | Kete	
Plumbers, Gasfitters and Drain layers register	Plumbers, Gasfitters and Drainlayers Board	
Ministry of Business, Innovation, and Employment (formerly DBH)	https://www.building.govt.nz/	0800 60 60 50
Environment Southland	www.es.govt.nz	0800 76 88 45
BRANZ	www.branz.co.nz	0900 5 9090
Consumer Build (Independent advice)	Building & renovation — Consumer NZ	
Land Information New Zealand	www.linz.govt.nz	
Engineering New Zealand	https://www.engineeringnz.org/	(04) 473 9444
Warm Homes Trust	Southland Warm Homes Trust | Warmer, Healthier Homes	
Fire and Emergency New Zealand	https://fireandemergency.nz/	
Fire and Emergency New Zealand - Community Responsibility	Home | Fire and Emergency New Zealand	
NZ Homeowners' Building Guide	www.buildingguide.co.nz	(09) 360 8885
Simpli Portal	www.simpli.govt.nz	

USEFUL PUBLICATIONS

Name	Website	Phone
NZ Homeowners' Project Workbook – Your Guide to Building a Better Home	www.buildingguide.co.nz to order a local copy	(09) 360 8885
MBIE – Guide to applying for a building consent	Apply for building consent | Building Performance	

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