



Building compliance

Information booklet – December 2022

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The building process overview

What is a BCA (building consent authority)?

Building consent authorities are officials who enforce New Zealand's regulatory building control system. The New Zealand Building Act 2004 sets out a registration and accreditation scheme and technical reviews for BCAs. Southland District Council (SDC) is an accredited BCA.

BCAs perform the following functions:

- issue building consents (except consents subject to a waiver or modification)
- inspect building work for which it has granted a building consent
- issue notices to fix
- issue code compliance certificates
- issue compliance schedules
- when issuing building consents, a BCA must provide to the New Zealand Fire Service Commission a copy of every application for a building consent of a kind specified by a Gazette notice.

What is a TA (territorial authority)?

A territorial authority must perform the functions of a BCA for its own city or district. A territorial authority is responsible for any coastal marine area adjacent to its district that is not within the district of another territorial authority, and a territorial authority must perform the functions of a BCA within this area.

In addition to these responsibilities, a territorial authority performs the following functions (including any functions that are incidental and related to, or consequential upon these).

A territorial authority issues:

- project information memoranda
- building consents where the consent is subject to a waiver or modification of the building code
- certificates of acceptance
- certificates for public use
- compliance schedules (and amends compliance schedules).

A territorial authority also:

- follows up and resolves notices to fix
- administers annual building warrants of fitness
- enforces the provisions relating to annual building warrants of fitness
- enforces provisions relating to residential pools
- decides the extent to which buildings must comply with the building code when they are altered, the use is changed, or their specified intended life changes
- performs functions relating to dangerous or insanitary buildings
- performs functions relating to earthquake-prone buildings
- performs building safety evaluations following an earthquake or other emergency

- determines whether building work is exempt under Schedule 1 from requiring a building consent
- carries out any other functions and duties specified in the Building Act 2004.

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

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

Where to start when you want to build or renovate

Building and/or renovating your home is an exciting journey. Understanding the building process is key for it to be as stress free as possible. It is also important to understand your rights and obligations when undertaking building work.

[Homeowners rights and obligations](#)

MBIE provides some fantastic resources for you to look over and understand before starting your journey. The following link will take you through a simple flow chart to outline your first steps.

[Building process](#)

Before you start

Consider requesting a project information memorandum (PIM)

A (PIM) is a memorandum issued by Council which sets out information relevant to your building work.

This is information on special land features and may include some of the following information:

- 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 your proposed building work, or are adjacent to your building site.

A PIM will also identify any additional approvals required such as:

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

The PIM also includes

Confirmation, subject to other provisions of the Building Act 2004 that you may carry out the building work subject to:

- the requirements of the building consent
- 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
- any other information that Council holds that is relevant to your project.

NB: A PIM does not give any form of approval under the District Plan or Building Act 2004. Contact Southland District Council's planning department, or your own planning advisor 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?

While we do recommend obtaining a PIM prior to applying for a building consent, they are voluntary. They can be applied for separately or in combination with your building consent.

How to apply for a PIM

A PIM can be applied for through the Simpli electronic lodgement portal - <https://simpli.govt.nz/>. If you are unable to submit your application electronically, please contact Council to discuss lodgement options.

Documentation required

All applications must be accompanied by a

- Scope of works
- site plan
- floor plan
- building elevations
- site access
- drainage plan

How long does it take?

Council is required to issue the PIM in 20 working days of the application being received.

NB: If the PIM is applied for with the building consent, the timeframe for issue of both is 20 working days.

What is a site service assessment?

A site service assessment is information provided by the Council/ territorial authority (TA) to the BCA to set out information relevant to the building work enabling the BCA to process a building consent.

The BCA will provide a site information memorandum (SIM) to the customer where TA information has been provided to ensure that as an owner, you understand your obligations under various legislation such as resource management act 1991, district plan, Local Government Act 2002 etc.

Advice before you start

SDC offer a free 30-minute consultation to talk through your concept and give advice on the best way to proceed. You can book this via our website by following the link below or phoning us on 0800 732 732.

[Book a free 30 min consultation](#)

Also read the MBIE guidance on [planning a successful build](#)

Building consent information

What is a building consent?

A building consent is the formal approval issued by a building consent authority (BCA) stating that certain works, if properly constructed in accordance with the plans and specifications, comply with the New Zealand Building Act, the building code and all other applicable regulations under the Building Act specific to buildings.

You cannot undertake any building work which requires a building consent without this approval. Most building work requires a consent but some minor work is exempt under Schedule 1 of the Act.

[Exemption guidance for Schedule 1 of the Building Act 2004.](#)

You can also use this handy tool to help determine whether you need a building consent.

[Can I build It?](#)

Do you need consents?

The following list is a summary of building work that will need a building consent, but you should always check with Council to confirm:

- structural building - including additions, alterations, re-piling and some demolitions
- plumbing and drainage where an additional sanitary fixture is created (some repair and maintenance may be exempt)
- relocating a building
- installing a wood burner or air-conditioning system
- retaining walls higher than 1.5 metres (3.0 metres in rural area if designed by a chartered professional engineer)
- fences or walls higher than 2.5 metres, and all swimming pools and their associated fences
- decks, platforms or bridges more than 1.5 metres above ground level
- sheds greater than 30 square metres in floor area (sheds between 10 and 30 square metres will still need the help of an LBP or engineer or must use lightweight material in accordance with Acceptable Solution (B1/AS1)
- some earthworks.

Council will also advise if you need a resource consent or any other legislative requirements that need to be considered such as bylaws.

MBIE has good guidance on this subject under: [Check if you need consents](#), including information on failing to have a consent when one is required.

What is a resource consent and do I need one?

Depending on the nature of your project, it could impact on the environment or affect other people which means you might need to apply for a resource consent as well as a building consent. Your build may also fall under requirements under the Resource Management Act 1991. Our Council planner will look over your plans, if required, and will check these against any district or regional plans that may require you to obtain a resource consent or other permits.

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.

If you are unsure if your proposal requires a resource consent, you can discuss the details with the Resource Planning Department on 0800 732 732.

[Resource consent information](#)

[Understand your land so you design well](#)

Building on land subject to natural hazards

You need to consider how natural hazards may affect your building and any implications it will have on your insurance. You should therefore identify known natural hazards on the site or location plan and seek advice about these from [Environment Southland](#) prior to applying for your building consent.

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 affect the work will have on the hazard. Depending on the circumstances, the consent could be refused or granted subject to building modification (eg floor height) and/or 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.

You will also need to consider whether your land could be subject to liquefaction. The building code directs those building on liquefaction-prone ground to select appropriate foundations for new structures.

In areas with major liquefaction potential, you are strongly advised to get a chartered professional engineer to do site specific geotechnical investigations and specific engineering designs. MBIE guidance on liquefaction can be found on the following links:

[Building on ground with liquefaction potential](#)

[Identification, assessment and mitigation of liquefaction hazards](#)

Council will discuss with you any refusal or notification process relating to your consent.

What is restricted building work (RBW)?

This is work that is critical to ensuring your home is structurally sound, weathertight and covers some types of fire safety design. Only Licensed Building Practitioners (LBPs) can design and complete this work.

You can find further information on what is restricted building work at the links below:

[Restricted building work information](#)

[Carrying out restricted building work](#)

What is a Licensed Building Practitioner (LBP)?

An LBP is registered and required to keep their skills and knowledge up to date. Each LBP has a licence for the type of work they undertake. The LBP licence classes are as follows:

- design
- carpentry
- roofing
- brick and blocklaying
- external plastering
- foundations
- site.

The LBP will need to complete or supervise the completion of the relevant part of your building consent application.

The LBP will also be required to provide a Certificate of design work or record of building work. If you need to know whether you require an LBP click on the following link <https://www.lbp.govt.nz/>

An exemption may be given if you are an owner-builder completing work on your own home or holiday home. You will still have to meet the requirements of the building code and obtain any necessary consents before starting work. For further information click on the following link: [owner-builder information](#)

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. Building consents will be granted within the statutory timeframe of 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. A building consent application may be refused if we do not receive information within a timely manner or if the application is of poor quality.

Your building consent application may require checking by several departments. If this happens the clock may be suspended on more than one occasion. You are able to track the status of a building consent through the Simpli electronic lodgement portal.

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. This other person will be listed as the agent on the application form. We do recommend that the owner remains involved in the build and has oversight of how things are tracking.

Applying for your consent

Are you ready to apply for your building consent?

It is important that the application is good quality so that we can process this as quickly as possible to avoid any delays to the building work starting. MBIE provide some good guidance for you at this link [Applying for a building consent](#).

You will also need to provide information relevant to your building project. Our checklists are available to outline the information that you can use to assist you in making your application. These forms and checklists can be found:

- on the SDC website <https://www.southlanddc.govt.nz/my-property/building-consent/building-guides-and-forms/>
- collected from Council's main office in Invercargill
- collected from any of our district offices.

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.

How do I lodge an application?

Once you have gathered all the necessary information, you can lodge the application through the Simpli electronic lodgement portal.

<https://simpli.govt.nz/>

If you are unable to make this application electronically please contact Council to discuss lodgement options.

If you are lodging a commercial building consent it is recommended you contact Council on 0800 732 732 to arrange an appointment with a building consent processing officer to go through your application with you.

It is important to ensure that you provide site and project specific documentation that clearly show building code compliance. Incomplete and poor-quality applications can incur extra charges for the owner and may not be accepted.

What if I need to change my consent?

Changes to the issued building consent may be required during the build. It is vitally important that any changes to the building consent are notified to Council as soon as possible to avoid any delays. There are two types of applications and which one to use will depend on how large the change is.

Minor variation

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. Sometimes this can be considered and accepted on site during an inspection and at other times an application will be required. The building consent officer will guide you as to what is required.

Further information can be found here: [minor variation information](#).

Major variation (amendment)

This is where the work is outside the scope of the original building consent (for example, additional footprint or increases in floor area, construction method, or significant changes to the layout), this would be considered a major variation. An application for an amendment would need to be made to Council. Again, the building consents officer will guide you as to what is required.

Further information can be found here: [major variation information \(amendment\)](#)

To make an application for a minor variation or an amendment, you would log into your Simpli account and complete the correct forms and provide any relevant documentation. If you are not using Simpli, you can use a manual form which can be found at <https://www.southlanddc.govt.nz/my-property/building-consent/building-guides-and-forms/>

How is my building consent processed?

We will grant your building consent once we have checked the required documentation and we are satisfied on reasonable grounds that the building will meet the building code and any other legislative requirements.

If your application is incomplete we will ask you for further information using the Simpli portal. Once we have all the required documentation in full, our technical staff will review the information to make sure that we have everything required to grant the building consent. If we are missing any further information or need clarification on anything, we will request this via the Simpli portal.

Once accepted, your application is entered into Council's processing system and the statutory 20 working days' time clock will commence from the next working day after **all** required information is received. The application may then be allocated to the various required disciplines within Council for processing; ie resource planning, engineering, building, water, drainage, etc. Each discipline will review your application and assess it for compliance against the requirements of the building code along with all relevant act or legislative requirements. The 20 working day time clock will be suspended until the next working day after **all** information is provided in full.

Once we are satisfied that the building will meet all requirements, we will issue the building consent along with the invoice for payment. For an indication of what your building consent may cost please look here: <https://www.southlanddc.govt.nz/assets/fees-and-charges/final-fees-and-charges-2022-2023.pdf>.

Any unpaid fees may affect code compliance certificate (CCC) issuing.

NB: Building work can't begin until the building consent has been granted.

External parties

Some projects may need to be reviewed by the engineering unit of Fire and Emergency New Zealand (FENZ). They have 10 working 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, we may send applications externally for review, in particular for fire, onsite waste water or engineering peer review. There may be occasions where the BCA may also send consents to external contractors for processing.

Consent applications reviewed by Fire and Emergency New Zealand engineering unit

Council 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, they will have 10 working days in which to provide their feedback to Council.

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/2012go2694>

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

What happens during the build?

Once our building consent is granted and issued, you can start building. This is a very exciting part of the journey but it is still important to make sure that the building consent conditions are followed and that the approved plans are followed.

You will have required inspections to be completed which will be outlined as part of the building consent conditions. You may also have to supply certain documentation. All of which is outlined on your building consent. [Build to the consent](#)

It is the building owner's responsibility to get the sign off for the project by way of code compliance certificate. This means it is really important that the owner checks on work as it progresses and checks in with the building professionals to ensure everything is running smoothly. [Sign off and maintenance](#)

How long is my building consent valid for?

Under Building Act 2004 you will need to start building work to which the consent relates within 12 months from the date of the issue of the consent. If work has not started, the consent will lapse and be of no effect. This means you will need to apply for a new consent if you wish to start that work.

We will contact you to remind you of this. If the project has been delayed, you may apply for an extension to this time period.

If a code compliance certificate (CCC) application has not been made by the two-year anniversary of the grant of the building consent, the BCA is required to decide 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 'Refused CCC' and the owner/applicant will be notified by a refused code compliance certificate notification letter.

Refused CCC 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 types of information will I need to supply?

Building consent applications can be complex. We recommend 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 vetting checklists which includes the information below.

Information to support each application

1. Certificate of Title or rates notice – one copy - no older than three months old.
2. Plans
 - i. **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.
 - ii. **Floor plan - scale 1:100** (recommended scale). To be fully dimensioned, 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.
 - iii. **Cross section - scale 1:50** (recommended scale). To show full details of construction of foundations, reinforcing, floor structure, wall and roof structure, insulation and height above ground level.
 - iv. **Elevations - scale 1:100** (recommended scale). Four elevations of the proposed building are required to show all doors, windows, roof heights and external materials and finishes.
 - v. **Drainage plan - scale 1:200** (recommended scale). 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 drain layer or licensed person working under their supervision can carry out plumbing/drainage works).
 - vi. **Details – scale 1:5** (recommended scale). These are generally structural and weathertightness 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. They must give a full description of the type, size and grade of materials to be used, and the method of construction, including other trade section.
4. Engineering calculations/fire report (if applicable).
5. Alterations to existing buildings - under Section 112 of the Building Act 2004, 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:
 - a) The building will (among other things) comply as near 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 (if this is a requirement in terms of section 118.)
 - b) If the building complied with the other provisions of the building code immediately before the building work began, it will continue to comply with those provisions.

- c) If the building did not comply with the other provisions of the building code immediately before the building work began, it will continue to comply at least the same extent as it complied previously.

Section 112 of the Building Act also gives territorial authorities (TA) some powers to allow alterations to existing buildings (different provisions apply if you intend to change the use of the building.).

To determine whether an existing building will comply as near 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) Alteration to an existing building - gap analysis sheet.

6. Wall bracing layout (if applicable).
7. Roof truss (if applicable) – manufacturer's truss design and producer statement.
8. E2 risk matrix (demonstrating weathertightness features).
9. H1 analysis (demonstrating insulation requirements).
10. 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).

Other supporting documentation

Producer statements

These can help support your building consent application and CCC as long as they are considered accurate and reliable.

There are currently four types of producer statements, in use. They are known as:

- PS 1 – Design
- PS 2 – Design review
- PS 3 – Construction (often used by the installers of proprietary systems)
- PS 4 – Construction review.

We will be clear about when we would need to receive producer statements during the building consent process. These will also need to be produced when you apply for CCC.

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 Council's in-house expertise and a producer statement can assist 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.

[Producer statement information](#)

<https://www.engineeringnz.org/engineer-tools/engineering-documents/producer-statements/>

Producer statements from tradesmen/qualified installers

Southland District 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 here: <https://icc.govt.nz/building/producer-statements/>.

These producer statements will generally be used to cover installation of components, such as waterproofing, membranes, mechanical services and fire alarms that cannot be fully assessed during an inspection by the building control officers.

Producer statements to support code compliance certificate applications

Additional producer statements (PS3 and PS4) may be required prior to accepting an application for code compliance certificate, or issuing a code compliance certificate.

Change of use, extension of life and subdivisions

Change 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 you will need to supply information with your application regarding:

- means of escape from fire
- protection of other property
- sanitary facilities
- structural performance
- fire rating performance and
- 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:

1. comply, as nearly as is reasonably practicable, with every building code provision relating to either or both of:
 - a. means of escape for fire, protection of other property, sanitary facilities, structural performance and fire-rating performance
 - b. access and facilities for people with disabilities (if this is a requirement under Section 118 or the Building Act 2004)
2. continue to comply with other building code provisions to at least the same extent as before.

The above information should be presented on the change of use - Gap analysis form as part of your building consent application.

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.

[ANARP Assessment Information](#)

Extension of life and subdivisions

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.

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 (section 116 Building Act 2004) or subdivide it (section 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?

You must supply the make, model and year of manufacture of the appliance on your building consent application. Some information you need to supply includes, but is not limited to, specifications, the manufacturer's installation instructions, details on the flue system and flashings, and a complete floor plan of the building, indicating where the appliance is to be fitted and showing the location of the emergency warning devices (smoke alarms).

Complete an oil-fired burner or solid fuel burner check sheet to ensure your application is complete. You will need to show evidence that the fireplace complies with [Environment Southland's Regional Air Plan 2016](#). This application can also be made on the Simpli portal

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 Council's transport team on 0800 732 732 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.

How much will my building consent cost?

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

Southland District Council has a [Schedule of fees](#) that details the costs associated with each application type. 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 (MBIE) (payable on all applications with project value of \$20,444 or more); (Building Levy Order GST inclusive) for each \$1,000 or part \$1,000 eg \$25,001 project value always rounded up to \$26,000.
Levy = $(\$26,000/1000)*\1.75
- levies payable to BRANZ (payable on all applications \$20,000 or more) The rate is \$1.00 (including GST) per \$1,000 and part \$1,000.
- accreditation levy payable to SDC (payable on all applications with project value of \$20,000 (including GST). The rate is \$1.00 (including GST) per \$1,000 and part \$1,000.
- for staged building consents, the levies considered the estimated cost of all preceding stages
- additional time spent processing the application
- additional inspections required

- issue of compliance schedule (if applicable);
- vehicle crossing
- water meter connection (if applicable)
- other territorial authority related costs eg resource consent (if applicable)
- rapid number, if applicable
- CCC application fee.

Fees and levies for consents, additional inspections and code compliance certificates will all be calculated as they are processed and all fees owing will be invoiced. Invoices are payable via Southland District Council's website, internet banking or at the reception desk of any Southland District Council office. A [Schedule of fees](#) is available from Council's website or collected from Council's main office in Invercargill or any of Council's area offices. Fees can be paid at the office, by internet banking or via the website.

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 applying for code compliance certificate may prevent it from being issued.

Who is the Building Research Association of New Zealand (BRANZ)?

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

What is the accreditation levy?

The accreditation levy is a levy available to BCAs to cover the cost of their statutory biennial accreditation of the BCA.

What are development contributions?

Council provide infrastructure like water, wastewater, roading, etc, to service existing residents and businesses, and also to accommodate future growth.

Whilst the BCA does not charge for development contributions directly under the building consent due to providing these services, Southland District Council considers it may be appropriate that where new subdivisions and developments benefit from using existing infrastructure provided by the community, or where those developments require infrastructure extensions, the cost of that infrastructure should be met by those who create the demand.

For further information regarding development contributions refer to Section 2.14 of the [District Plan](#), or alternatively contact the resource planning department of Council.

What are building consent conditions?

Conditions are requirements imposed on your building consent under the Building Act 2004, which are deemed necessary to ensure the compliance of the proposed building.

The conditions are listed on the building consent and must be complied with. There are five specific conditions that can be applied to an issued building consent and owners and builder/developers should ensure that they understand these and their implications if:

1. The approved plans contain waivers or modifications to the building code issued by the territorial authority, section 67 of the Building Act 2004.
2. The building consent has been issued with a notification condition that the land is subject to natural hazards, see section 72 of the Building Act 2004.
3. The building consent has been issued subject to a condition to allow for building over two or more allotments, section 75 of the Building Act 2004.
4. The building consent under section 90 of the Building Act 2004, has been issued with a list of specific inspection types that will need to be conducted by a council officer or agent (typically at specific stages of construction) and may sometimes be required to be conducted by other professionals like structural engineers.

Professionals will have to provide documentation that they have conducted these inspections and they will need to be organised and paid for by the builder/developer/owner.

5. The building consent has been issued with the condition that the structure has a 'specified intended life' as determined by the owner/application, section 113 of the Building Act 2004

Where a resource consent under RMA has not yet been obtained and the resource consent will/ may materially affect building work to which a PIM or a building consent relates. The territorial authority must issue a Certificate under section 37 of the Building Act 2004.

The granting of a consent is always conditional under section 90 of the Building Act 2004, enabling officers of the BCA to be entitled at all times, during normal working hours, or while work is being done, to inspect building work which is being carried out.

Advisory notes may also be attached to the building consent. This information is provided to assist you. It is important that you read and understand all these requirements prior to commencing work. If you do not understand any requirement imposed, please contact us to discuss.

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 which have been previously agreed upon prior to the issuing of the application in order to demonstrate 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 us to discuss.

The inspection process

When can work begin?

Although you have received your building consent, you may not necessarily commence work on site if a resource consent is required, and will or may materially affect the building work. Where a resource consent is required, until it has been granted, building work may not proceed.

NB: This is also known as a section 37 Certificate and will be attached to the consent when issued, and charged for.

What inspections do I need?

When your application is processed, the building control officer will determine what inspections are necessary. Each inspection will be identified and attached to your building consent (Form 5). Typical inspections may include but are not limited to siting, foundations, concrete masonry, concrete floor slab, pre-cladding, skeleton, cladding, pool fencing and fireplaces, pre-line building and plumbing, post-lining, drainage and a final.

In some cases, finals will require two building control officers to undertake the inspection.

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 before the consent is issued.

Generally, these inspections are necessary to confirm ground stability, specific design by a Registered Engineer (CPeng), or where the building work is outside the current competency of the BCA.

It is the owner's responsibility to ensure that the BCA is contacted at the appropriate times to undertake the required inspections issued with the consent.

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 code compliance certificate (CCC) is unable to be issued.

How do I book an inspection?

Building inspections can be booked by:

- using the online booking tool ([Book an inspection online](#))
- emailing building-cs@southlanddc.govt.nz
- for consents submitted after 1 June 2020 you can use the GoBuild app, available on android and IOS.

For final inspections, a code compliance certificate application (form 6) will need to be submitted, vetted and accepted prior to Council contacting you to arrange a final inspection.

What happens during an inspection?

During inspections your building control officer will introduce themselves to the builder, site manager, owner or agent who is present and check that the approved building consent documentation is on site, along with the outcome of any specialist inspections that were advised on the consented documentation.

The building control officer will then check that the building has been built in compliance with the consented documents and the building code as it was at the time of application for the consent was issued. They will take photographs as appropriate.

Where specified system(s) have been included as part of the consented documents, the building control officer will verify that the specified system(s) (being added, amended or removed) in the building are capable of performing to the performance standards set out in the building consent.

During the inspection your building control officer will complete an electronic inspection sheet. This is the recording of the inspection findings. The building control officer will discuss their inspection results with the available onsite representative and email a copy through to the relevant contacts on the consent.

People and information needed on-site

It is recommended that the owner or an agent is available onsite for all inspections to ensure they are clear on the outcome. It is mandatory that a full set of approved plans be available on site during an inspection.

NB: No approved plans and documentation onsite will mean no inspection can be undertaken.

How do I know if the inspection has been passed?

At the conclusion of each inspection the outcome of the inspection is recorded on the site inspection sheet which will be provided to the relevant contacts on the building consent.

What if the inspection has not passed?

If the inspection fails, the work to be fixed will be recorded on an inspection site notice issued and sent to the relevant contacts on the building consent. Another inspection will be required to inspect the remedial work, in some cases photos may be acceptable in lieu of an inspection, and the inspector will clarify this on the inspection site notice. In some cases, work may have to stop (where work is non-compliant or unsafe), and in others some work may be allowed to continue (conditional continuation), 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.

What is a notice to fix (NTF)?

A notice to fix (NTF) is a formal notice (Form 13) issued by the BCA 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 an NTF is issued, documentation identifying and explaining the process will accompany it. We would prefer to work with you to get compliance.

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 conditions outlined by the building consent.

What happens once I've passed my final inspection?

Although there is no imposed timeframe on an owner to complete work, on 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 us to discuss timeframes.

Once work has been completed, the owner may apply for a CCC. A code compliance certificate (CCC) is a formal statement issued to state that building work carried complies with the conditions of the building consent. A code compliance certificate gives you and future owners an assurance that the building work was done to the appropriate standards, making it safe, healthy and durable. Lack of a code compliance certificate might prevent a bank from releasing a final builder payment or increase the cost of insurance cover.

An owner must apply for a CCC by submitting the Form 6 application for code compliance certificate via the Simpli portal. Once all the work described in the building consent is completed this form is to be submitted along with any subsequent approved variations that have been completed in accordance with the consented documents. To make an application you must complete a CCC application form including filling in details of who did the work and when the work was completed. The owner's agent may make the application on the owner's behalf. An application is included with the issued consent, but another can be requested by emailing building-cs@sd.govt.nz and specifying the building consent number or property address.

Depending on the complexity of the work type, supporting information such as energy certificates for gas/electrical work, warranty information for cladding system or deck/wet area membranes, as-built documentation, producer statements may be required. Construction review producer statements and various agreed certificates relating to specified systems may be necessary for more complex commercial buildings. For Restricted Building Work, the form 6 application for code compliance certificate must include records of work (RoW) from the Licensed Building Practitioners (LBP) involved in any foundation work, carpentry, brick and block-laying, external plaster, roofing and site management associated with project.

Once the application has been made to the BCA along with all necessary supporting information, the BCA has a statutory timeframe of 20 working days to decide whether to issue a CCC.

If either party considers 20 working days to be insufficient time, the BCA and the owner may agree on a further period of time. The BCA must then decide whether to issue a CCC within the agreed timeframe.

The BCA will complete the final inspection and ensure all documentation has been received. The required documentation will be listed on the building consent. If all building work complies and documentation supplied is acceptable a CCC will be granted. A final invoice (for any additional hours, inspections and CCC application fee) will be sent to you and once paid, the CCC will be issued.

Requests for additional information will be provided in writing and will generally be sent to the person responsible for the consent. The clock is stopped when a request for information (RFI) is issued to the applicant and only re-started the next working day after all supporting information that was requested has been provided. Where all the supporting information is not provided and the CCC cannot be issued, the 20 working day time clock is stopped and further information sought or the CCC will be refused. When

supplying amended documents in response to an RFI, always draw a revision cloud around the area of the change to allow clear identification of those changes.

Once approved, in cases where required, the BCA will issue you with a compliance schedule (stating the inspection and maintenance regimes of the building's specified systems and the location the compliance schedule will be kept as agreed upon), a compliance schedule statement (to be publicly displayed within the building) and a code compliance certificate (to be kept for your records).

Once you have received your CCC, your building work has been verified that it complies with your consent and no further inspections or approvals are required by the BCA. Your compliance schedule statement is valid for 12 months after which Council will forward a BWoF renewal reminder letter which includes a link to the MBIE website to obtain a copy of a building warrant of fitness (BWof) form.

A CCC can be withheld until any development contributions are paid, or any other fee for the likes of additional inspections. All fees owing will be invoiced once your consent has been processed. Invoices are payable via the Southland District Council website, internet banking or at any Southland District Council office.

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. building control officers will not inspect unsafe sites.

What are MultiProof approvals?

MultiProof is a statement issued by the Ministry of Business, Innovation and Employment (MBIE) that outlines that a set of plans and specifications for a building complies with the building code. The MultiProof is however limited to certain criteria and excludes site specific features of a design, these items are to be assessed by the BCA.

To be eligible for a MultiProof you must have the intention and the ability to build an approved design at least 10 times within a two-year period.

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.

When your building consent application includes a MultiProof the BCA must grant or refuse it within 20 working days from receipt of the whole application. If your consent is ONLY for a MultiProof the BCA must grant or refuse within 10 working days from receipt of the application. However, where the BCA identifies issues with the application surrounding the criteria of the MultiProof or site-specific features the application may be subjected to a request for further information, which will place the statutory clock on hold until the information requested is provided.

The BCA confirms and establishes:

- the design, with any permitted variations, is the same as the design approved in the MultiProof
- the proposed site meets the conditions of the MultiProof
- the site-specific features of the design comply with the building code
- the inspections required.

Commercial and industrial properties

Is your building open to the public?

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 or a certificate for public use (CPU) has been applied for and granted.

A CPU should be applied for and obtained prior to allowing any area of the building to be accessible by public for which a building consent has been issued and has not yet obtained a code compliance certificate.

When the CPU is granted, it will outline the area in which the public have access to within the building or part of a building that is to be used before the CCC is issued.

Each application for a CPU will be considered on a case-by-case basis. When applying for a CPU you will be required to provide a completed CPU checklist that shows how you are complying with the building code to the extent required by the BCA.

You can either use the Council's [Simpli web portal](#) or apply over the counter using the [form 15 application for certificate of public use](#), please note there are now additional charges for over the counter applications.

Please use the [check sheet](#) to see what additional documentation may be required with the application form, as this can expedite your application by having all the information available. Upload your completed check sheet to Simpli with your application.

What are public premises?

Any premises that are open to the public or intended for public use, whether free of charge or by payment of a charge, including but not limited to:

- shopping malls
- cinemas
- marae
- camping grounds
- garages and workshops
- funeral homes
- office and retail complexes
- rest homes, etc.

What is a compliance schedule

A compliance schedule is a document issued by the BCA that lists the specified systems (for example, automatic fire sprinklers, fire alarms, lifts, air conditioning systems) within building and the performance standards for those systems. The compliance schedule also states how the systems will be monitored and maintained to ensure they are performing in accordance with the performance standard to make the building safe and healthy for people to enter, occupy or work.

A compliance schedule is required for a building that:

- is not wholly a single household unit (for example, 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 consent is issued, a list of all the building's specified systems and their respective performance standards are included in the consent. Compliance schedules as a result of building work are generally issued with the code compliance certificate (CCC) however, if a CPU is applied for and issued, this may result in the issuing of the compliance schedule prior to obtaining CCC

A compliance schedule must be kept onsite unless at another place by mutual agreement with Council. It must be made available to building control officers, IQPs, and authorised agents at all times.

NB: Where a compliance schedule has been issued for the first time, a compliance schedule statement (Form 10) is also issued by Council. This is a temporary public notification of compliance with the compliance schedule requirements and is replaced after 12 months by the building warrant of fitness.

What is a compliance schedule statement?

A compliance schedule statement is issued by the SDC and serves as temporary notification of compliance schedule matters. It lists the specified systems and advises where compliance schedule is kept. A compliance schedule statement must be displayed in an area where it can be seen by all building users. It is issued at the same time as the code compliance certificate (ccc) or certificate for public use (cpu). It must be replaced every 12 months with a building warrant of fitness (BWoF), which is issued by the building owner.

Does my building require a compliance schedule?

Under the Building Act 2004, all buildings (other than single residential buildings, unless they have a cable car) require a compliance schedule and an annual building warrant of fitness (BWoF) if they contain specified systems.

Specified systems are crucial to the health and safety of a building and those who use it. As a building owner it is your responsibility to ensure the systems are inspected and maintained according to the compliance schedule

A compliance schedule is a document issued by the BCA that identifies the required maintenance for buildings which have specified systems. This is essentially a maintenance contract between the territorial authority and the building owner that these systems will be maintained as is necessary for ongoing compliance with the Building Act 2004. You should apply for a code compliance certificate (CCC) as soon as possible after all work has been completed in order to be issued a compliance schedule. This is an important document and must be retained in the location stated on the compliance schedule as agreed upon.

How do I obtain a compliance schedule?

You can apply for a compliance schedule by completing an application on the [form 11 application](#) and forwarding to building-cs@sdc.govt.nz.

What information do I need if I am applying for a compliance schedule?

Your architect/designer should provide you with information relating to the performance standards and the inspection, maintenance and reporting procedures for each specified system contained within the building at the time the application for building consent is made.

Will 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.

What is a building warrant of fitness (BWoF)?

A building warrant of fitness (BWoF) is a building owner's annual statement confirming the building is safe and healthy for people to enter, occupy or use.

Specified systems are safety systems of a building. These could be sprinkler systems, lifts, fire alarm systems, ventilation systems, these specified systems are listed on the compliance schedule for their building. The BWoF is the way of ensuring these systems have been maintained and checked in accordance with the compliance schedule for the previous 12 months.

A compliance schedule is issued by the BCA or the TA. It states the specified systems within a building, their performance standards and the inspection, maintenance and reporting procedures to be followed.

A BWoF must be displayed in an area of the building where it can be seen by all building users.

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 person, who has carried out any of the listed procedures, (inspection, maintenance or reporting). These reports are issued on a Form 12A of the Building Forms Regulations 2004 which are called 'certificate of compliance with inspection, maintenance and reporting procedures.

The number of Form 12As required to be obtained will depend on the number of specified systems in the building and the number of IQPs required to carry out the procedures.

You are required to keep all reports (certificates) together with the compliance schedule 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.

Southland District Council, along with all other BCAs in the South Island, uses a communal IQP list which is maintained by the Timaru City Council, on their website.

All IQPs are required to be included on that list if the documentation is to be accepted with BWoF renewals.

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?

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

- meeting statutory time frames
- 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 charge
- 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:

Manager – building solutions
 Southland District Council
 PO Box 903
 Invercargill

You can also email this complaint to esqualityassurance@southlanddc.govt.nz

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?

All complainants will be responded to within two working days 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 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
Southland District Council
P O Box 903
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, you may apply to the Ministry of Business, Innovation and Employment (MBIE) for a Determination. Visit www.building.govt.nz for further information on this service and to download the form (form 14).

In some cases, you can seek a determination from the Ministry of Business Innovation and Employment (MBIE) where there is a matter of doubt or dispute, or lay a complaint with the MBIE regarding building control function. Queries of this nature should be made to MBIE direct.

Complain about the building consent authority

If you have a problem or a concern about the building consent authority, contact Southland District Council on 0800 732 732 or send an email: sdcsdc@southlanddc.govt.nz

Southland District Council staff are the building consent authority, or in some instances, a contractor employed to carry out the role.

Visit www.building.govt.nz for further information on this process and to download the 'Complaint about BCA form'.

Withdraw your building consent application

Prior to the consent being granted

The applicant can request to withdraw their building consent application at any time prior to the consent being granted.

To withdraw a building consent application, the owner or agent (with the owner's approval) must make a written request to the Southland District Council or apply using the form on the website:

- By email: Building-CS@southlanddc.govt.nz
- By post: Building services, PO Box 903, 15 Forth Street, Invercargill 9840, New Zealand
- In person: at any SDC office.

Please note, depending on how much processing work has been completed, you will be charged for costs to date.

After the consent has been issued

Notify us in writing if you no longer wish to proceed with your building work after your building consent has been issued (and before it has reached the 12 month from issue date). Your consent will continue to remain active until it lapses at 12 months. At this time, you will receive a letter advising that your consent has lapsed.

At the time that your notification is received you may be eligible to receive a refund of any unused inspection deposits. You will need to request this refund. These will be calculated and issued to you. Please include payee and bank account details in your notification as above.

Useful websites/telephone numbers

Name	Website	Phone
Search the Licensed Building Practitioners (LBP) register	https://kete-lbp.mbie.govt.nz/advanced-building-practitioner-search/	
Plumbers, Gasfitters and Drainlayers register	http://www.pgdb.co.nz/search/public-register.html	
Ministry of Business, Innovation, and Employment (formerly DBH)	https://www.building.govt.nz/	0800 606 050
Environment Southland	www.es.govt.nz	0800 768 845
BRANZ	www.branz.co.nz	0900 5 9090
Consumer Build (Independent advice)	www.consumerbuild.org.nz/publish	
Land Information New Zealand	www.linz.govt.nz	
Engineering New Zealand	https://www.engineeringnz.org/	(04) 473 9444
Southland Warm Homes Trust	http://www.powernet.co.nz/community-involvement/southland-warm-homes-trust/	
Fire and Emergency New Zealand	https://fireandemergency.nz/	
Fire and Emergency New Zealand – Community Responsibility	https://fireandemergency.nz/at-home/your-community-responsibility/	
NZ Homeowners' Building Guide	www.buildingguide.co.nz	(09) 360 8885
Building code	http://www.legislation.govt.nz/regulation/public/1992/0150/latest/DLM162576.html	

Useful Publications

Name	Website	Phone
NZ Homeowners' Project Workbook – Your Guide to Building a Better Home	www.buildingguide.co.nz	(09) 360 8885
MBIE – Guide to applying for a building consent	Guide to applying for a building consent (Simple residential buildings)	

Definitions

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
- engineer's calculations
- statements of expert opinions, along with any other specialist's input that may have been required, and to their satisfaction established compliance with the relative clauses of the New Zealand building code.