



Department of  
Building and Housing  
*Te Tari Kaupapa Whare*

# Technical Review

## **of the Building Control Operations of Far North District Council Summary Report**

July 2008



# Important notice to people reading this technical review report

The Department of Building and Housing (the Department) carries out technical reviews as part of its function to monitor and review the performance by territorial authorities (TAs) and building consent authorities (BCAs) of their functions under the Building Act 2004 (the Act). The purpose of a technical review is to assist the TA or BCA under review to improve its building control operations.

A technical review is not an audit. A technical review is a performance review based on sampling building control activities, and cannot be taken as a full and comprehensive review of competency and quality.

A technical review is carried out by:

- assessing whether the processes and procedures are sufficient to enable the TA or BCA to satisfy the requirements of the Act, and related regulations, including the New Zealand Building Code (the Building Code)
- assessing the processes and procedures used by the local authority in respect of weathertightness compliance
- providing advice and assistance on best-practice
- receiving comment and feedback from the local authority.

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# 1. Overview

## Purpose

This report summarises the technical review of Far North District Council's (the Council) building control functions. The Department carried out the review in January 2008. The review followed a number of complaints received by the Department that the Council was not meeting the statutory timeframes in the Building Act 2004 (the Act) for processing project information memoranda (PIM) and building consent and had some deficiencies in its assessment and approval functions.

## Structure and content

Terms of reference for the review are on page 11. They concentrate on the Council's PIM and building consent processing activity and its certification procedures.

## Key findings from the review

The review found the Council was performing well in many areas.

When processing applications, the Council is:

- processing most PIM applications within the timeframes required by the Act
- including hazard information on PIMs and following procedures surrounding land subject to natural hazards
- checking building consent applications involving building on two or more allotments.

In administrative/support areas the Council is appropriately:

- delegating functions and issuing staff with warrants
- collecting and recording building control statistics
- using a number of strategies to try and recruit additional staff (although it still has capacity limitations)
- providing technical equipment and resources for building inspection staff
- providing access to and storage of building consent documentation.

The review identified a number of areas where the Council is facing some performance challenges. Addressing these issues will improve the quality of service to its customers and compliance with the Act. The key issues are noted below.

## Effective implementation of systems, policies and procedures

The Council has recently developed formal policies and procedures for building control work. Some procedures still need improvement and many still need to be effectively implemented.

When processing applications, the Council needed to:

- improve consent vetting procedures
- implement an effective quality assurance system
- ensure processing checklists are used properly
- improve technical assessments of Building Code compliance
- consistently record assessments and decisions on each file
- ensure procedures are consistently followed
- use consent conditions and plan notations consistently and appropriately.

### **The Council's response**

Subsequent to the review, the Council says it has carried out the following initiatives to improve its building consent processing procedures. The Council has:

- provided training to vetting officers on building consent information requirements
- implemented a sounder internal audit system, a procedure for continuous improvement, and a document control procedure
- provided training around the correct use of checklists. The Council expects its new internal audit and continuous improvement procedures will lead to the revision of the checklists to ensure they are appropriate and user-friendly
- developed a series of project-specific checklists, along with checklists that prompt individual building officers to seek and receive supervision and peer review
- undertaken competency assessments of all technical staff, both in-house and by using a technical expert consultant. This has enabled the Council to better identify knowledge and skills deficiencies, supervision requirements for staff, and training needs
- The Council is in the process of implementing its training programmes and works with members of the Northland Cluster Group, and individual training providers, to achieve focused and cost-effective training
- undertaken staff training and internal audits to ensure its decision-making is better recorded and help ensure its processes are consistently followed and appropriate remedial action can be taken when this is needed
- developed a system to track non-compliance by procedure and by individual. Repeat internal audits are undertaken to follow up on remedial actions
- provided training on appropriate conditions, information and compliance requirements
- placed a strong emphasis on improvement. The focus is on staff continuing to take ownership of the procedure manual, staff training and enhancing procedures to specifically fit the District's particular requirements.

### **Compliance with statutory obligations**

The Council was approving some building consent applications where the plans did not demonstrate compliance with the Building Code. There were also associated problems assessing alternative solutions and producer statements. To improve its decision-making in these areas, the Council needed to:

- develop more effective checklists/prompt sheets to help staff process consents
- conduct regular technical audits and peer review of completed work
- improve procedures for processing building consent applications to improve timeliness
- ensure requirements under other acts are considered when processing PIMs (eg, Fire Service Act 1975)
- improve assessment of applications involving the change of use of a building
- train Council staff in legal and technical requirements of the Building Act, Building Regulations, and Building Code
- fulfil its building levy obligations.

### **The Council's response**

Subsequent to the review, the Council advises it has undertaken the following initiatives to improve its compliance with statutory obligations. The Council has:

- revised its checklists to help ensure peer review and supervision is provided as required  
The Council aims to increase technical auditing of building consent applications undertaken by senior staff
- amended its relevant procedure T-08 (project information memorandum)
- completed competency assessments that have highlighted the need for ongoing training in the area of change of use of a building. Training is planned to enable assessment of this type of application in compliance with sections 112–115 of the Act
- approved individual and organisational training programmes for staff to address individual deficiencies found at competency assessment, and the organisational needs of the Council. Some individual and group training has already been provided by a technical expert consultant
- implemented a contingency plan so the Council can meet its statutory obligations in the event of the absence of key staff members.

### **Technical competence and capacity**

Some Building Act, Building Regulations (eg, Building (Specified Systems, Change the Use, and Earthquake-prone Buildings) Regulations 2005), and Building Code requirements were not adequately understood by staff. Hence, building consents were sometimes being issued when applications did not always comply with these requirements. To improve the quality of its assessment, the Council needed to:

- continue to assess staff members' technical skills and expertise
- consider outsourcing work internal staff cannot competently assess (or use contractors)
- train staff who make technical assessments/decisions.

### **The Council's response**

The Council advises it has undertaken the following initiatives to strengthen its overall technical competency and the capacity of its building control team. The Council has:

- conducted extensive competency assessments of most technical staff, both by competent in-house assessors and by an external technical expert
- contracted the necessary external expertise to provide assistance and technical leadership
- continued its recruitment drive for technical and administrative staff
- developed training plans, and identified individual and organisational weaknesses. The Council, as part of the Northland Cluster Group, is actively seeking to pool resources to provide cost-effective staff training of all member councils by competent senior staff members
- undertaken an organisational review, creating an additional position of Administration Manager, developing a plan to cross-skill project information memorandum and vetting officers, and train administrative staff to carry out various administrative building control tasks
- moved its central processing unit to Kerikeri which is in the heart of the fastest growing area of the district. This increases the interaction between applicants (designers and builders) and the Council and will lead to better educated applicants, better service from the Council, and improved performance. The move to Kerikeri also means the Council is closer to many of the contractors who will provide technical expertise that may be lacking in-house.

## 2. Roles of the Department of Building and Housing and the Council

### The Department's role

The Department is responsible for monitoring the performance of territorial authorities and building consent authorities. This is part of its wider statutory responsibilities for building and housing, and administration of New Zealand's building legislation. In summary the Department's key building control functions include:

- advising the Minister for Building and Construction on matters relating to building control
- administering and reviewing the Building Code
- producing Compliance Documents that specify prescriptive methods as a means of complying with the Building Code
- providing information, guidance and advice on building controls to all sectors of the building industry and consumers
- implementing, administering and monitoring a system of regulatory controls for a vibrant, innovative sector with skilled building professionals
- making determinations, or technical rulings, on matters of interpretation, doubt, or dispute relating to compliance with the Building Code or the issuing of building consents and code compliance certificates.

### The role of the Consent Authority Capability and Performance Group

The Department's Consent Authority Capability and Performance Group is responsible for undertaking the technical review of Far North District Council. The Group's broad functions include:

- monitoring, reviewing and improving performance outcomes of the regulatory building control system
- designing and implementing a system of accreditation and registration to be used to strengthen decision-making at the important building consent and inspection stages of the building process
- managing the accreditation body that will assess prospective BCAs
- managing and strengthening relationships with building consent authorities, territorial authorities, regional authorities, and other key industry stakeholders
- investigating and resolving complaints about performance issues
- providing advice and guidance to the regulatory building control industry.

### Role of building consent authorities and territorial authorities

Territorial authorities have a range of statutory functions and powers under the Building Act 2004. Briefly, these include:

- determining whether applications for waivers or modifications of the Building Code, or any document for use in establishing compliance with the Building Code, should be accepted
- determining the extent to which buildings must comply with the Building Code when altered, their use is changed or their specified intended life changes
- determining whether building work is exempt under Schedule 1 from the need to obtain a building consent
- enforcing the Building Act, Building Regulations and Building Code
- performing functions relating to dangerous, insanitary and earthquake-prone buildings
- issuing certificates of acceptance
- issuing certificates for public use
- issuing and amending compliance schedules and enforcing the building warrant of fitness regime

- issuing project information memoranda
- following up on notices to fix, gaining access to buildings, collecting fees and issuing fines and infringements.

Territorial authorities must also act as a BCA for their district. Statutory functions of a BCA include:

- receiving, considering, and making decisions on applications for building consents within set time limits
- inspecting building work for which it has granted a building consent
- issuing building consents, code compliance certificates, compliance schedules and notices to fix.

### **Far North District Council**

The Far North is the northernmost district in New Zealand. It shares its southern boundaries with Kaipara and Whangarei District Councils. Together the three districts make up the Northland Region. With 7,324 square kilometres, the Far North District is the largest of three districts contributing 53 percent of the land area and 38 percent of the population. The Far North District is ranked in the top ten largest land areas covered by district and city councils. The last census identified that the usually-resident population of the Far North District is 57,900. Its population ranks it 18th in size out of the 73 districts in New Zealand.

The Council operates out of several area offices and has located its building consent processing unit in Kaikohe, although the Building Field Officers operate out of all five offices. At the time of the review, the Council had 15 full time technical staff, 9 field officers, 4 building officers (processing), 2 team leaders and a building manager. It also had 11 administration staff.

## 3. Purpose of the technical review

Technical reviews help monitor the performance of BCAs and TAs and help them to fulfil their obligations under the Act. The review is a tool to help such organisations to:

- enhance the performance of their building control activities
- implement appropriate systems and processes so they can carry out their building control operations
- effectively fulfil their obligations under the Building Act and Building Regulations (including the Building Code).

Technical reviews also examine whether a TA or BCA has the appropriate operational systems and resources to enable its staff to undertake its building control work effectively and efficiently.

They are not intended to evaluate the performance of individual staff and are not comprehensive audits involving detailed examinations of all aspects of a TA or BCAs building control operations. Nor do they assess such organisations against a particular model or expressly measure them against the performance of other councils.

### Legislative basis

This review is initiated under sections 204 and 276 of the Act. It is a function of the Chief Executive to monitor the performance of TAs and BCAs to determine whether they are properly exercising their powers and performing their building control functions.

During 2007, the Department received a number of complaints from building practitioners and the public relating to the Council's performance of its functions under the Act, in particular its statutory timeframes in relation to PIMs and building consent granting and issuing. During the investigation of the complaints, the Council developed procedures for improvement. This review was initiated to monitor the Council's implementation of those procedures and to provide recommendations for enhancing its overall performance.

## 4. The review process

### Background

The Department's technical reviews have historically considered a range of key components of councils' building control operations. This has usually included capacity and capability issues, whether councils have sound systems and processes underpinning their building control work, and how well they were meeting their statutory obligations and identifying planned or actual building work that did not comply with the law.

The Department reviewed Far North District Council's building control unit following a number of complaints from the industry and the public. Because the drivers for this review were, in part, these complaints the Department focused on the key issues covered by the complaints. The terms of reference for the review are set out below and concentrate on the Council's project information memorandum and building consent processing activity, and its certification procedures.

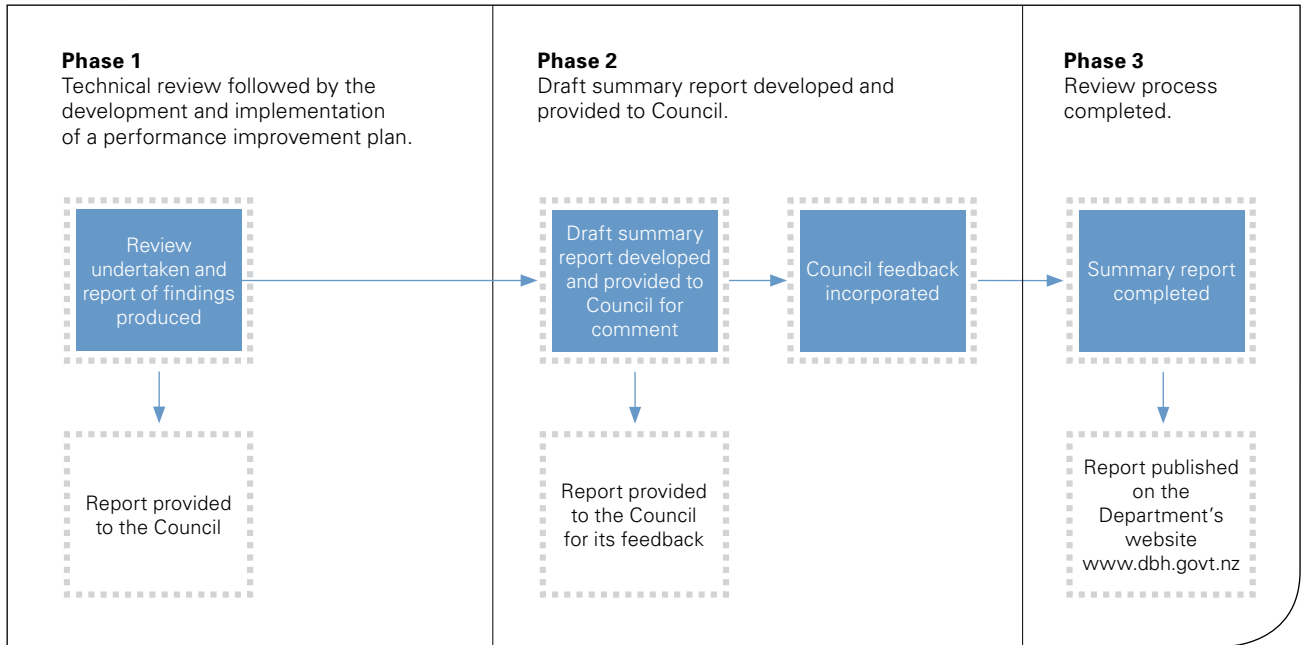
Prior to the review, the Department followed up the complaints that had been raised against the Council via a separate process. At the end of this separate process the Council worked to strengthen its procedures. This technical review was then undertaken, in part, to monitor the Council's implementation of those new procedures and to also provide recommendations for enhancing its overall performance.

### Undertaking the Technical Review

The review team use four broad approaches to gathering information about the Council's building control activities, these are:

- observing staff undertaking work
- reviewing written material used and produced by staff (eg, policies, procedures, processing checklists and records, manuals and approved consent documentation)
- interviewing staff about their use of material and their work
- assessing a random sample of building projects (case studies) that have recently been, or are currently being, handled by the Council.

**Figure 1: Overview of the technical review process**



**Basis for the review**

This review's terms of reference covered 11 areas. Collectively these cover the key components of the Council's building control operations around its PIM and building consent processing and approval responsibilities. The terms of reference are set out in Figure 2, opposite.

**Figure 2: The terms of reference for the technical review**

<b>Terms of reference</b>	
1	Organisational and management structure
2	Consent statistics
3	Use of the processing clock
4	Project information memorandum (PIM) processing
5	Compliance with Building Act requirements <ul style="list-style-type: none"> <li>• Section 45 – How to apply for a building consent (Consent application, vetting and lodgement processes)</li> <li>• Section 54 – BCA must advise applicant of amount of levy payable</li> <li>• Section 71 – Building on land subject to natural hazards</li> <li>• Section 75 – Construction of building on two or more allotments</li> <li>• Section 112 – Alterations to existing buildings</li> <li>• Section 115 – Code compliance requirements: Change of use</li> </ul>
6	Building consent processing procedures <ul style="list-style-type: none"> <li>• Checklists/prompt sheets</li> <li>• Alternative solutions</li> <li>• Producer statements</li> <li>• Peer review</li> <li>• Requests for reasonable information</li> <li>• Consent conditions and plan notations</li> <li>• Granting and issuing building consents</li> </ul>
7	Technical knowledge and ability of staff
8	Human resources
9	Adequacy of resources and equipment
10	Access and storage of building consent documentation
11	Feedback from the Council

### Undertaking the review

A five-person team carried out the January 2008 visit to the Council. This three-day period provided a snapshot of the Council's building control operation at this point in time. The Department looked at the processes undertaken in processing and approving building consents, and undertaking inspections, including those that had recently been completed and had code compliance certificates issued. The Department gathered information about the Council's building control activities by:

- observing staff undertaking work
- reviewing written material used and produced by staff (eg, policies, procedures, processing checklists and records, manuals and approved consent documentation)
- interviewing staff about their use of material and their work
- assessing a random sample of building projects that have recently been, or are currently being, handled by the Council.

For this review, seven case studies of recently processed building consents were undertaken to assess for compliance with the Act and its associated regulations, with particular focus on compliance with the Building Code. Building consent records were reviewed to assess the adequacy and effectiveness of the Council's building consent processing systems. Aspects considered were the adequacy and completeness of approved documentation (in particular, the adequacy of the compliance details), the assessment of building consent documentation, and the effectiveness of its quality control systems.

## 5. Key findings of the review

The key findings of the review are outlined under each part of the review's terms of reference. This section also outlines the Department's recommendations and how the Council acted upon or responded to each recommendation.

### 1 – ORGANISATIONAL AND MANAGEMENT STRUCTURE

#### Purpose

To review the organisational and management structure of the Council's building control operations, to consider how it delegates legislative powers, duties and responsibilities, and to identify any issues with its efficiency and effectiveness.

#### Background

Section 232 of the Act covers the delegation of powers of territorial authorities. This section links to Schedule 7 of the Local Government Act 2002 which sets out the local authorities' broad powers of delegation.

#### Findings

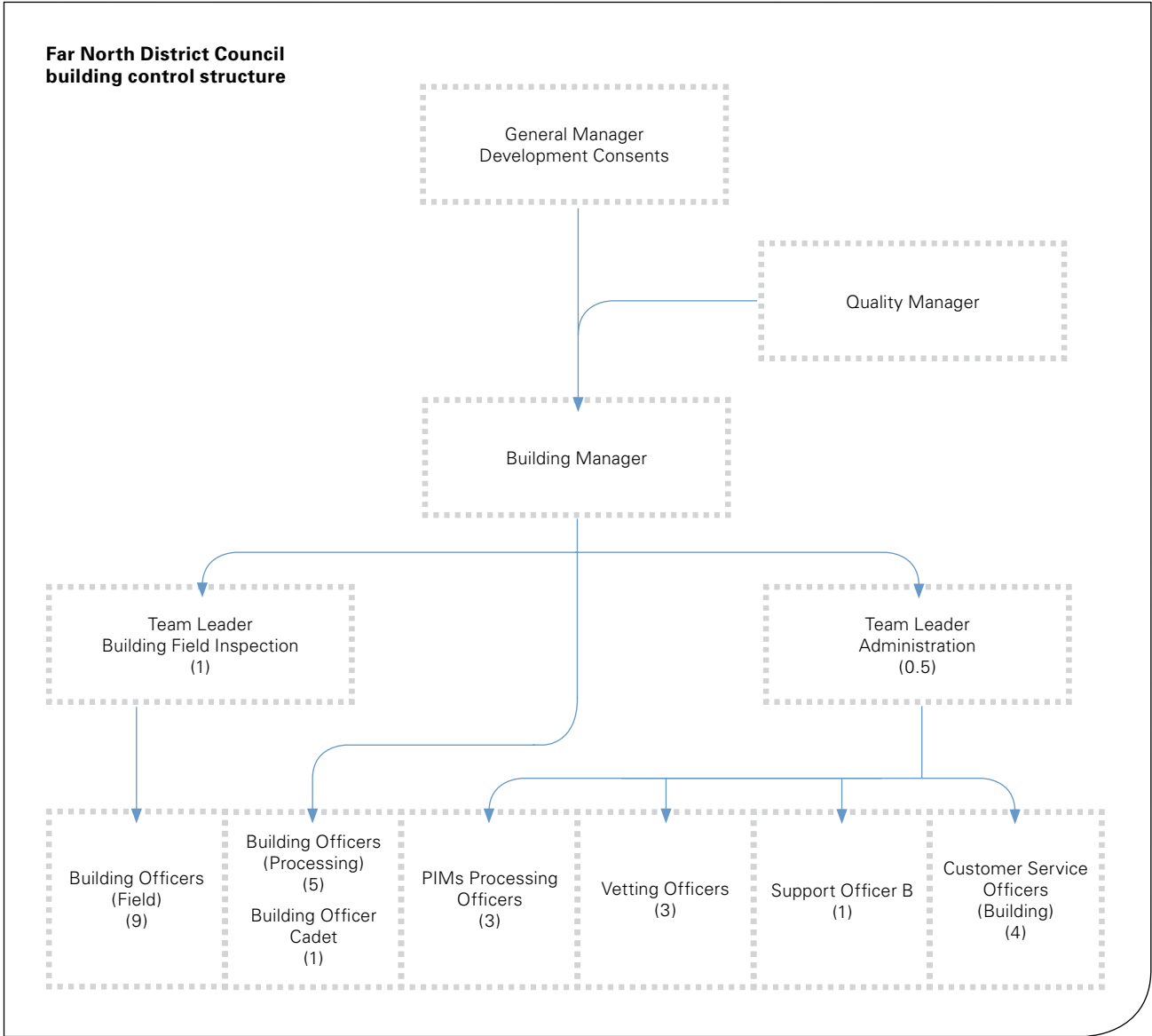
The Council operates out of several area offices and has located its building consent processing unit in Kaikohe. There are five area offices: Kaeo, Rawene, Kawakawa, Kerikeri and Kaitaia. No building consent processing is undertaken outside of the Council offices in Kaikohe; however, the Council's building field officers operate out of the five area offices.

The Council did a significant amount of building control work (refer to part 2 of the review's terms of reference). A large proportion of that work was mid to high-end residential development with some localised commercial and industrial building work in its main centres.

The Council had 15 full-time technical staff, 9 field officers, 4 building officers (processing), 2 team leaders and a building manager. The Council also had 11 administration staff. The Council, at the time of the review, had five vacant positions. This is discussed further under the human resources section of this report.

All staff had been delegated the appropriate powers in terms of the Local Government Act 2002 and the Building Act 2004. Warrants were issued to technical building control staff by the territorial authority and listed in the building consent authority procedures. The Council's building consents, however, did not include a condition referred to in section 90 of the Act that states that agents authorised by the building consent authority are entitled to inspect land on which building work is proposed or building work that is being carried out. It must be noted that all building consents are subject to this condition whether or not they are physically placed on the building consent.

A summary of the structure of the Council's building control unit is provided overleaf.



Recommendation to the Council	Response from the Council
<p>As a matter of good practice it was recommended that the Council include the condition to inspect (section 90 of the Act) on all building consents issued.</p>	<p>The Council is now in the process of revising its standard building consent conditions to include this condition. In addition, each building consent contains information on all inspections Council requires in order to be able to comply with the Act.</p>

**Conclusion**

The Council’s management structure and delegations are appropriate and the Council advises it is progressing the recommendation.

## 2 – CONSENT STATISTICS

### Purpose

To review a series of building control statistics to provide an indication of the volume of work the Council has to manage.

### Findings

The Council provided the following statistical information for the 12-month period ending December 2007.

**Table 1: Far North District Council consent statistics**

Action	Total number
Building consents issued	1194
Building consents issued valued under \$500,000	1150
Building consents issued valued over \$500,000	44
Total value of construction work consented	\$165,696,475.66
Code compliance certificates issued	1371
Building consents that have not had code compliance certificates issued since 1991	8875

### Conclusion

The Department is satisfied that the Council's consent statistics are being accurately collected and recorded. The Council's capacity to process this volume of building work is discussed under other terms of reference in this report.

### 3 – USE OF THE PROCESSING CLOCK

#### Purpose

To assess the Council's use of the processing clock and how well the Council is meeting the statutory timeframes for processing applications for building consents.

#### Background

The Act specifies a range of requirements for a BCA when it processes applications for building consents. Section 48 of the Act requires that a BCA grant or refuse a building consent within 20 working days. If insufficient information has been supplied by the consent applicant, a BCA may seek further information from the consent applicant, and the 20 working day timeframe is, suspended until the further information is received. The consent applicant should be notified of the BCA's request for further information in writing, where appropriate.

#### Findings

Far North District Council processed PIMs well within the statutory requirements, usually within 10–12 days of receipt of the application for a PIM or combined PIM and building consent.

The Council's compliance with statutory timeframes for building consents had varied during the year, with compliance at the time of the on-site review being 89 percent. This was an improvement from its performance in the month of November 2007, which was 75 percent.

The Council also has a 'priority track' system, whereby a building consent applicant can pay a further amount to prioritise their building consent application. This system is a commercial decision taken by the Council. In principle, the Department has no issues with the Council operating a fast track or priority consenting system, as long as it does not negatively impact on the Council's ability to comply with its statutory timeframes for all building consent applications.

Recommendation to the Council	Response from the Council
Assess why it was taking more than 20 days to decide whether or not to grant some building consent applications.	<p>The Council advises it analysed systemic reasons for non-compliance and found the main reasons were due to staff shortages and staff inexperience.</p> <p>It developed a strategy to recruit additional staff, and to develop systems to report on applications in progress, to predict peaks and troughs in workload, and to address consents in danger of exceeding statutory timeframes. On occasion staff were assigned to tasks on a temporary basis to clear backlogs.</p> <p>The Council also reviewed the operation of its data system and found that the statutory clock was being stopped at a later stage than appropriate. This has now been remedied.</p>
Develop a strategy to improve timeliness of granting and issuing building consents without compromising building quality outcomes.	The Council advises it has developed and implemented a building consent application reporting system that ensures it has enough staff and resources to meet the statutory timeframes.
Implement and monitor the strategy.	The Council advises it has successfully implemented the strategy. Reports are generated on a regular basis to monitor progress, and it has an effective implementation system that internally audits all procedures. This works in tandem with the continuous improvement system, which collates all issues, and ensures that they are addressed systematically. This has reportedly resulted in efficiencies, and will lead to increased speed of processing.

## Conclusion

The Council has implemented the recommendations made in the review.

## 4 – PROJECT INFORMATION MEMORANDUM PROCESSING

### Purpose

To examine how the Council produces and uses project information memoranda (PIMs) as part of its building control operations.

### Background

Sections 31–39 of the Act cover applications for PIMs. These sections specify the minimum information that a PIM must include. Information not apparent in the district plan must be included, as well as details of other authorisations specified by the TA, details of stormwater and utility systems, and other features or characteristics likely to be relevant to the design and construction of the building on that site.

## Findings

The Council had documented its procedures for producing PIMs and they provide a clear statement to staff about what information needs to be included. These procedures included requirements in relation to:

- the New Zealand Historic Places Trust inputs and approval
- building over public drains
- stormwater, wastewater and water reticulation
- network utility operators
- New Zealand Fire Service Commission (evacuation schemes)
- wind, earthquake and corrosion zones
- building over two or more allotments
- natural hazards and special features
- public premises (possibly requiring a certificate for public use)
- environmental health
- dangerous goods
- regional authorities (in relation to dams)
- Resource Management Act/subdivision inputs
- development contributions
- alterations, changes of use, subdivisions and extensions of life
- compiling PIM information.

These procedures included background information such as the timeframes for parts of the PIM production process. For example, the New Zealand Historic Places Trust must be notified of an application in relation to a registered historic building within five days of receiving an application.

Despite the well documented procedures, the Department found that the Council did not always follow these procedures. For example, the Council did not always inform the applicant of the requirement to obtain an evacuation scheme from the New Zealand Fire Service in accordance with section 21B of the Fire Service Act 1975.

The Council's hazard information is detailed and the information provided in the PIM in relation to hazards was appropriate. The Far North has been subject to extreme weather conditions within the last 12 months causing severe flooding and slippage. These hazard events have been well recorded for future input into PIMs.

The Council's building officers did site inspections for all PIM applications. The building officer completed a PIM site inspection checklist which had information about the land, location of buildings and contours, and required them to take photos of the land. Where a hazard had not been identified from information held by the Council, the building officer would record if a hazard, such as overland flow, soil creep or slippage, had been identified on the site. Photos of this were also taken.

The Department confirmed that the Council's processing of PIMs occurred concurrently with its processing of building consent applications.

Recommendation to the Council	Response from the Council
The Council should follow its procedures, which identify information required in PIMs.	The Council advises it has revised the T-08 procedure and staff training will be supplied.
The Council should monitor compliance (internal auditing or peer review) with this procedure.	Internal audits will be carried out to confirm learning and effective following of procedures.

## Conclusion

The Council has progressed work to implement these recommendations; however, work is still ongoing.

## 5 – COMPLIANCE WITH OTHER BUILDING ACT REQUIREMENTS

To examine the Council’s performance on a range of other building control requirements in the Building Act 2004, including:

- Section 45 – How to apply for a building consent (consent application, vetting and lodgement processes)
- Section 54 – BCA must advise applicant of amount of levy payable
- Section 71 – Building on land subject to natural hazards
- Section 75 – Construction of building on two or more allotments
- Section 112 – Alterations to existing buildings
- Section 115 – Code compliance requirements: Change of use.

### 5.1 How to apply for a building consent (Consent application vetting and lodgement processes, section 45)

#### Purpose

To assess how well the Council accepts and vets applications for building consents.

#### Background

Good quality drawings and specifications submitted with the building consent application help ensure timely processing and better compliance outcomes. Poor quality or substandard documentation often results in applications being suspended while further information is requested.

#### Findings

Building consent applications were accepted at all of the Council’s area offices. However, the area offices did not do technical vetting. Applications were forwarded to the Kaikohe office where the Council’s dedicated vetting officers checked the information provided, based on a vetting checklist required by its procedure T-04.

As part of this procedure, information is provided to the public, including a checklist for the applicant. The Council’s vetting staff also completed the checklist as confirmation that the required information had been provided. If an application did not have the required information, vetting officers requested further information and kept the application on file in the Council offices. A technical vet was considered to be done during the processing of the building consent application, when it was formally accepted, and the statutory time clock is started.

The Department found a number of examples where applications for building consents were being accepted when the information supplied by the building consent applicant was insufficient to enable an informed compliance assessment and decision.

Only a limited number of requests for further information were made by Council processing staff when undertaking vetting checks. Given the Council’s centralised vetting system (in Kaikohe), it was reasonable to expect that its other branches may accept more incomplete consent applications than Councils where more thorough technical vetting occurs in all offices.

Recommendation to the Council	Response from the Council
Carry out more thorough technical vetting of plans and specifications.	<p>The Council advises it has undertaken the following actions.</p> <ul style="list-style-type: none"> <li>• It now has three Vetting Officers, one in each of the main centres of Kaikohe, Kerikeri and Kaitaia, who receive ongoing training.</li> <li>• Educating applicants and the industry about its expected consent application standards. This has included industry training sessions (builders’ breakfasts), publicity of the Council website, and public information. Building officers also educate applicants and the industry on an ongoing basis.</li> <li>• Rejecting more incomplete or deficient applications, in balance with its customer service ethic.</li> <li>• Developing a system to standardise requests for further information and to enable tracking of requests for further information. This will enable analysis of the typical reasons for requests for further information, and assist with developing education strategies to advise applicants.</li> <li>• Recent figures show that numbers of requests for further information have decreased. The Council believes this may indicate that sounder vetting of applications is occurring.</li> </ul>
Reject incomplete or deficient applications.	

## Conclusion

The Council has progressed work to implement these recommendations; however, ongoing work is still required.

## 5.2 BCA requirements in relation to levies (sections 53–66)

### Purpose

To assess how well the Council collects the levies it is required to collect on behalf of the Department.

### Background

The Building Levy is used to help fund the Department’s functions under the Building Act 2004. It is set at \$1.97 per \$1,000 of building work for which there is a building consent, and is only collected on building work valued at \$20,000 or more. The levy is required to be paid by the applicant to the Council at the time the building consent is granted. The Council is required under section 59 of the Act to provide the levy to the Department by the 20th day of the month following the month in which the applicant paid the levy to the Council.

## Findings

The Council had developed a procedure (T-24) in relation to receiving levies, which requires the payment of a levy, once calculated, prior to issuing a building consent. The payment was usually included in the building consent fees and a receipt was provided to the applicant once paid. At the time of the on-site review, Far North District Council had not provided the levies to the Department since September 2007.

<b>Recommendation to the Council</b>	<b>Response from the Council</b>
The Council must make levy returns and payments (if any) by the 20th day of each month.	The Council advises it has reviewed its levy procedure and found that non-payment was due to extended illness of an employee. Payments are now up to date. The Quality Manager now has co-responsibility for ensuring levies are paid to the Department as required, even in the event of illness of key personnel.

## Conclusion

The Council has implemented this recommendation.

## 5.3 Building on land subject to natural hazards (sections 71–74)

### Purpose

To assess the procedures the Council uses if a natural hazard exists on land where a building consent application has been made.

### Background

A BCA must refuse to grant a building consent for work on land that is subject to certain natural hazards unless it is satisfied that the land, building work or other property will be protected or that any damage will be restored.

### Findings

The Far North had recently had several severe flooding events resulting in damage to buildings and property. The Council had developed a procedure (T-12) covering the following requirements:

- Identifying the hazard.
- Determining if adequate provision has been made to protect the land, building work, or other property.
- If not, can the damaged land, or other property be restored as a result of the building work?
- If not, is the building likely to accelerate, worsen or result in a natural hazard on the land or any other property?
- Is it reasonable to grant a waiver or modification of the Building Code?

A dedicated register that details hazards within its district was kept up to date and included information about heights and levels of the recent flood events and erosion and slip issues. Where a PIM was applied for, an inspection of the land was undertaken to identify any possible hazards. Any hazards identified from records or the on-site inspection were then documented in the PIM so the designer could provide details of the mitigation of the hazard.

If the Council determined that it could issue a building consent on land that is subject to a natural hazard, and a waiver or modification of the Building Code was reasonable, procedures T-12.1 and T-12.2 required that a condition be placed on the building consent that it would notify the appropriate person in accordance with section 73 of the Act.

### **Conclusion**

The Department considers the Council's documented procedure to be appropriate. No recommendation was made by the Department.

## **5.4 Construction of building on two or more allotments (sections 75–83)**

### **Purpose**

To assess the procedures the Council uses if a building consent application has been submitted that includes the construction of a building over two or more allotments.

### **Background**

The Building Act requires that, if an application relates to the construction of a building over two or more allotments, and if the affected titles are held by the same owner in fee simple, the PIM must state as a condition of granting the building consent that one or more of the affected allotments (specified by the relevant TA) must not be transferred or leased, except in conjunction with one or more of the other allotments (again specified by the relevant TA). Special exemptions to this apply within the Act.

### **Findings**

The Council had developed procedures (T-13 and T-13.1) that covered the roles and responsibilities of its staff and provided background information for the construction of a building on two or more allotments. These procedures included the following requirements.

1. Explain the process to the customer and provide information at the beginning of the building consent process. This includes recommending that the owner obtain legal advice.
2. Establish the scope of work. If an application has been made to the Registrar-General of Land for a plan to be deposited under the Land Transfer Act 1952 to amalgamate all the affected allotments, the requirement for a certificate and entry on the affected titles is exempted.
3. Include a statement in the PIM that the specified allotments must not be transferred or leased, except in conjunction with the other allotment(s).
4. Notify any person applying for a combined PIM and building consent that a condition will be placed on the building consent that the specified allotments must not be transferred or leased except as a whole. Legal advice should be obtained by the owner.

5. Impose the condition on the building consent.
6. The territorial authority issues an authenticated certificate.
7. The certificate must be signed by the registered owner and lodged with the Registrar-General of Land. The territorial authority should receive the lodgement receipt from the Registrar-General of Land before notifying the BCA to issue the building consent.

The procedure included flow charts to follow and provided a template letter to building consent applicants, which indicated that a fee was payable to the Council for that service.

## Conclusion

No recommendation was made by the Department. The Department considers the Council's documented procedure to be appropriate.

## 5.5 Alterations to existing buildings (section 112)

### Purpose

To assess the procedures the Council uses if a building consent application has been made that includes an alteration to an existing building.

### Background

Section 112(1) of the Act requires that, before a BCA grants a building consent for the alterations of an existing building or part of an existing building, it must be satisfied that, after the alteration, the building will:

- (a) comply as nearly as is reasonably practicable with the provisions of the Building Code that relate to means of escape from fire, and access and facilities for people with disabilities (if this is required under s118), and
- (b) continue to comply with the other provisions of the Building Code to at least the same extent as before the alteration.

Section 112(2) permits a territorial authority to allow the alteration of an existing building without complying with the provisions of the Building Code (as specified by the territorial authority) if it is satisfied that:

- (a) if the building were required to comply, then the alteration would not take place; and
- (b) the alteration will result in improvements to the means of escape from fire or the access and facilities for people with disabilities; and
- (c) the improvements referred to in (b) outweigh any detriment that is likely to arise as a result of the building not complying with the relevant provisions of the Building Code.

### Findings

The Council had developed a procedure (T-14.1) describing the process it used to consider and document alterations to existing buildings. However, the Department found evidence that this procedure was not being consistently followed. For instance, the procedure required the processor to sign, date and record the decision and outcome, this was not always happening.

<b>Recommendation to the Council</b>	<b>Response from the Council</b>
Develop a simple prompt sheet or checklist to record decisions and reasons for decisions. This could be based on the current consent processing checklist.	The Council advises it is in the process of developing a dedicated checklist.
Ensure staff are aware of procedures and obligations.	Training of staff on section 112 is ongoing, and will be internally audited for effectiveness.
Provide training on the requirements of the Act.	Training of staff on section 112 is ongoing, and will be internally audited for effectiveness.

## Conclusion

The Council has progressed implementation of these recommendations; however, continued work is required to complete them.

## 5.6 Change of use (section 115)

### Purpose

To assess the procedures the Council uses if a building consent application has been made that includes a change of use to an existing building, or an owner notifies the Council of an intended change of use.

### Background

The Act and the Building (Specified Systems, Change the Use, and Earthquake-Prone Buildings) Regulations 2005 (2005 Regulations) set specific objectives that need to be considered for certain building projects. Under sections 114 and 115 of the Act, a 'change of use' means to change the use of the building in a manner described in the 2005 Regulations. Regulation 6 of the 2005 Regulations states that the term 'change the use' means to change all or part of a building from one use (the old use) to another (the new use), with the result that the compliance requirements of the new use are additional to, or more onerous than, the requirements for compliance in relation to the old use.

### Findings

The Council had a procedure for assessing building consent applications that included a change of use (T-14). This procedure included processes titled:

- identifying if there is a change of use
- add household unit(s) where a household unit did not exist before
- change of use not involving household units
- reference existing property file
- will work result in a compliance schedule or affect an existing compliance schedule
- premises open to the public (referring to its T-47 process)
- permission denied for change of use
- permission granted for change of use.

While the Council’s procedure was appropriate, the Department found some examples where it was not being consistently implemented. For instance, one habitable dwelling was to be changed into an office and the ‘change of use’ section in the Council’s checklist was recorded as being ‘not applicable’.

The Department also found that the 2005 Regulations were not understood by some Council staff.

Recommendation to the Council	Response from the Council
Ensure change of use provisions in the Act (and related Council procedures) are consistently followed.	Ongoing training is being provided in this area. Internal audits will determine if any problems arise, and appropriate training and follow-up will occur

### Conclusion

The Council has advised that progress is being achieved by training in this area.

## 6 – BUILDING CONSENT PROCESSING PROCEDURES

### Purpose

To review the key processes the Council uses when processing applications for building consents and to review how it establishes whether building consent applications comply with the Building Code. The processes reviewed include:

- checklists/prompt sheets
- alternative solutions
- producer statements
- peer review
- requests for reasonable information
- consent conditions and plan notations
- granting and issuing building consents.

### Background

The Building Code prescribes the minimum functional requirements for buildings and the performance criteria for buildings to comply with their intended use. All building work must comply with the Building Code to the extent required by the Act, whether or not a building consent is required for that building work (see section 17 of the Act).

#### 6.1 Checklists/prompt sheets

### Purpose

To ensure the Council has robust and defensible procedures for recording the processing of building consents and ensuring building consents comply with the Building Code.

## Background

TAs and BCAs should have processes in place to assess all building consent applications in a thorough, consistent, and timely manner. This process can be undertaken with the use of robust, detailed checklists or prompt sheets. These checklists or prompt sheets should clearly detail what has been considered and why a building consent should be issued.

## Findings

The Council had a range of checklists for processing building consents and undertaking its regulatory functions. It had separate checklists for:

- commercial processing
- residential processing
- plumbing processing
- producer statements
- alternative solutions.

Some staff were not using checklists as effectively as they could be. For instance, completed checklists for particular building consents were only partially filled in or lacked sufficient detail to provide a clear audit trail and show why the decision had been made to issue the consent. The Department also noted an instance where the wrong checklist had been used for the building project in question.

The Council did not have a specific checklist for swimming pool compliance.

The procedures relating to alternative solutions (6.2) and producer statements (6.3), including the adequacy of checklists, are included in sections 6.2 and 6.3 of this report.

<b>Recommendation to the Council</b>	<b>Response from the Council</b>
Develop ways to ensure checklists are used properly so they record necessary detail and decision-making information. Options include: <ul style="list-style-type: none"><li>• training staff to clarify the level of detail required</li><li>• peer review, internal audits and feedback to staff who are not using checklists properly.</li></ul>	The Council advises it has undertaken extensive individual and group training, and internal audits which have resulted in proper use of checklists. The Council is also developing project-specific checklists, and personalised checklists that prompt individuals to seek supervision/peer review as required.
Develop a specific checklist for swimming pools covering the requirements of the Fencing of Swimming Pools Act 1987 and the Building Code.	The Council advises it has employed a Building Officer to specifically undertake this task with an emphasis on enforcement procedures. Training has been conducted and staff have visited Waitakere City Council to learn about its systems and checklists.

## Conclusion

The Council has substantially progressed these recommendations and it advises that additional work is also ongoing.

The Department considers joint training with other councils is good practice and, if undertaken effectively, can lead to consistency within the industry.

## 6.2 Alternative solutions

### Purpose

To examine how the Council assesses alternative solutions proposed for use in building projects.

### Background

Alternative solutions are a method of demonstrating that a building project will comply with the Building Code. Councils should make their own assessments of whether the performance of a proposed alternative solution is adequate. Alternative solutions may involve materials, components or methods which differ from those in a Compliance Document, but which still satisfy the objectives of the Building Code.

### Findings

The Council had a specific checklist/prompt sheet in its building consent processing procedure to assess alternative solutions (AS-02). The checklist required the processor to determine what clause of the Building Code the alternative solution was for, and what type of documentation must be provided with the application.

The Council's procedures prompted the processor to record and justify the reasons why the alternative solution would or would not comply with the Building Code, including any conditions of the alternative solution's use. If used appropriately, this procedure would adequately record the justifications for accepting or declining an alternative solution. However, the Department found evidence that proposed alternative solutions were not consistently being identified by the Council or the building consent applicant.

Recommendation to the Council	Response from the Council
Provide training to technical staff in alternative solution procedures.	The Council advises that the Inspection Team Leader has attended training on alternative solutions and will be responsible for providing training to other staff for peer review work as required.  Internal audits by appropriately qualified staff/contractors will be done to ensure effective implementation.  The Council also intends to develop an alternative solutions register.
Provide training to technical staff on the identification of alternative solutions.	
Undertake audits to ensure alternative solution procedures have been followed and outcomes are appropriate.	

### Conclusion

The Council has started implementing these recommendations, but further work is still required.

### 6.3 Producer statements

#### Purpose

To examine the Council’s system for assessing and accepting producer statements.

#### Background

Producer statements are statements supplied by qualified people on behalf of an applicant for a building consent that state that the design of the building component or the installation of that component meets the performance requirements of the Building Code. The producer statement system allows councils, especially those with limited technical resources and knowledge, to recognise, based on the assurance of qualified people, that the work will meet Building Code provisions.

Producer statements are intended to reduce the Council’s input into specific aspects of design processing work. A council needs to have confidence that those providing producer statements have the appropriate experience and competence in their field. Acceptance of producer statements is discretionary.

#### Findings

The Department found that the Council had a sound procedure covering its checking and acceptance of producer statements (T-07 to T-07.2). This procedure included acceptance criteria of the author, processing requirements by the Council, and approval procedures.

Some producer statements provided with building consent applications were not consistently being checked by the Council, and the reason for accepting them was not always being properly recorded.

Some producer statements accepted by the Council were also incomplete because they didn’t contain information that was specific to the building project in question, or only addressed some of the things the producer statement should have covered. A good example of this was when the Council accepted a producer statement for clause B of the Building Code and, while the statement provided evidence regarding clause B1 Structure, it did not contain information to show compliance with clause B2 Durability.

Recommendation to the Council	Response from the Council
<p>Provide training to technical staff in the Council’s policies and procedures for checking and accepting producer statements.</p> <p>Undertake audits to ensure that accepted producer statements are fully justified.</p>	<p>The Council advises its producer statement policy has been revised and the following actions have been undertaken.</p> <ul style="list-style-type: none"> <li>• The producer statement checklist and procedure was reviewed by a technical expert consultant who provided advice and training on implementation.</li> <li>• Internal audits have been conducted to review the acceptance and recording of the rationale for accepting producer statements.</li> <li>• The checklist and procedure to ensure its effective implementation have been revised.</li> <li>• training around generic producer statements from ‘Design IT’ and ‘Hyne’ has been requested.</li> </ul> <p>Carter Holt Harvey will also provide training in June.</p>

#### Conclusion

The Council has progressed this recommendation. Further work is to be undertaken.

## 6.4 Peer review

### Purpose

To examine the Council's peer review procedures for the decisions it makes in its day-to-day building control operations.

### Background

TAs and BCAs have a responsibility to ensure building consents comply with the Building Code, are issued correctly, and comply with the relevant sections of the Building Act. An internal peer review procedure helps ensure the systems used for regulatory building control are rigorous and consistent. Additionally, internal peer review also identifies technical skill shortfalls and any further technical training required. Peer review can also be used for non-technical decisions by ensuring procedural requirements, such as checklists and application forms, are appropriately completed.

### Findings

The Council had a procedure in place to audit all forms used during building consent application processing (eg, building consent checklists, conditions, inspection schedules and requests for further information (RFIs)). The Council, at the time, conducted procedural audits on all building consent applications prior to granting the building consent. These audits did not consider the technical aspects of the building consent application.

The Department found evidence that the technical aspects of some consents were sometimes not being considered appropriately and incorrect decisions were being made.

More detailed records of some audits needed to be documented to more clearly record what was specifically checked, the findings of the audit, and what was done to resolve any issues identified. Technical aspects of the building consent application were sometimes discussed informally, but were not usually recorded.

The Department considers that when the technical peer review or technical audit process has been implemented, it should improve technical awareness within the Council and compliance with the Building Code. The Department is aware of the amount of time a robust technical peer review or technical audit can take. Therefore, the Department recommends that the Council review the amount of building consent applications it will audit or review once a procedure is developed.

Recommendation to the Council	Response from the Council
Develop a technical peer review or audit process for building consent application decision-making.	<p>The Council advises it now follows an approved schedule of internal audit procedures which now considers both procedural and technical aspects, and intends to devote more senior staff resource to undertake technical peer reviews in the future.</p> <p>Deficiencies uncovered by audits are relayed to the staff member concerned via completion of an 'Audit Assessment Summary' sheet. These findings are then communicated to all staff at Building Officer meetings. Minutes of these meetings record what training has been provided, and subsequent internal audits confirm that the required lessons have been learned.</p>
Decide on the proportion of building consent applications to be technically reviewed, or audited.	<p>The Council's LTCCP targets specify 5% per annum. The Council expects that more and improved internal audits will occur from now on as the Building Manager and other senior staff will be able to devote more time specifically to the technical component of these audits, given accreditation requirements have now been met.</p>

## Conclusion

The Council has implemented the Department's recommendations.

## 6.5 Requests for reasonable information

### Purpose

To examine the Council's procedures relating to requests for further reasonable information and suspension of a building consent application that did not contain the required information to determine compliance with the Building Code.

### Background

Section 48(2) of the Act allows a BCA to request further reasonable information in respect of an application for a building consent. If the BCA does request further information, the statutory timeframe (20 working days) is suspended until it receives the information requested.

Requests for further reasonable information need to be clear and concise, and adequately depict what is deficient in terms of the Building Code. Owners, their agents and designers need to understand what the request is for.

### Findings

Depending on what was most appropriate at the time, the Council used different means to make its requests for information (eg, e-mail, fax, letters). Examples noted by the Department were clearly and concisely written.

Some of the consent files assessed by the Department contained consent documentation that did not adequately demonstrate compliance with the Building Code. Examples were found where a request for further information should have been made, but there was no evidence on file that this had actually occurred. There were, however, other cases where requests for information were correctly made by the Council and contained on the consent file.

Recommendation to the Council	Response from the Council
Ensure staff consistently request consent applicants to provide additional information where compliance with the Building Code has not been adequately demonstrated.	The Council advises that work to remedy deficiencies of information supplied by the applicant has been undertaken. Staff have received training on the need to suspend applications and request further information.
Ensure additional information is kept on the consent file.	In addition, the Council is developing a system to allow standardised requests for further information, and tracking of numbers and common subject areas of requests for further information. Once data is collected, the Council will be able to target particular applicants and common subject areas for further public information.  Internal audits of the process will show deficiencies, which will then be addressed.

## Conclusion

The Council has progressed work to implement this recommendation. Ongoing work is required.

## 6.6 Consent conditions and plan notations

### Purpose

To examine the Council's use of consent conditions and plan notations.

### Background

Consent conditions or notations should be used to highlight aspects of construction requiring particular attention and as educational tools. Conditions should not be applied to cover deficiencies in building consent documentation, which should be rejected at lodgement. While this may enable the Council to avoid requesting additional information and can sometimes expedite processing, it fails to meet the requirements of the Act. Incorrect use of notations or conditions may place the Council in the role of being a designer, which is not its appropriate role in the building control context.

Section 49 of the Act requires BCAs to grant building consents if they are satisfied on reasonable grounds that the provisions of the Building Code would be met if the building work was properly completed in accordance with the plans and specifications submitted with the application.

### Findings

The Council's processing procedure T-19 3.3 stated that if the application did not contain sufficient information, the building officer could request further information and suspend the application. This procedure was not being consistently followed and, in some cases, the Council was inappropriately using consent conditions and plan notations to cover deficiencies in building consent documentation.

For example, E1/AS1 (compliance document for E1 Surface Water) was often stamped on building consent plans. This stamp required the owner to comply with E1/AS1. However, to meet its statutory responsibilities, the Council must ensure that information is supplied and assessed for compliance with the Building Code prior to issuing a building consent. In relation to E1 Surface Water, the Council must ensure that the building consent application adequately details that the building and its associated sitework, if constructed in accordance with the plans and specifications, will protect people and other property from the adverse effects of surface water.

E1 Surface water was also not adequately addressed in the Council’s building consent processing checklists.

Recommendation to the Council	Response from the Council
Develop a more comprehensive procedure to define when consent conditions and notations are appropriate.	The Council’s T-19 procedure has been amended to ensure that only the legal conditions are cited. It has sought to ensure conditions are not used to make up for deficiencies in application information.
Ensure that checklists adequately cover all areas of the Building Code.	The Council considers that checklists do adequately cover all areas of the Building Code. However the Council will review these checklists in conjunction with the Internal Audits and Continuous Improvement procedures.
Provide guidance and training to its staff on above procedures.	The Council advises specific E1 Surface water training has been provided by a technical expert and internal audits will confirm the effectiveness of that training. It has also provided staff training on appropriate consent conditions and notations.

## Conclusion

The Council has substantially implemented these recommendations.

## 6.7 Granting and issuing building consents

### Purpose

To examine the Council’s procedure for granting and issuing a building consent and determine if the procedure is appropriate.

### Background

Section 49 of the Act requires a BCA to grant a building consent if 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 building consent application. Section 51 of the Act describes the issue of a building consent and what must accompany it.

**Granting and Issuing** are separate concepts under the Act. These terms have distinct statutory timeframes, for example, the 20 working day statutory timeframe for processing a building consent application stops on the **granting** of the building consent.

## Findings

The Council had a procedure for granting and issuing building consents (T-25 to T-25.3). The procedures were technically valid and appropriate. It defined the difference between issuing and granting consents and their relation to the 20 working day statutory timeframe.

Recommendation to the Council	Response from the Council
Ensure that consent documentation demonstrates compliance with the Building Code prior to using its procedure for granting and issuing.	The Council advises it has endeavoured to improve its recording of its decisions to grant building consents. Remedial action involved the training of officers to ensure that: <ul style="list-style-type: none"><li>• all required information is provided by the applicant</li><li>• the decision to grant building consent is robust and documented</li><li>• only appropriate conditions are cited.</li></ul>

## Conclusion

The Council has substantially implemented the Department's recommendation.

## 7 – TECHNICAL KNOWLEDGE AND ABILITY OF STAFF

### Purpose

To examine the technical knowledge and ability of building control staff and the provisions that have been made for staff training and up-skilling.

### Background

Building control is becoming progressively more technically and scientifically complex, as new building materials gain wider use, and housing density increases. Construction methods now allow for fewer margins for error, and the technical knowledge and expertise of building control staff must increase with that trend.

### Findings

There were some limitations in the Council's knowledge of some parts of the Building Act and regulations made under the Act (including some parts of the Building Code). This was resulting in some cases where legal requirements were not being consistently considered and applied to the building consent documentation provided by applicants.

The Department found some evidence of non-compliance and deficiencies in staff expertise in the following clauses of the Building Code:

- C Fire safety
- D Access
- E Moisture
- F Safety of users
- G Services and facilities
- H Energy efficiency.

At the time of the review, the competency assessment system being used by the Council was being strengthened as a part of the Council’s work to implement the changes required after its BCA accreditation assessment. After this work is completed, the Council will need to determine its collective organisational competency so it can engage external assistance in areas where it does not have sufficient in-house expertise, undertake training, identify and fill skill gaps, and consistently allocate work based on the competence of the person in question.

<b>Recommendation to the Council</b>	<b>Response from the Council</b>
<p>Ensure systems for assessing technical competence within the building control unit are strengthened and identify any gaps.</p>	<p>The Council advises it commissioned a technical expert to assess competency of all technical staff and to provide in-house training.</p> <p>It intends to make continued use of this service, in addition to regular ongoing competency assessment and training by senior staff.</p> <p>In the longer term, the Northland Cluster Group will investigate ways in which expertise can be shared, including for competency assessment purposes.</p>
<p>Ensure the Council addresses identified competency gaps (including assessing fire compliance and accessibility compliance).</p>	<p>The Council advises it has prescribed training on the basis of competency assessments.</p> <p>It has reasonable in-house fire compliance expertise, backed up by technical leadership from approved contractors.</p> <p>Two staff members have attended accessibility compliance training – other staff are benefiting from this knowledge through informal training, discussion, supervision and peer review.</p>
<p>Ensure the Council improves staff skills by targeting the competency gaps using training programmes, mentoring, and providing feedback from quality assurance processes (eg, peer review, findings from internal audits, etc).</p>	<p>The Council ensures staff receive training and benefit from training received by individuals. Peer review and supervision ensure information-sharing occurs. Internal audit findings are communicated to individuals and to the building officers group in dedicated training sessions.</p>
<p>The Council needs to ensure staff are effectively applying knowledge gained from training.</p>	<p>The Council’s approved competency assessment and training system requires monitoring of application of learning. Internal audits are conducted to ensure that knowledge gained from training is effectively applied.</p>
<p>Ensure the Council only allocates building consent and inspection tasks to people technically competent to undertake them.</p>	<p>The Council has undertaken extensive competency assessments and provided training to staff as to the limits of their competency, and use of the Skills Matrices and Technical Leadership Register. Supervision requirements have been given to staff.</p> <p>It has developed a new system for allocation of inspections to suitably competent staff. In addition, the Council now has an ‘Allocation of Work’ sheet used by building officers to record supervision and peer review provided in respect of their work. Internal Audits have been, and will continue to be, conducted to show that these issues have been addressed.</p>
<p>Ensure the Council uses external contractors if expertise is not available internally</p>	<p>The competency assessments conducted by the Council have informed its use of external contractors to provide the required expertise. The Council advises contractors have been secured and a procedure has been developed to support this.</p>

## Conclusion

The Council has undertaken substantial work to implement these recommendations.

## 8 – HUMAN RESOURCES

### Purpose

To assess the strength and depth of the Council's building control human resources, and how effectively they are being used.

### Background

Increased building activity over the last few years has significantly increased the workload of building control staff. The Council is able to address this by increasing staff levels and by using existing staff more effectively. Opportunities to increase staff levels are limited in the short term due to the inadequate supply of appropriately qualified new staff. The Council must, therefore, consider ways to use existing staff more effectively.

### Findings

The Council had 15 full-time technical staff, eight field officers, four building officers (processing), two team leaders, and a building manager. It also had 11 administration staff. At the time of the review, the Council had five vacant technical positions, although one of these was soon to be filled. The Department was also advised that the Council had approved the employment of more technical staff, with further details soon to be confirmed.

The Council had developed a cadetship programme and one person was undergoing training in this role at the time of the review visit. A training plan and strategy had also been developed for the new cadet and the Council's other technical staff.

The Council also currently uses contractors to assist with building consent processing.

<b>Recommendation to the Council</b>	<b>Response from the Council</b>
Prioritise the filling of vacant positions.	The Council advises it has developed and implemented a recruitment strategy, and has employed two Building Officers with trade experience. Advertising and scouting for suitable candidates is ongoing.
Ensure training plans are established for newly recruited staff.	The Council has a standard training plan which covers a host of courses new Building Officers are expected to attend over time. The Council also has a generic induction programme. The Council is in the process of revising and developing a refined training plan for newly recruited staff.
Ensure new staff and workloads across all staff are closely monitored.	Work is carefully allocated to new staff using the Council's Task Assessment and Allocation procedure. New staff are supervised and their work is peer reviewed continually. They complete the 'Allocation of Work' sheet to track supervision and peer review received. Workloads are anticipated and managed in accordance with the Council's Regulation 8 procedure.

## **Conclusion**

The Council has undertaken substantial work to implement these recommendations. The Department considers that close monitoring of the Council's workload needs to be undertaken to ensure adequate capacity is achieved and sustained.

## **9 – ADEQUACY OF RESOURCES AND EQUIPMENT**

### **Purpose**

To examine the resources building control staff have at their disposal.

### **Background**

Effectiveness of building control staff will be improved if they have access to appropriate resources. These can involve a range of tools, including a technical reference library and electronic notepad systems that ensure written site instructions are issued to the builder and are also recorded by the Council.

### **Findings**

The Department found that the Council's technical staff had adequate access to a range of up-to-date hard copy standards and technical information. All staff had access to a computer (and the internet), both from the central processing unit in Kaikohe and in the various service centres. Building inspectors also had the use of dedicated vehicles that were equipped with the necessary safety equipment and inspection tools.

There was an appropriate procedure to ensure that technical information contained in the Council's technical library was maintained. The Council undertook audits of its building consent processing and building inspection resources. When deficiencies were found, this information got incorporated into the Council's standard procurement procedures.

The space allocated to the Council's central processing unit in Kaikohe was restricted. However, the Council was to relocate its central processing unit to its service centre in Kerikeri.

### **Conclusion**

The Council advises it has relocated its central processing unit to a new facility in Kerikeri which provides staff with more space. The staff areas will be reviewed after a period and adjustments may be made if warranted.

## 10 – ACCESS AND STORAGE OF BUILDING CONSENT DOCUMENTATION

### Purpose

To assess the Council's access and storage of building consent documentation during the building consent issuing and inspection process.

### Background

A council needs to keep the information provided in an application for a building consent readily available and retrievable, so it can clarify information during processing and inspection. The council must ensure that the information is kept in an appropriate manner so that information and documentation is safe and can be added to. Sections 216 and 217 of the Act set out record-keeping requirements for TAs.

### Findings

The Council provided adequate access to, and storage of, building consent documentation. The Council's central processing unit, based in Kaikohe, undertook the initial vetting and processing of building consent applications through to the building consent issue stage. During that time building consent applications could be accessed quickly and efficiently.

Once a building consent was issued, the files were transferred to the district service centres so that the Council's building inspectors could access and add to the information if required.

Given the large area the Council is responsible for, and the flow of information between offices, there were occasions when files were in transit when someone needed to view them.

### Conclusion

No comment was provided by Council. The Department is, however, satisfied that the Council is providing adequate access to, and storage of, building consent documentation.

## 11 – FEEDBACK FROM THE COUNCIL

Under section 276(2)(a) of the Act, the Department, when carrying out technical reviews, must give territorial authorities a reasonable opportunity to make written submissions on the review.

In accordance with this, the Department has provided such opportunity for the Council to submit feedback, which is incorporated throughout this report. The Council also wish to add the following comment.

Since the technical review was done, we have achieved accreditation under the Building (Accreditation of Building Consent Authorities) Regulations 2006. This has resulted in the Council being registered as a building consent authority. We have also moved our central processing unit to Kerikeri which enables us to increase our interaction with the majority of the construction professionals within the district.

The move means the Council now has better contact with the building industry and have been able to implement the building consent authority accreditation procedures in a coordinated and effective manner.

We also wish to thank the Department for the way that the technical review was carried out. We have finished implementing almost all of the constructive recommendations and this has helped us to improve our processes and procedures.

## 6. Next steps

### Further reviews

The Department will continue to carry out technical reviews of TAs and BCAs. This includes further reviews of Far North District Council, in accordance with its statutory requirements under the Act.

### New system of accreditation and registration

The Department's technical reviews are an important tool for TAs and BCAs to assess their readiness and assist their preparation for the new regulatory system introduced by the Act. The Building Consent Authority Accreditation and Registration Scheme will regulate building control provided at the local level. This will bring about significant changes to regulatory building control in New Zealand.

Accreditation in the building control sector aims to strengthen the decision-making processes at the critical building consent and inspection stages of the building process. Successful implementation will bring about greater consistency in regulatory building control across New Zealand. It will help lead to performance improvements, raised standards in the sector, and greater consumer confidence in the system.

Under the Act, organisations wanting to undertake building control functions must be registered as BCAs. In order to be registered, an organisation must be accredited by the Building Consent Accreditation Body (International Accreditation New Zealand) as a BCA.

The Department's Consent Authority Capability and Performance Group is leading the work to implement this new system. The accreditation process is involving prospective BCAs being assessed by the independent accreditation body against a set of standards and criteria Building (Accreditation of Building Consent Authorities) Regulations 2006 covering key components of good-practice regulatory building control.

The accreditation assessment process will incorporate many of the critical regulatory building control components of the Department's existing technical review process. The Building (Accreditation of Building Consent Authorities) Regulations 2006 have a strong industry focus and cover three key areas.

1. Formal policies, systems and processes
2. technical competence
3. Quality assurance

### Further information

Further information about both the technical review programme and the Building Consent Authority Accreditation and Registration Scheme can be found online at [www.dbh.govt.nz](http://www.dbh.govt.nz)

## Guidance documentation

Under section 175 of the Building Act 2004, the Chief Executive (of the Department of Building and Housing) has a statutory role in the publishing of guidance information for territorial authorities and building consent authorities. The Department has published a range of guidance information to assist territorial authorities and building consent authorities in understanding how to comply with the Building Act 2004 and their building control responsibilities. This includes:

- Building Officials' Guide to the Building Act 2004 (August 2005, second edition)
- Building Consent Authority Development Guide (February 2006)
- Building Consent Authority Development Guide – Management Processes (February 2007)
- Building Consent Authority Accreditation Preparation and Self-assessment Guide (February 2007)
- Building Officials' FAQs (August 2005)
- Earthquake-prone building provisions of the Building Act 2004: Policy guidance for territorial authorities
- Dangerous and insanitary building provisions of the Building Act 2004: Policy guidance for territorial authorities
- External moisture – a guide to using the risk matrix
- External moisture – An introduction to weathertightness design principles
- Critical requirements for the Assessment of 'Monolithic Cladding' (April 2004)
- Practice Advisory 6: Achieve best practice – every step of the way
- Practice Advisory 5: Allow for movement
- Reinforcing steel in New Zealand – A quick guide for designers, building consent authorities and contractors.
- Guide to applying for a building consent (simple, residential buildings) (January 2007)
- BCA Update publications (February, April, June August, October, December 2007 and March, May, July 2008)
- Guide to International Symbol of Access (January 2007)
- Guide to accessible reception and service counters (January 2007)
- Compliance Schedule Handbook (March 2008)
- Building Infringement Scheme Guidelines (June 2008).

This and other guidance information is available online at [www.dbh.govt.nz](http://www.dbh.govt.nz) The Department also participates regularly in workshops and conferences to provide updates and information to the sector.

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This document is also available  
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