

Building Regulation

Activity Management Plan 2021-31

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Document control

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1. Introduction

The building team is charged with carrying out Council's responsibilities under the Building Act 2004 and related legislation.

2. Key issues for Building Regulation

Some key issues for building regulation include:

- Changes in legislation
- Loss of experienced and trained staff

3. Activity description for Building Regulation

3.1. What we do

The Building Act 2004 clearly identifies two operational roles for the team. These roles are managed by one team but have distinct functions to be performed. The roles are as the Territorial Authority and as the Registered Building Consent Authority (BCA) for the district.

Council is registered as a Building Consent Authority (BCA) in order to perform building control functions for the district. The BCA is required by regulation to be reassessed every two years as part of the accreditation process. Reassessment was carried out during 2020 and ongoing accreditation was granted. The next assessment will take place in February 2022. The key duties of the BCA are:

- Processing building consents
- Inspection and certification of building construction
- Issuing consents and code compliance certificates
- Issuing compliance schedules for specified systems in commercial buildings
- Addressing complaints made by the public
- Maintaining Building Consent Authority Accreditation
- Providing guidance to the public in the form of guides and information sheets

The key duties of the Territorial Authority are:

- Issuing of Project Information Memoranda (PIMs)
- Issuing Certificates of Acceptance
- Enforcement of the Building Code and associated legislation
- Provision to address customer enquiries whether or not an application is involved
- Any other function as required by the Act

Other functions undertaken as part of this activity are:

- Auditing of building warrants of fitness
- Monitoring of swimming pool fences
- Identifying and assessing of earthquake prone, dangerous and insanitary buildings

These are the key functions and not a complete and exhaustive list of required functions of the team.

3.2. Why we do it

The Building Services team provides the community with services required by the Building Act 2004 and all other associated legislation. The team also provides information to the community about our functions and where to find other information that they may require. These services help ensure that buildings are safe, durable and that certain buildings are accessible for people with disabilities.

4. Goal for Building Regulation

Our goal is to implement the requirements of the Building Act 2004 fairly and impartially so that the public has confidence that buildings are constructed in accordance with the Building Code.

Our principal objectives of building regulation are:

- To ensure all building work complies with the building code
- To enforce the requirements where necessary
- To provide a friendly, efficient and timely service

4.1.1.1. *Our principles*

These are the guiding principles for how we will function and deliver activities and services to the community.

- Plan and provide fit for purpose services.
- Work with the community and engage in meaningful conversations.
- Lead the community with clear and rational decision-making.
- Represent the district on regional / national issues and partner with others when needed.

4.1.1.2. *Contribution to Community Outcomes*

Regulatory Services contribute to the following Community Outcomes as shown below.

	Residents are included and have a voice	A district of great spaces and places	A prosperous economy based on innovation and opportunity	A balanced and sustainable environment
REGULATORY FUNCTIONS				
Building Regulation		✓	✓	

5. Levels of service and performance measures for Building Regulation

5.1. What are we trying to achieve (Levels of Service)

- We provide quality building regulation services
- Council responds to concerns with building regulation services within required response times

5.2. How will we know if we are achieving it (Performance Measures)

What we're aiming for: To implement the requirements of the Building Act 2004 fairly and impartially so the public has confidence that buildings in the district are constructed in accordance with the building code.

WHAT WE'RE WORKING TOWARDS (Levels of service)	HOW WE'LL MEASURE PROGRESS (Performance measures)	HOW WE'RE PERFORMING NOW (2019/20 results)	WHAT WE'RE AIMING FOR			
			2021/22	2022/23	2023/24	2024/25 – 2030/31
We provide quality building regulation services	Building consents are processed and decisions made within 20 working days	99.1%	100%	100%	100%	100%
	Code of Compliance Certificates are processed and decisions made within 20 working days,	99.4%	100%	100%	100%	100%
	Buildings with compliance schedules are audited each year	10.3%	10%	10%	10%	10%
	A third of known swimming pool fences are inspected every year	100%	100%	100%	100%	100%
Council responds to concerns with building regulation services within required response times	Building service complaints are responded to within two working days	100%	100%	100%	100%	100%

6. Changes made for Building Regulation

The building team will have to ensure that changes to legislation will be accounted for and incorporated into ‘business as usual’ activity. Currently, the building code is updated twice yearly and legislation annually or on an as needs basis. The impact of Kainga Ora and its own building consenting authority will have to be closely monitored (Note: this could affect both residential and commercial building consenting).

7. Key projects for Building Regulation

- Working with building owners to achieve strengthening deadlines as required by the Building (Earthquake-prone Buildings) Amendment Act 2016

8. Management of activity for Building Regulation

8.1. Programmed actions years 1-3

- To ensure that earthquake-prone buildings owners have a strategy in place to ensure that the seismic strengthening deadlines are met
- Monitor the effects of schedule 1 changes where consent workload decreases

8.2. Future directions for years 4 – 10

- Continuation and review of the strengthening strategy achieved in years 1 - 3

9. Costs for Building Regulation

For Regulatory Services

	Annual Plan 2020/21 \$000	Year 1 2021/22 \$000	Year 2 2022/23 \$000	Year 3 2023/24 \$000	Year 4 2024/25 \$000	Year 5 2025/26 \$000	Year 6 2026/27 \$000	Year 7 2027/28 \$000	Year 8 2028/29 \$000	Year 9 2029/30 \$000	Year 10 2030/31 \$000
Operating Funding											
Sources of operating funding											
General rate, UAGC*, rates penalties	1,722	1,377	1,734	1,975	1,997	2,082	2,158	2,255	2,141	2,321	2,367
Targeted rates	0	0	0	0	0	0	0	0	0	0	0
Subsidies and grants for operating purposes	0	0	0	0	0	0	0	0	0	0	0
Fees and charges	2,971	2,987	3,081	3,137	3,223	3,313	3,412	3,471	3,583	3,625	3,733
Internal charges and overheads recovered	121	96	99	101	104	106	109	112	115	118	121
Local authorities fuel tax, fines, infringement fees and other receipts	446	361	362	372	383	394	405	417	429	442	455
Total sources of operating funding	5,260	4,821	5,275	5,586	5,706	5,895	6,084	6,255	6,268	6,506	6,676
Applications of operating funding											
Payments to staff and suppliers	3,394	3,328	3,490	3,557	3,598	3,707	3,761	3,883	3,948	4,085	4,168
Finance costs	33	22	19	16	13	10	9	6	5	4	4
Internal charges and overheads	1,645	1,643	1,818	1,888	1,943	2,028	2,152	2,203	2,278	2,379	2,466
Other operating funding applications	2	2	2	2	2	2	2	3	3	3	3
Total applications of operating funding	5,075	4,995	5,328	5,463	5,556	5,746	5,924	6,094	6,234	6,471	6,641
Surplus/(deficit) of operating funding	185	(174)	(53)	123	150	149	160	161	34	35	35

	Annual Plan 2020/21 \$000	Year 1 2021/22 \$000	Year 2 2022/23 \$000	Year 3 2023/24 \$000	Year 4 2024/25 \$000	Year 5 2025/26 \$000	Year 6 2026/27 \$000	Year 7 2027/28 \$000	Year 8 2028/29 \$000	Year 9 2029/30 \$000	Year 10 2030/31 \$000
Capital Funding											
Sources of capital funding											
Subsidies and grants for capital expenditure	0	0	0	0	0	0	0	0	0	0	0
Development and financial contributions	0	0	0	0	0	0	0	0	0	0	0
Increase/(decrease) in debt	(137)	(137)	(137)	(137)	(137)	(34)	(141)	(141)	(13)	(13)	97
Gross proceeds from sale of assets	0	0	0	0	0	0	0	0	0	0	0
Lump sum contributions	0	0	0	0	0	0	0	0	0	0	0
Other dedicated capital funding	0	0	0	0	0	0	0	0	0	0	0
Total sources of capital funding	(137)	(137)	(137)	(137)	(137)	(34)	(141)	(141)	(13)	(13)	97
Application of capital funding											
Capital expenditure											
- to meet additional demand	0	0	0	0	0	0	0	0	0	0	0
- to improve the level of service	0	0	0	0	0	103	0	0	0	0	118
- to replace existing assets	0	0	0	0	0	0	0	0	0	0	0
Increase/(decrease) in reserves	48	(311)	(190)	(14)	13	12	18	20	21	22	15
Increase/(decrease) in investments	0	0	0	0	0	0	0	0	0	0	0
Total applications of capital funding	48	(311)	(190)	(14)	13	115	18	20	21	22	133
Surplus/(deficit) of capital funding	(185)	174	53	(123)	(150)	(149)	(160)	(161)	(34)	(35)	(35)
Funding Balance	0	0	0	0	0	0	0	0	0	0	0

Expenditure by activity

	Annual Plan 2020/21 \$000	Year 1 2021/22 \$000	Year 2 2022/23 \$000	Year 3 2023/24 \$000	Year 4 2024/25 \$000	Year 5 2025/26 \$000	Year 6 2026/27 \$000	Year 7 2027/28 \$000	Year 8 2028/29 \$000	Year 9 2029/30 \$000	Year 10 2030/31 \$000
Emergency management	203	126	214	193	197	201	205	211	217	223	228
Environmental health	505	537	573	590	602	620	647	660	677	701	720
Building regulation	2,240	2,092	2,202	2,275	2,303	2,400	2,459	2,549	2,591	2,706	2,759
Alcohol licensing	191	199	210	217	222	229	237	243	250	258	266
Land information	118	99	102	105	108	111	113	116	120	123	126
Parking	329	291	288	287	291	299	321	330	339	350	361
Animal control	460	508	537	551	563	580	600	614	632	652	671
District planning	1,091	1,190	1,246	1,280	1,302	1,338	1,383	1,414	1,452	1,503	1,554
Total operating expenditure	5,138	5,041	5,372	5,498	5,588	5,778	5,966	6,137	6,277	6,515	6,685
less depreciation	64	46	44	35	32	31	41	43	44	44	44
Total applications of operating funding	5,075	4,995	5,328	5,463	5,556	5,746	5,924	6,094	6,234	6,471	6,641

The Building Services activity is an unpredictable one, and often times sees peaks and valleys in the number of consent applications received. The unpredictability of this activity can make it difficult to budget for, and with legislated changes to exempt building work there may be less consents but more response to public enquiries or enforcement required. Rates are used for some activities to promote the public good.

10. Key legislation / industry standards and relationship with other planning / policy documents for Building Regulation

Building regulation relies on the Building Act 2004 for process and enforcement, but there are a number of other legislation that ties in with our processes

- Building (Levy) Regulations 2019
- Building (Minor Variations) Regulations 2009
- Building (Pools) Regulations 2016
- Building Research Levy Act 1969
- Fire and Emergency New Zealand Act 2017
- Food Act 2014
- Hazardous Substances and New Organisms Act 1996
- Health Act 1956
- Heritage New Zealand Pouhere Taonga Act 2014
- Local Government Act 2002
- Residential Tenancies Act 2016
- Resource Management Act 1991

11. Risk management for Building Regulation

The ability to provide excellent building regulation services could be influenced by certain risk factors, such as:

- Loss of key staff and difficulty in recruiting suitably skilled and/or experienced replacements
- Reliance on computer services and the effect of any disruption on the service provided
- Legislative changes that could affect the ability to meet statutory timeframes

12. Stakeholders and consultation for Building Regulation

Key stakeholders include:

- Ministry of Business, Innovation and Employment (MBIE)
- International Accreditation New Zealand (IANZ)
- Building Officials Institute of New Zealand (BOINZ)
- Mainland Group (cluster of 13 Building Consent Authorities)
- Other local authorities
- Property owners, professionals and tradespeople
- Elected officials (local, regional and national levels)

The Building Services team regularly discusses issues and changes in legislation, regulations and processes with organisations such as Master Builders, Master Plumbers and the Real Estate industry.

Staff have established, and maintain, good working relationships with the trade and professional organisations and with staff of other councils. Building regulation relies on the Building Act 2004 for process and enforcement. Education, promotion and facilitation creates an awareness of building issues in the community.