

# Building consent and sign-off problems that may occur

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A building consent, including the approved design plans and specifications, forms the foundation document of most building work.

## Find out if you need building consent

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If the work requires one, you can't start any physical work without it (some work is exempt). It proves your building work, if completed according to the plans and specifications, will meet the requirements of the Building Code.

If there is a problem at any stage all parties need to act quickly as it can cause delays and potentially adds costs.

A problem can occur at any stage including:

- at the application stage, potentially delaying the start of physical work
- during the build, halting work and possibly upsetting any sub-contractor or delivery schedule
- at completion, stopping the council from signing-off the project.

Check if you need consents (<https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/check-if-you-need-consents/>)

## Typical building consent problems

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Typical building consent problems include:

- when applying for a building consent:
  - your application doesn't demonstrate compliance with the Building Code
  - you disagree with the council about what complies
  - your application is inaccurate or incomplete (including drawings not being sufficiently detailed)
  - your plans conflict with the District Plan (and you need Resource Consent or other approvals)
- when building:
  - you don't build to the consented or amended plans
  - you need time extensions and:
    - don't apply for them
    - can't agree with council about a new timeframe
  - you don't organise inspections, especially if work is then enclosed in the build before it can be inspected
  - you get a notice to fix for some aspect of the work and:
    - don't rectify the problem
    - rectify the problem but don't then get the council to re-inspect the work

- at sign-off of the building work (when applying for a code compliance certificate):
  - you haven't paid the necessary fees
  - you don't provide necessary energy work certificates (for gas or electrical work) or any other necessary certificates
  - the building work is not complete.

If you have a problem with your building consent you could:

- talk the matter through with your designer, architect or builder (maybe they have a solution)
- talk to your council (most councils also have formal complaints processes that you should follow before trying other options)
- [contact us \(https://www.building.govt.nz/about-building-performance/contact-us/\)](https://www.building.govt.nz/about-building-performance/contact-us/) for an opinion or advice.

If you can't successfully resolve the problem through one of these options you may be able to apply to us for a determination.

Determinations are legally binding rulings made by us about matters of doubt or dispute to do with building work. Most determinations centre on a decision made by council. For example, when council refuses to grant building consent.

A determination may also consider whether building work complies with the Building Code. It may involve building work that is planned, underway or complete.

[Determinations \(https://www.building.govt.nz/resolving-problems/resolution-options/determinations/\)](https://www.building.govt.nz/resolving-problems/resolution-options/determinations/) has more information about the process.

You can also complain to us if you have concerns about how a council carries out its functions as a building consent authority (for example, unnecessary delay in granting consent).

[Complain about a building consent authority \(https://www.building.govt.nz/resolving-problems/resolution-options/formal-complaints/complain-about-a-building-consent-authority/\)](https://www.building.govt.nz/resolving-problems/resolution-options/formal-complaints/complain-about-a-building-consent-authority/) explains the complaint process and information you'll need to provide.

[Council problems \(https://www.building.govt.nz/resolving-problems/councils/\)](https://www.building.govt.nz/resolving-problems/councils/) includes building-related problems that don't relate to a building consent.



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