

Technical Review of the Building Control Operations of Christchurch City Council





Overview

Purpose of this document

The purpose of this document is to provide a summary of the results of a technical review of the building control operations of Christchurch City Council (the Council).

During the review period (November 2003) Council staff members were open and cooperative. Our findings and recommendations focus on assisting the Council to streamline and improve its approach where needed.

The BIA notes the Council has a challenging task. While some of the review recommendations require short-term solutions, the BIA recognises other actions will require more time to implement.

Since the review, many of the recommendations have been addressed.

This document outlines:

- what the Council has done to address the recommendations
- areas for further improvement.

Contents

This document contains the following topics:

P02	About the BIA
P03	Purpose of the Review
P04	About the Council's Building Control Operations
P05	Council Building Control Organisational Chart
P06	The Review Process
P08	Review Recommendations
P10	Processing Building Consents
P14	Producer Statements
P15	Policy
P16	Staff Training and Education
P18	Human Resources
P20	Summary
P21	Next Steps

About the BIA

Introduction

The Building Industry Authority (BIA) is an independent Crown entity. It was established in 1992.

The main function of the BIA is to manage New Zealand's building legislation. This includes territorial authority and building certifier technical review activity.

BIA membership

The BIA is made up of five members, appointed by the Minister of Commerce. These five people are supported in their work by a team of approximately 60 technical and professional staff.

BIA role

The BIA's role is to carry out a number of functions. Included in these are the following.

- Advising the Minister of Commerce on matters relating to building control.
- Administering and reviewing the New Zealand Building Code (the Building Code).
- Producing Approved Documents that specify detailed prescriptive methods of complying with the Building Code.
- Providing information and advice on building controls to all sectors of the building industry and the public.
- Monitoring the performance of territorial authorities and building certifiers in relation to their functions under the Building Act 1991 (the Building Act).

In addition, the BIA offers specific user-pays services, including:

- Determinations
- Accreditations
- building certifier approvals and renewals.

Further information about the BIA can be found on its website: www.bia.govt.nz

The Building Industry Performance Group

A Building Industry Performance Group (BIP Group) was established at the BIA in June 2003. This group's functions include:

- monitoring, reviewing and improving performance outcomes of the regulatory building control system
- managing and strengthening relationships with territorial authorities, building certifiers and other key industry stakeholders
- administering the approvals and renewals of building certifiers
- producing guidance documents
- providing advice and assistance to the regulatory building control industry.

Among the BIP Group's first tasks was a review of Christchurch City Council's Building Control Operations.

Purpose of the Review

The technical review

BIA technical reviews are undertaken to:

- examine territorial authorities' and building certifiers' ability to effectively fulfil their statutory requirements under the Building Act
- give territorial authorities assistance and advice where appropriate
- determine whether territorial authorities and building certifiers have appropriate systems and resources available to enable them to do their work properly.

Objectives of the technical review

The specific objectives of the technical review of the Council that took place in November 2003 were five-fold. They were to:

- investigate whether the buildings constructed under building consents issued by the Council complied with the Building Code insofar as they were required to do so under the Building Act
- assess whether the processes and procedures employed by the Council enabled them to satisfy the requirements of the Building Act, Building Regulations and the Building Code
- assess the Council's performance with specific respect to weathertightness compliance
- make recommendations to assist the Council in improving its performance
- seek comment from the Council about its situation, its ability to assess building compliance and the BIA's role in this process.

Legislative basis

There are two sections in the Building Act which are pertinent to this review. They are:

- section 12(1)(d) which outlines the 'Functions of the Authority' as 'Undertaking reviews of the operations of territorial authorities... in relation to their functions under this Act'
- section 15(1) which states that 'The Authority may, of its own motion... undertake a review of the operation by a territorial authority of the territorial authority's functions under this Act'.



About the Council's Building Control Operations

The Christchurch City Council

The Christchurch City Council services Christchurch city. The city has a population of approximately 320,000 people. The Council services an area of approximately 452 square kilometres.

The Council employs approximately 2190 people to carry out various roles to service the city.

The Environmental Services Unit

The sector of the Council involved in this review was the Environmental Services Unit.

Within this unit, the regulatory building control department administers:

- processing and approving building consent applications
- performing inspections to monitor building compliance during and after construction
- recording Building Warrants of Fitness (BWOFF)
- granting or refusing waivers or modifications of the Building Code
- enforcing the provisions of the Building Act, the Building Regulations and the Building Code at local level
- maintaining records of building information and making them available to the public
- issuing Project Information Memoranda (PIMs)
- issuing code compliance certificates
- issuing Compliance Schedules and Statements of Fitness.

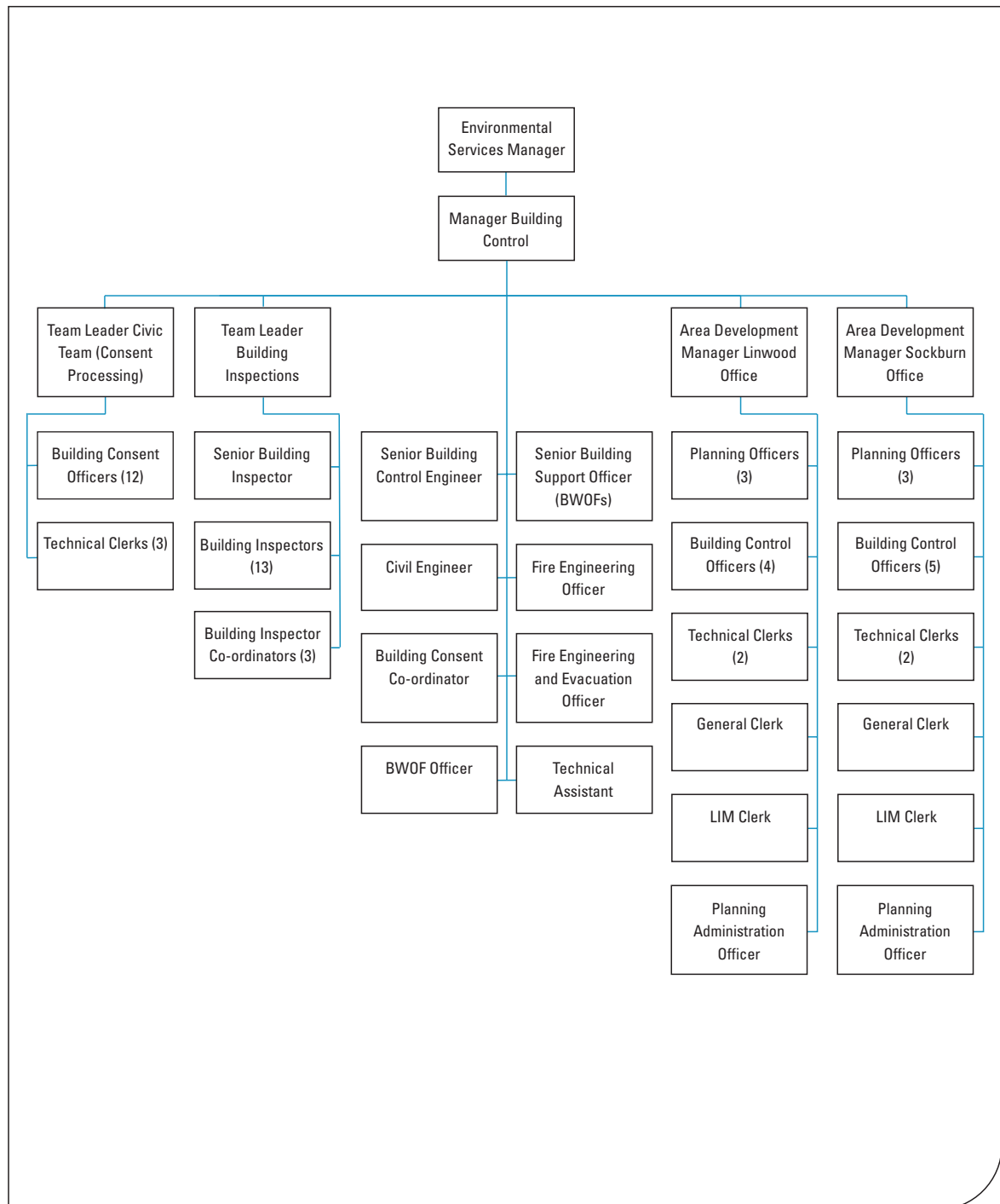
Statistics

The following statistics give an indication of the building control tasks and volume of work faced by the Council. These statistics cover the 12-month period from July 2002 to June 2003.

Action	Total number
Building consents issued	8,198
Building consents issued – valued over \$500,000	205
Building consents issued – valued under \$500,000	7,993
Building certificates lodged	948
Code compliance certificates issued	5,753
Outstanding code compliance certificates	8,956
Compliance Schedules issued	3,100
Swimming pools listed on pool register	3,410
Valuation of construction work	\$720,350,932

Council Building Control Organisational Chart

The chart below shows how the Building Control Operations of the Council are organised.



The Review Process

Introduction

The BIA carries out technical reviews to measure building control processes and performance against the requirements of the:

- Building Act
- Building Regulations
- Building Code.

Review time-frame

A technical review will usually take six to nine months to complete.

Investigative method

Routinely, reviewers investigate specific issues relating to:

- processes and procedures relating to Building Code compliance
- weathertightness and accessibility compliance
- assessing and approving Alternative Solutions
- Producer Statement acceptance regimes
- human resource competencies, resource allocation, and staff acquisition and retention
- educational and training initiatives
- relationships between territorial authorities and building certifiers.

Process for the Council

Note: In the case of the Christchurch City Council, the BIA has not carried out a follow-up review six months after the initial review. This is because the BIA feels the issues identified in the first review have been, and continue to be, sufficiently addressed by the Council.

The Council has also provided the BIA with a comprehensive action plan which addresses many of the issues identified by the BIA in the November 2003 review.

In future reviews, we will continue to monitor the Council's progress and implementation of our recommendations.

Stage	Description
1	On-site technical review – November 2003
2	Review team feedback about findings. This feedback included recommendations for Council implementation.
3	Formal feedback from the Council.
4	Final review summary document produced.
5	Future ongoing reviews.



Terms of reference

The review of the Council took into account the following criteria.	
1	Organisational/management structure.
2	Consent statistics: <ul style="list-style-type: none"> • issued building consents • issued code compliance certificates • current and expired Building Warrants of Fitness • registered swimming pools, etc.
3	Use of processing clock: <ul style="list-style-type: none"> • Recording and performance of statutory time-frames.
4	Procedures for determining compliance with the Building Code: <ul style="list-style-type: none"> • Consent application vetting and lodgement processes. • PIM processing. • Building consent processing. • Use of notations and endorsements on consent documents. • Use of external and specialised assessment. • On-site compliance processes. • Certifier applications and processing, and inspecting certifier exclusions. • Compliance Schedules. • Peer reviews.
5	Assessing Alternative Solutions.
6	Procedures for Producer Statements.
7	Weathertightness compliance.
8	Compliance with other Building Act requirements.
9	Building Warrant of Fitness regime.
10	Accessibility compliance.
11	Human resources.
12	Technical knowledge and ability of staff.
13	Adequacy of resources.
14	Adequacy, security and availability of public records.
15	Relationships with building certifiers or territorial authorities.
16	Case studies of completed buildings.
17	Accompanying personnel during inspection work on at least 20 inspections of varying types.
18	Feedback to BIA.

Review Recommendations

Areas under recommendation

The recommendations in this report cover the following five areas.

- Processing building consents.
- Producer Statements.
- Policy.
- Staff training and education.
- Human resources.

Recommendations and actions taken

Feedback and recommendations were generated from the November 2003 review.

The following pages document:

- the November 2003 feedback and recommendations
- actions taken by the Council
- actions yet to be taken by the Council
- responses to the final review from the Council.

Processing Building Consents

Purpose

The purpose of this criterion was to describe and outline the process by which the Council vets, processes and approves building consent applications to establish compliance with the Building Code. Specific attention was given to:

- processing methodology and systems
- processing records

- technical competencies
- audit trails to demonstrate how compliance was achieved.

Areas of process and technical strengths and weaknesses were identified and, where appropriate, recommendations for improvement provided.

November 2003 recommendations

These are the November 2003 recommendations for processing building consents.

Number	Recommendations
1	<ul style="list-style-type: none"> • Clear policy and procedures to be developed and implemented to ensure building consents are issued only if plans and specifications submitted clearly demonstrate that compliance with every applicable Clause of the Building Code will be achieved. • Recruitment of specialist plumbing and drainage processing resource is required. • Best processing practices to be identified. These to be adopted as a Council standard.
2	Operations of the Environmental Services Unit to be adequately resourced.
3	The use of stamps and notations on plans to be reviewed. They are to be used to highlight areas for attention, not to replace missing information.
4	<p>Inspectors to:</p> <ul style="list-style-type: none"> • record timber framing treatment and moisture content details during appropriate inspection • ensure requisition details are clearly documented. <p>Consideration to be given to:</p> <ul style="list-style-type: none"> • implementing a follow-up strategy to ensure all inspection requisitions are promptly resolved • including additional inspections to ensure substrate elements (eg, flashings) behind exterior claddings are correctly installed and fixed.
5	<p>With regard to Compliance Schedules:</p> <ul style="list-style-type: none"> • formal procedures to be developed to ensure every building requiring a Compliance Schedule (or an updated schedule) is identified and actioned prior to code compliance certificates being issued • a checkbox and recording space to be added on the final building check sheet for identifying a Compliance Schedule requirement • a 'requirement or addendum' to be added to the building consent, stating that the building may not be occupied until the Compliance Schedule features are certified as Code compliant and the Compliance Schedule and Statement of Fitness are issued.
6	The scope of the current internal audit process to be expanded so consent processing and issue of building consents is incorporated.
7	A defensible procedure to be developed so processing and inspection staff document the basis for their acceptance of an Alternative Solution.



November 2003 recommendations (continued)

Number	Recommendations
8	<p>With regard to weathertightness compliance:</p> <ul style="list-style-type: none">• more rigorous process and inspection methods to be implemented• uniform processing and inspection checklist to be introduced (see the BIA review team and BOINZ Code of Practice examples)• processing staff to read specifications carefully to ensure compliance with Building Code Clauses E2 External Moisture and B2 Durability• building consent applications to have complete weathertightness details prior to approval and consent issue• training for staff to achieve consistency of practice• adequate inspections of cladding systems to occur and full Code compliance to be achieved (refer to the BIA publication, <i>Critical Requirements for the Assessment of 'Monolithic' Cladding</i>).
9	<p>Council to ensure the IS3 (Accessibility Compliance) form is used and completed by both processing and field inspection staff when assessing buildings with accessible features. These completed forms must be included with the Council's consent records.</p>
10	<p>Additional resource to be provided to processing of building certifier applications and strict protocols to be implemented to ensure all applications involving sections 38 and 46 of the Building Act are given appropriate attention.</p>
11	<p>A procedure to be developed to ensure a Compliance Schedule is issued for buildings with Compliance Schedule features that have had a code compliance certificate issued by a building certifier.</p>

Processing Building Consents (continued)

Actions taken

These are the actions taken for the processing building consent recommendations.

Number	Actions taken
1	<ul style="list-style-type: none"> • An education process with designers has begun. • The topic has been discussed at team meetings. • An article on the topic has been produced and published in the <i>Gazette</i>. • The processing team now has specialist plumbing/drainage resource.
2	<ul style="list-style-type: none"> • Consideration is being given to employing additional staff to address meeting statutory time-frames. • Resourcing issues are under continual assessment.
3	The recommendation is under review.
4	<p>Inspectors have been reminded to consistently check and record:</p> <ul style="list-style-type: none"> • moisture and timber treatment levels • details of remedial work arising from final inspections. <p>A two-week rotational system has been put into place for inspectors to follow up and sign off recently inspected consents.</p>
5	<ul style="list-style-type: none"> • A check box has been added to the final inspection sheet for Compliance Schedules. • Issuing 'overdue' notices to building owners where BWOFs are overdue is being considered. • A new BI1 Form has been created to ensure Compliance Schedules are actioned.
6	Actions are under consideration. Audit of processing is now a KPI requirement.
7	Actions are in the planning stage. Inspectors are required to record decisions.
8	<ul style="list-style-type: none"> • These issues have been highlighted to staff. • Staff training courses (BIA and BRANZ) continue to be attended. • Checklists for consent applications are being reviewed. • The BOINZ Code of Practice has been implemented as a guide to the number and type of inspections necessary for weathertightness.
9	Actions are under consideration.
10	Building Act and Regulations requirements have been reviewed with the Consent Officer handling consents for building certifiers. Actions are in the planning stage. Certifier applications have since halved.
11	Actions are under consideration.



Actions to be taken

These are the areas which still need to be addressed.

Number	Action still to be taken
1	Some actions are still under consideration.
2-3	Action still under consideration.
4-6	No further action necessary.
7	An accreditation procedure is to be developed with guidelines from the BIA.
8	No further action necessary.
9	Actions under consideration.
10	<ul style="list-style-type: none">• Policy and procedure to be developed.• Development of a comprehensive report form is being considered.
11	No further action necessary.

Council responses

The following areas have been addressed: numbers 1, 2, 3, 4, 5, 6, 7, 8, 10 and 11. Solutions for matters highlighted in number 9 are still under consideration. These will continue to be monitored by the BIA's BIP Group through regular contact.

Producer Statements

Purpose

The purpose of this criterion is to establish whether Producer Statements accepted by the Council are adequate to achieve compliance, and that a robust, credible and non-contestable Producer Statement acceptance regime is clearly understood and practised by staff.

November 2003 recommendations

These are the November 2003 recommendations for Producer Statements.

Number	Recommendations
1	The Council is to develop the Producer Statement system so that: <ul style="list-style-type: none">• design calculations are a mandatory part of the Producer Statement which will become part of the consent record• a formal audit of authors occurs for contestability and credibility.

Actions taken

These are the actions taken for the Producer Statement recommendations.

Number	Actions taken
1	A process is being developed by the Council's in-house engineers.

Actions to be taken

These are the areas which still need to be addressed.

Number	Actions still to be taken
1	A process will be formalised as part of the Council's accreditation procedure.

Council responses

This is the Council's response to the review team recommendations.

Number	Council responses
1	A process will be formalised.

BIA's BIP Group response

The BIA's BIP Group stresses the urgency of implementing a robust and credible Producer Statement acceptance regime, ahead of the proposed Building Consent Authority (BCA) accreditation regime.

Policy



Purpose

The purpose of this criterion was to look at areas of policy relating to building control processes.

November 2003 recommendations

These are the November 2003 recommendations for policy.

Number	Recommendations
1	To satisfy sections 38 and 46 of the Building Act, the Council is to develop clear policy and procedures for determining what aspects need to be considered when establishing a reasonable level of upgrade.
2	A brief report form to be developed to show section 38 and 46 provisions have been made. The form to have space to record the basis for determining the degree of upgrade required.

Actions taken

These are the actions taken for the policy recommendations.

Number	Actions taken
1	Policy and procedures are under development.
2	A report form is being considered.

Actions to be taken

These are the areas which still need to be addressed.

Number	Actions still to be taken
1	Policy and procedures are under development.
2	A report form to be considered as part of the accreditation procedure.

Council responses

These are the Council responses to the review team recommendations.

Number	Council responses
1-2	Recommendations under development.

BIA's BIP Group response

The BIA's BIP Group stresses the importance of developing formal policies and procedures in advance of Building Consent Authority (BCA) accreditation. This will help ensure adequate systems and processes are in place for today as well as tomorrow.

Staff Training and Education

Purpose

This criterion was included in the review to establish whether staff training is provided, and whether that training is appropriate and adequate to meet staff needs and improve the Council's compliance performance.

November 2003 recommendations

These are the November 2003 recommendations for staff training and education.

Number	Recommendations
1	All processing and field inspection staff to attend Barrier Free (accessibility) training, as well as ongoing refresher courses.
2	Building inspection staff to be provided with ongoing and increased technical training in: <ul style="list-style-type: none">• weathertightness• accessibility compliance.
3	Each building control officer to hold a copy of the Approved Documents and NZS 3604:1999.

Actions taken

These are the actions taken for the staff training and education recommendations.

Number	Actions taken
1	Seven staff attended a training workshop in May 2004. More workshops will be held.
2	Staff currently enrolled in BIA/BRANZ E2/AS1 weathertightness seminars. The Council is investigating other training opportunities in this area.
3	The Council holds 36 copies of NZS 3604 and seven copies of the Building Code and Approved Documents. Every officer has access via the intranet to electronic copies of NZS 3604 and the Building Code.



Actions to be taken

These are the areas which still need to be addressed.

Number	Actions still to be taken
1-2	Ongoing training.
3	Additional hard copies of Approved Documents are still considered necessary to ensure ease of access and use.

Council responses

These are the Council responses to the review team recommendations.

Number	Council responses
1-2	Training will be ongoing.

Human Resources

Purpose

The purpose of this criterion was to assess the level of technical and administrative staff resources of the Council's building control department. This included assessing staff adequacies. Attention was also given to examining the effectiveness of the Council's staff acquisition and retention strategies.

November 2003 recommendations

These are the November 2003 recommendations for human resources.

Number	Recommendations
1	<ul style="list-style-type: none">• To fulfil statutory obligations, the Environmental Services Unit to adequately resource its operation.• A long-term, proactive staff acquisition strategy to be investigated and initiated.

Actions taken

These are the actions taken for the human resource recommendations.

Number	Actions taken
1	Three inspectors have been employed in the last 12 months. Two have New Zealand Certificate qualifications. The other has an equivalent trade qualification.

Actions to be taken

These are the areas which still need to be addressed.

Number	Actions still to be taken
1	The Council needs to continue to recruit and retain technical staff for its building control operation.



Council responses

These are the Council responses to the review team recommendations.

Number	Council responses
1	<p>Since 2000, the Council has employed 10 new review staff. This is to replace staff who have left or to provide additional staff. The qualifications of these staff are:</p> <ul style="list-style-type: none">• two hold Masters degrees in Engineering• one holds an Honours degree in Architecture• one holds a Bachelor of Architecture• six hold New Zealand Certificates in Engineering or Architectural Draughting, or the overseas equivalents thereof. <p>Note: The Council's HR group will continue to recruit staff as required.</p>

Summary

Our aim in these reviews is to see the BIA work collaboratively with territorial authorities and building certifiers. This is to ensure our regulatory building control industry effectively and consistently achieves building compliance.

The Council is striving to achieve high standards within its regulatory building control functions in Christchurch. The Environmental Services Unit has demonstrated, for example, that it is making a good effort to assemble a highly skilled and qualified team.

The BIA notes the Council is still not fulfilling all its statutory obligations in achieving acceptable building consent processing and approval time-frames. This is due, in part, to a significant and continuous increase in building consent activity in the Christchurch City region, to the extent that the Council's workloads are outstripping current resources.

More attention needs to be concentrated in this area to ensure the Council is able to process and approve consent applications within its statutory time-frames.

The BIA acknowledges a number of staff have a high level of technical competency. However, there is still a pressing need for increased technical training and education in the specific areas of weathertightness and accessibility compliance.

With regard to weathertightness compliance, consent documentation currently supplied to, and accepted by, the Council often lacks adequate and specific weathertightness detail. To assist in the consents processing task, staff should require all documentation to be adequately completed and comprehensively detailed before accepting building consent applications. This will also assist in achieving weathertightness compliance.

Producer Statements are generally being dealt with in a responsible manner. But some areas need to be emphasised and brought to staff attention. In particular, design calculations need to accompany Producer Statements, as they form part of consents records. Also, formal and regular auditing of Producer Statements and their authors will add non-contestability and credibility to the Council's current Producer Statement acceptance regime.

Overall, the Council is carrying out its obligations concerning Building Act requirements in a responsible manner. Since the technical review, the BIA has been working with Christchurch City Council which has responded to the review with a proactive action plan, already partly implemented. In the case of the Christchurch City Council, the BIA has not carried out a follow-up review six months after the initial review. This is because the BIA feels the issues identified in the first review have been, and continue to be, sufficiently addressed by the Council.

The BIA is confident Christchurch City Council will continue to improve its performance.



Next Steps

Further reviews

In upcoming months, the BIA will continue to carry out technical reviews. This will involve many territorial authorities and building certifiers throughout the country, including Christchurch City Council.

Our aim is to achieve efficient and effective building control compliance in the industry through collective input from ourselves, territorial authorities, building certifiers and other relevant industry stakeholders.

BIA assistance

The BIA has organised a number of professional development programmes in weathertightness building compliance.

These programmes will be run nationwide to assist territorial authorities and building certifiers in upgrading staff skills and expertise, and building their knowledge base.

The BIA's BIP Group has produced, and continues to produce, guidance documents on best practice building controls processes and procedures for a range of topics. These are distributed nationwide to TAs, building certifiers and other key stakeholders to assist in building control performance improvements and national consistency.



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