

Monitoring Report – Territorial Authority Building Control Functions

Meeting: Audit, Risk and Finance Committee
Date of meeting: 10 December 2020
Reporting officer: Neil Donnellan, Building Services Manager

Purpose/Ngā whāinga

To report on the Performance Monitoring Assessment or Kaipara District Council's Territorial Authority Building Control Functions undertaken in September 2020 by the Ministry of Building Innovation and Employment and the actions which are now being initiated in response.

Executive summary/Whakarāpopototanga

The outcome of the performance monitoring assessment confirmed KDC have a number of sound systems in place, and MBIE have made a number of recommendations to meet expectations where proper performance of TA functions are performing well much like BCA functions.

Recommendation/Ngā tūhunga

That That the Audit, Risk and Finance Committee:

- a) Notes the MBIE performance monitoring assessment of Kaipara District Council's territorial authority functions.

Context/Horopaki

The Ministry of Business, Innovation and Employment's (MBIE's) Compliance and Assurance (C&A) team have completed a performance monitoring assessment of Kaipara District Council's (KDC) territorial authority (TA) functions. Performance monitoring assessments are carried out under s204 of the Building Act 2004. It has been 12 years since KDC has had an assessment completed.

Discussion/Ngā kōrerorero

The performance monitoring assessment has covered the following TA functions:

- Means of restricting access to residential pools
- Compliance schedules
- Building warrants of fitness.

The assessment looks into four areas of each of the functions:

1. Policies, procedures and systems
2. Forms, public information and education
3. Staff, resource and training
4. Performance of functions.

Failure to meet one or more of the above indicators does not mean a council is failing to perform its functions, duties and powers under the Act.

Key recommendations include;

Recommendation	Status
Improvements to KDC's how to guides on of restricting access to residential pools	Action completed
Improvements to KDC's public information available on its website to make information more easily accessible	Action completed
A strong recommendation for additional full-time equivalent (FTE) resource for carrying out pool barrier inspections ensure all pool barriers are inspected during each 3-year cycle, as well as functions relating to compliance schedules and building warrant of fitness'	Completed recruitment of an additional role has been filled
A review of existing compliance schedules to improve accuracy, ensuring they comply with the Building (Amendment) Act 2012.	Work in progress

Actions completed are being forwarded to MBIE for their review and any further feedback. The process is expected to be completed by year end.

Policy and planning implications

This monitoring assessment is completed every two years by MBIE.

Financial implications

No significant financial implications. All improvements are carried out as part of BAU. The additional FTE was already held as a vacancy within the building services team.

Risks and mitigations

This assessment aids in mitigating risks in the future, to ensure Council's Territorial Authority building control functions comply. This report provides evidence of the maturity of council systems and processes for managing TA building control functions. It shows Kaipara's TA building control functions have been independently assessed and highlights areas where council are performing well and where improvements can be made. This helps to build the reputation of the Kaipara District Council staff and Elected Members amongst domestic, commercial and industrial building owners, architects and builders in the district.

Significance and engagement/Hirahira me ngā whakapāpā

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Next steps/E whaiake nei

Council continue to implement improvements as advised by the report.

Attachments/Ngā tapiritanga

	Title
A	Monitoring Report – Territorial Authority Building Control Functions