

## Roles of councils and MBIE

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Last updated: 15 March 2016

For most building projects, your official dealings will be with the council of the area where your building work is taking place.

### Councils and the consent process

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Most city and district councils are building consent authorities, they:

- issue building consents
- undertake inspections during construction
- issue code compliance certificates certifying that the finished work complies with the Building Code
- issue notices to fix
- issue compliance schedules.

Councils charge a fee for these services. The fee depends on the council and the amount of work involved, but is generally set for the recovery of reasonable costs. It will be a small proportion of the cost of the whole building project and will provide assurance that the job has been done properly.

The building owner is ultimately responsible for ensuring the council has all the information it needs about the project. If you have asked your designer, main contractor or project manager to work with the council, check that everyone understands their roles and responsibilities.

Councils are registered and accredited to carry out work as a building consent authority. They may engage others to carry out building consent authority functions as their representatives. Councils and others must demonstrate they have the necessary competencies, processes and systems in place to carry out consenting and inspecting duties.

### Other roles of district and city councils

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Councils, acting as territorial authorities, have a range of other building-related responsibilities, for example they:

- keep records about all the properties in their area
- issue project information memoranda
- grant waivers or modifications of the Building Code
- issue certificates of acceptance
- monitor and amend compliance schedules and building warrants of fitness
- follow up notices to fix.

Councils also have powers to address breaches of the Building Act and to protect people and other buildings (for example, if a building is dangerous, earthquake-prone or insanitary). They can issue infringement notices or, in some circumstances, organise for remedial work to be done.

If your building work relates to a dam, you will work with the regional council where the building work is taking place.

## Ministry of Business, Innovation and Employment

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The Ministry of Business, Innovation and Employment (MBIE) provides overall leadership of the building sector and is the over-arching regulator. It works with a number of other agencies who help it do this.

MBIE manages the system that regulates building work and monitors its effectiveness. This includes reviewing the Building Code and producing documents to show ways to comply with it. MBIE also monitors the performance of district and city councils, and can investigate complaints.

If a dispute arises over compliance with the Building Code, or a decision made by a council (for example, about whether a building consent should be granted or not), either party can apply to MBIE for advice. You can find out more about resolving problems and how MBIE may be able to help.

## Related content

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### [Resolving problems \(https://www.building.govt.nz/resolving-problems/\)](https://www.building.govt.nz/resolving-problems/)

Building projects often involve a number of people working together for the first time, in an environment that is vulnerable to nature, unforeseen events and potential delays. Make sure you understand your rights and obligations. Some issues that can arise during a project include:



New Zealand Government

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