

Councils and problems that may occur

Last updated: 21 March 2016

If you have a problem with your council, you need to work out what it relates to so that you can discuss it with the relevant part of the council or the appropriate agency.

Building consent-related problems

If it relates to a building consent, at any stage of the process from application through to sign-off, have a look at [building consent and sign-off problems \(https://www.building.govt.nz/resolving-problems/building-consent-and-sign-off/\)](https://www.building.govt.nz/resolving-problems/building-consent-and-sign-off/).

Customer service

If the problem is related to the council's customer service, you need to talk to the people directly responsible. Consider escalating your concerns to a senior or executive manager at the council if you can't resolve the issue with the person or people involved.

The [BCA register \(https://www.building.govt.nz/building-officials/find-a-bca/\)](https://www.building.govt.nz/building-officials/find-a-bca/) includes a list of contact details for all councils.

Resource consent

If your problem is a town planning matter related to a district plan rule, an application for resource consent or the need for one, talk to the relevant part of the territorial authority directly responsible for any decision. If you are unable to resolve the matter with the territorial authority you could contact:

- Ministry for the Environment who administer the [Resource Management Act \(http://www.mfe.govt.nz/rma\)](http://www.mfe.govt.nz/rma)
- [Parliamentary Commissioner for the Environment \(http://www.pce.parliament.nz\)](http://www.pce.parliament.nz) who has wide-ranging powers to investigate environmental concerns.

Territorial authority function

If your problem is about a territorial authority function under the Building Act that is not related to a building consent, talk to the relevant part of the territorial authority (in the main, city or district councils). Consider escalating your concerns to a senior or executive manager at the council if you can't resolve the issue with the people involved.

Territorial authorities are responsible for:

- issuing project information memoranda (PIM)
- issuing building consents subject to waivers or modifications of the Building Code*
- issuing certificates of acceptance*
- issuing amended compliance schedules*
- administering and enforcing the provisions of building warrants of fitness

- the extent of compliance on change of use and specified intended life changes*
- functions in relation to earthquake-prone affected, dangerous or insanitary buildings*
- considering whether building work is exempt under the Building Act's Schedule 1 clause 2*, acting on notices to fix, fines and infringements*
- any other functions and duties required by the Building Act.

* If you dispute a council decision related to one of these points you may be able to apply for a determination.

[Determinations \(https://www.building.govt.nz/resolving-problems/resolution-options/determinations/\)](https://www.building.govt.nz/resolving-problems/resolution-options/determinations/) explains what these are and how to apply.

Building Act infringement

If your problem relates to an infringement under the Building Act, talk to the part of the territorial authority directly responsible. If you can't resolve the problem at this level, you could escalate your concerns to a senior or executive manager at the council. It can help to put your concerns in writing.

If your problem relates to an infringement offence requiring you to pay an infringement fee, you could seek legal advice but it is not always necessary. If you don't have a lawyer, you could seek advice from your local [Community Law Centre \(http://communitylaw.org.nz/\)](http://communitylaw.org.nz/).

Official information

If you want access to official information talk to the building consent authority, territorial authority or agency concerned, in the first instance. If you can't resolve it, consider escalating your concerns to a senior or executive manager at the council.

If it's still unresolved, consider contacting the [Office of the Ombudsman \(http://www.ombudsman.parliament.nz/\)](http://www.ombudsman.parliament.nz/).



New Zealand Government

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- with compliance with the Building Act, it is published under section 175 of the Building Act
- with a Weathertight Services claim, it is published under section 12 of the Weathertight Homes Resolution Services Act 2006.