

Monitoring the performance of councils: MBIE assessments of territorial authority functions

SUMMARY REPORT AND INTRODUCTION TO NEW ASSESSMENT FRAMEWORK



Ministry of Business, Innovation and Employment (MBIE) Hīkina Whakatutuki – Lifting to make successful

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Abbreviations

BCA	Building consent authority
BWoF	Building warrant of fitness
IQP	Independent qualified person
IQPI	Independently qualified pool inspector
MBIE	Ministry of Business, Innovation and Employment
NTF	Notice to fix
TA	Territorial authority

Introduction

About this document

This document:

- summarises key findings from MBIE's assessment of territorial authority (TA) performance of functions from 2012 to 2019 (inclusive) – these were previously called technical reviews
- outlines MBIE's new approach to TA assessments carried out from 2020 onwards
- provides a summary of TA assessments undertaken from 2020 through to early 2022 and the findings from these
- outlines the next steps for TA assessments.

This report will be of interest to all councils in their capacity as TAs as well as to other stakeholders such as independent qualified persons (IQPs) and building owners.

The purpose of territorial authority assessments

MBIE carries out TA assessments as part of its ongoing monitoring of councils' performance to ensure they have the appropriate systems, processes and resources in place to carry out their core TA functions under the Building Act 2004 (the Act). Appendix 1 contains a full list of TA functions.

Assessments are carried out by a specialist team within MBIE. Throughout the assessment and follow up process, MBIE works with TAs to help them strengthen and improve their ability to undertake these functions.

TA assessments are separate from assessments under the building consent authority (BCA) accreditation scheme which are carried out by an independent accreditation body (currently International Accreditation New Zealand (IANZ)). However, there is some necessary overlap. For example, compliance schedules may be considered in both assessments, as councils have different responsibilities as a TA and as a BCA with respect to these.

MBIE's authority for TA assessments and the consequences of non-performance:

TA assessments are carried out under section 204 of the Act to assist MBIE's chief executive in monitoring the performance of TAs.

Sections 204 and 276 of the Act also give MBIE's chief executive the power to:

- formally review TAs to determine whether they are properly performing their functions and duties or properly exercising their powers under the Act; and
- require full access to all the information needed to conduct these assessments and reviews.

The chief executive has separate investigation and disciplinary powers in relation to a BCA under sections 201 and 203 of the Act.

If there are serious concerns about a TA's performance the responsible Minister may appoint someone else to act in its place – sections 277 and 278 of the Act.

Acknowledgements

MBIE would like to thank all councils involved in the TA assessment programme for their cooperation, time and input.

Previous findings - a summary

Scope of previous assessments

TA technical reviews from 2012-2019 (inclusive) focused on assessing TA performance in relation to:

- amending compliance schedules (not captured by the building consent process) and
- enforcing the building warrant of fitness (BWoF) regime via on-site audits, notices to fix (NTFs) and infringement notices.

In addition to the above, technical reviews from July 2018 onwards also considered how councils were managing their TA responsibilities with respect to residential pools. This followed changes to the Act and building code in January 2017 which included a new requirement to inspect the means of restricting access to pools (i.e. pool barriers) at least once every three years.

Statistical information provided by councils

The statistical data provided by councils prior to their reviews is summarised in Appendix 2. The two tables in this Appendix contain data relating to:

- compliance schedule and BWoF provisions for all councils reviewed from 2012 (shortly after the Act was amended with respect to these provisions) to October 2019 and
- residential pools and means of restricting access to these for all councils reviewed since July 2018 (the first group of councils to be asked for this information).

Key findings

Overall findings from these TA reviews are as follows.

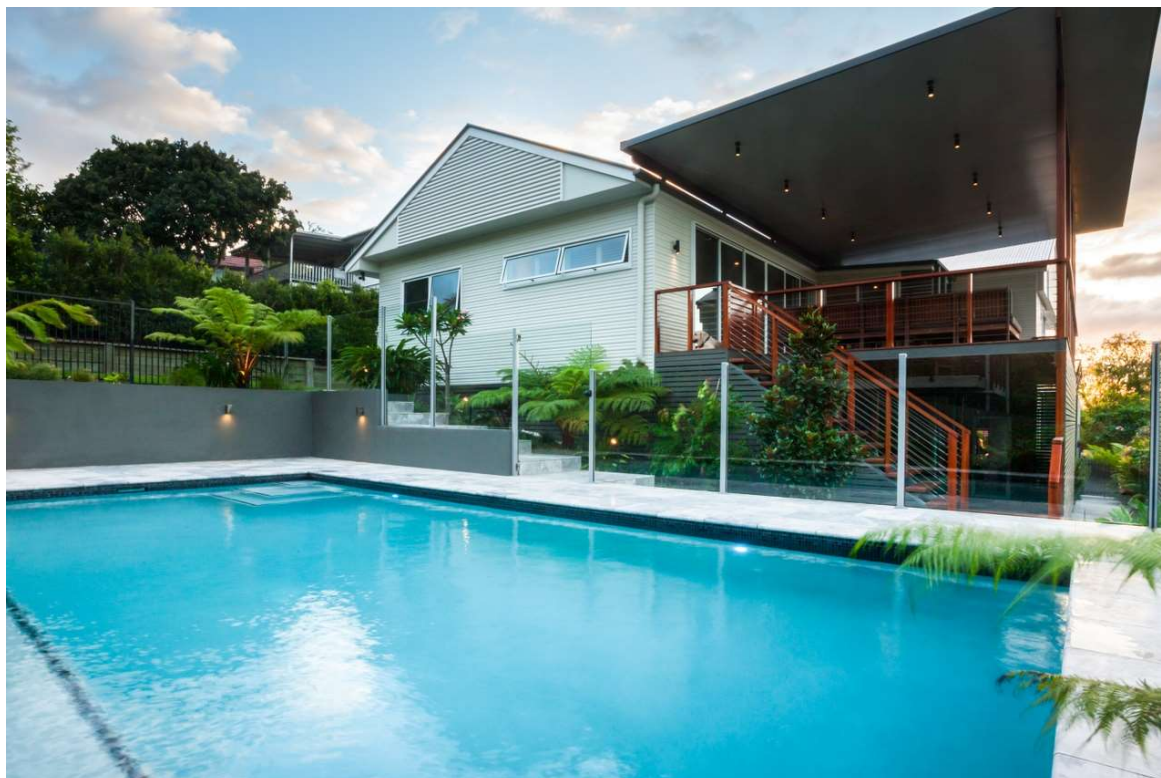
TOPIC	RESULTS AND COMMENTS
General	<p>In general terms, there was a growing awareness among councils of the need to place more focus on, and dedicate more resources to, performing their TA functions, duties and powers under the Act.</p> <p>A number of regions had developed strong cluster groups¹. Councils in these regions were increasingly coming together in their clusters to sort out common problems and to develop standard forms for some TA functions.</p>
Compliance schedules	<p>There was a high number of compliance schedules that had not been amended to satisfy the Act's requirements. MBIE reviewers found this was the case even among the more recently reviewed councils. For example, for one council surveyed in 2019, nearly all its compliance schedules were unsuitable. This finding was of particular concern given the legislation was changed so many years ago (by the Building Amendment Act 2012).</p>

¹ There are 11 regional cluster groups operating in New Zealand. Nine are in the North Island and the remaining two in the South Island. Cluster groups help foster cooperation and consistency in building control activities across territorial boundaries.

TOPIC	RESULTS AND COMMENTS
BWoFs	<p>MBIE reviewers consistently found councils without an effective BWoF audit programme. They either had no programme at all, were not reviewing enough BWoFs for their programme to be effective or were simply checking the paperwork.</p> <p>For a BWoF audit programme to be effective, MBIE guidance states councils should be auditing between 20% and 33% of all BWoFs annually². Which BWoFs are chosen should be based on risk, for example:</p> <ul style="list-style-type: none"> • buildings with sleeping uses such as backpackers’ hostels – annual audits are recommended • commercial buildings – audits every three years are recommended • low occupancy industrial buildings – audits every five years are recommended. <p>As per MBIE guidance, simply reviewing the paperwork is ineffective. Council staff should also inspect the building to confirm the presence or otherwise of specified systems.</p>
Notices to fix and infringement notices – relating to compliance schedules and BWoFs	<p>The reviews found that many councils did not issue any NTFs or infringement notices for compliance schedules or BWoF matters.</p> <p>The use of NTFs and infringement notices is an important tool for councils to create incentives for building owners and IQPs to comply with their obligations under the Act. While ultimately TAs need to exercise their discretion in each case, light-handed approaches such as warnings often do not achieve the desired results.</p>
Residential pools	<p>Councils reviewed from July 2018 onwards were asked for statistics regarding residential pools.</p> <p>Their performance with respect to the provisions for these pools in the Act was reviewed - in particular regarding the requirement to inspect the means of restricting access (pool barriers) at least once every three years. As this requirement was only introduced into the Act on 1 January 2017, MBIE reviewers took more of an educational role during these reviews. The new TA assessments from 2020 look more critically at performance in this area.</p> <p>Some of the councils reviewed by MBIE have been proactive about these inspection requirements and have been maintaining registers of residential pools in their districts for some time. However, MBIE reviewers found that most councils had not done enough research before conducting inspections to establish the dates by which the inspection was required to be carried out or what the relevant requirements for means of restricting access were for a particular pool.</p> <p>Some councils visited by MBIE were requiring compliance with Acceptable Solution F9/AS1 in all cases. This is not appropriate, as the Act also allows the means of restricting access to comply with the requirements of the building code that applied when the pool barrier was installed if a building consent, code compliance certificate, or certificate of acceptance has been issued in relation to that barrier. This can mean the means of restricting access may comply with the requirements of the current building code, the building code requirements that applied when the building consent was issued, or in some cases with the requirements of schedule 1 to the Fencing of Swimming Pools Act 1987 (even though this Act has now been repealed) – depending on the particular circumstances.</p> <p>MBIE recommends referring to recent determinations on this issue (go to www.building.govt.nz and search for ‘previous determinations’).</p>

² See [Building warrants of fitness | Building Performance](#) for additional guidance.

TOPIC	RESULTS AND COMMENTS
	Where information regarding the age of a pool, and means of restricting access, is difficult to find in written records, MBIE suggests that other sources could be used including geographic information systems (GIS), aerial photos and the like.



New approach to TA assessments from 2020 onwards

The reason for change

Following review of the TA assessment process, MBIE considered:

- There had been insufficient improvement in councils' performance of the functions and duties of TAs under the Act since TA assessments began.
- The process could be made more efficient, as a limited number of TA functions had been assessed and it had taken too long to assess all 67³ TAs for a given set of TA functions.
- It had not prioritised the TAs and the functions to be assessed in a manner which consistently ensured the best management of risk.

MBIE implemented a compliance strategy in 2019 for BCAs and TAs. To fully align with this compliance strategy and to address the matters identified above, MBIE decided it was necessary to review its approach to TA assessments.

MBIE's BCA and TA compliance strategy

MBIE's compliance strategy for BCAs and TAs sets out its approach for ensuring and enabling performance under the Act.

The compliance strategy has three main objectives, as shown in the following graphic.



Objective 1: Promote compliance – this includes understanding challenges and constraints, promoting best practice, and providing more education and training.

Objective 2: Develop a picture of risk using monitoring and analysis – this includes developing a better picture of council need and risk through better data collection and analysis and through more efficient monitoring of council. **The risk-based approach to TA assessments is part of Objective 2.**

Objective 3: Identify and respond to noncompliance – this involves MBIE communicating its expectations to councils, engaging with them to resolve any problems, and escalating its response if serious issues are not rectified.

³ Chatham Islands Council has yet to be assessed by MBIE but will be included in future assessment cycles.

Summary of the new approach

MBIE introduced the risk-based approach to TA assessments in 2020 following a short pilot programme.

TA assessments now involve a mix of both desktop and on-site assessments, with most carried out at a high-level, and will prioritise the TAs and TA functions to be assessed. This approach is more efficient than the previous on-site only approach and will allow more TAs to be assessed, more regularly. These new activities sit alongside the separate earthquake-prone building monitoring and education programme that MBIE carries out to ensure TAs meet all their obligations under the Act.

The key changes include:

- Each council will be assessed more frequently, with the timing and focus of these based on the perceived risk of non-performance.
- There will be different types of assessments - performance monitoring assessments (which includes both high-level and detailed desktop or on-site assessments), on-site performance verification assessments and TA reviews.
- Council performance with respect to a wider range of TA functions, duties and powers will be considered.

MBIE will continue to ask councils for relevant statistical data before each assessment⁴. Additional information may also be required to ensure accuracy as well as speed up the process, including more detailed material for desktop-based reviews.

At the end of each assessment, MBIE will discuss its key findings with the TA (in the case of on-site assessments) and provide a written report summarising these findings and any required actions. Councils will have the opportunity to provide feedback on this report before it is finalised. MBIE will then follow up, as appropriate, to check that any required actions have been taken. For any corrective actions, councils will be monitored with regular check-ins until those items are cleared.

In all types of TA assessments, TAs are measured against a set of performance indicators. The importance of meeting a particular performance indicator varies, which means failure to meet one type of indicator may not be as concerning as failure to meet another. To capture this different weighting, each performance indicator is classified as one that could either create the need for a 'corrective action' or one that would only create a 'strong recommendation' if the council is failing in these areas.

A performance indicator that could result in a 'corrective action' is one which is tied to a statutory requirement, or one which, if not carried out correctly, could have impacts on the health or life safety of building occupants.

A performance indicator that would result in a 'strong recommendation' relates to what we believe is a key function in adequately performing TA functions but is not necessarily directly attached to a statutory requirement. For example, having policies and procedures setting out the objectives the TA intends to achieve and how it will achieve those.

TA assessment reports may include one or more 'strong recommendations' and one or more 'corrective actions'. Corrective actions require the TA to respond to a series of questions (e.g. around progress and intention to fix) within 20 working days. TAs can also respond to any strong recommendations, but this is not mandatory.

Different types of TA assessments

The different types of TA assessments MBIE may undertake are:

Performance Monitoring Assessments

Performance monitoring assessments are carried out under section 204 of the Act and aim to establish an understanding of council performance in carrying out TA functions as well as the existence and maturity of council systems and processes for managing these.

Information collected through these assessments can be used to help councils improve performance and allow MBIE to take further action if required. The data collected across multiple councils can also be used to establish whether wider education or activity is required (for example, guidance to TAs in a Building Control Update).

⁴ Appendix 3 contains statistical data for assessments carried out from 2020 onwards.

	<p>Performance assessments also aim to assist TAs in:</p> <ul style="list-style-type: none"> • enhancing the performance of their building control activities • implementing appropriate systems, processes and resources so they can carry out their building control functions effectively and more efficiently • effectively fulfilling their obligations under the Act and relevant Regulations. <p>There are three types of performance monitoring assessments:</p> <ol style="list-style-type: none"> 1. High-level desktop assessments These assessments are designed to enable MBIE to gain a quick picture of how a TA is performing and to help us make risk-based decisions. For example, determining which TAs will receive a more detailed assessment or identifying where guidance, education or some other assistance is required. They will be the 'go-to' assessment type. 2. Detailed desktop assessments These assessments are designed to provide a detailed picture of how a TA is performing. They will be used: <ul style="list-style-type: none"> • Where a high-level desktop assessment did not produce a clear picture of how a TA is performing or where a more in-depth assessment is required to understand how a TA is performing. • Intermittently in place of high-level assessments as a risk measure to ensure our high-level assessments are asking the right questions and assessing the correct aspects of a TAs performance. 3. Detailed on-site assessment These may be carried out for some TAs in conjunction with desktop assessments and have the benefit of being able to observe council staff undertaking their functions and demonstrating the use of council systems and process (e.g. computer tools used to process information relating to the TA functions being assessed). These assessments are intended to give a more complete picture of how the TA is performing and better understand the environment in which they are operating.
<p>Performance Verification Assessment</p>	<p>An on-site assessment used to verify the accuracy of the findings from a desktop assessment. These assessments help us shape future performance monitoring assessments by ensuring we are asking the right questions and ensuring responses to questions are analysed and understood correctly. These types of assessments occur infrequently and only when the need arises.</p>
<p>Territorial Authority Reviews</p>	<p>These reviews are reserved for instances where there is evidence that a TA may not be properly performing its functions and duties, or failing to properly exercise its powers under the Act, i.e. a suspected systemic failure of the TA in the performance or exercise of those functions or powers. These reviews are carried out under section 276 of the Act.</p>

New structure to TA assessments and reports

Each TA assessment and report is broken into sub-groupings of performance indicators which vary depending on the TA function being assessed.

For compliance schedules and BWoFs, the groupings are:

- **Tools to perform the function** – this looks at whether the council has the appropriate policies, procedures and systems in place to perform the function. Additionally, whether the council has sufficient staff resources and the required forms in place to perform the function.
- **Accuracy of compliance schedules** – this is made up of several performance indicators such as council's position on key aspects of the scheme, whether compliance schedules comply with the Act, the quality of compliance schedules, BWoF audit numbers and quality.
- **Assurance that inspection, maintenance and reporting procedures are taking place** – as with 'accuracy of compliance schedules', this looks at council's position on key matters, percentage of buildings with a BWoF and how councils perform certain functions.
- **Enforcement** – the use of NTFs and infringement notices to ensure compliance.
- **Public information and assistance** – the provision of public information about compliance schedules and BWoFs as well as the provision of the necessary forms for owners and IQPs.

For residential swimming pool barriers, the groupings are:

- **Tools to perform the function** – this looks at whether the council has the appropriate policies, procedures and systems in place to perform the function. Additionally, whether the council has sufficient staff resources and the required forms in place to perform the function.
- **Capture of residential pools** – this looks at the procedures the council has in place to ensure all relevant pools in their district are captured in the council's register.
- **Inspection of residential pools** – this focuses on both the inspection numbers, to ensure council are meeting statutory obligations, and the quality of inspections.
- **Enforcement** – the use of NTFs and infringement notices to ensure compliance.
- **Public information and assistance** – the provision of public information about residential swimming pool barriers for owners and IQPIs.

Each performance indicator has expectations and measures associated with it that will help MBIE to develop a picture of the council's overall performance, and, in doing so, determine whether any follow-up action is required as well as decide when the council's next assessment should take place.

More TA functions, duties and powers to be reviewed

Under the risk-based approach, performance monitoring assessments will consider a much wider range of TA functions, duties and powers than before. These will be chosen based on key risk factors such as:

- inherent risk – the likelihood and consequence of failure of these functions, duties and powers not being carried out as required
- changes to legislation – including whether this has caused any confusion or extra work
- the length of time since these functions, duties and powers were last assessed.

Summary of the 2020-2022 assessment programme

From 2020 – through to early 2022, a total of 32 TAs (approximately half of all TAs) were assessed by MBIE under the new risk-based assessment process. These consisted of:

- 25 high-level desktop assessments
- six detailed desktop assessments, and
- one detailed on-site assessment.

In addition to the above, two on-site performance verification assessments were carried out to ensure MBIE’s findings from the desktop assessments reflected what was happening on-site. These visits were successful and findings from the desktop assessments were found to be accurate.

Assessments continued to focus on existing building safety and covered the following TA functions:

- compliance schedules
- the BWoF regime, and
- the inspection of residential swimming pool barriers to ensure they meet requirements for restricting access.

MBIE intends to commence looking at additional functions relating to existing building safety later in 2022.

COVID-19 and the resulting restrictions have influenced MBIE’s ability to carry out TA assessments at various times over the last two years. Restrictions on domestic travel have prevented or delayed some on-site assessments, and some members of the assessment team were allocated to other workstreams related to the COVID-19 response. This has had some impact on the overall number of assessments that MBIE was able to carry out.

Most councils have managed to remain fully operational throughout the COVID-19 pandemic due to the ability to work remotely. However, MBIE acknowledges that carrying out TA functions does involve an amount of on-site work and therefore the ability of a TA to perform some, or part, of its functions may have been affected as a result.

Key findings from these assessments

53%

of TAs had fully completed updates of their compliance schedules to meet the Act’s requirements.

84%

of TAs provided appropriate public information regarding compliance schedules and BWoFs.

41%

of TAs had fully completed their residential pool barrier inspections, within a three-year period, to meet the requirements of the Act.

The tables below provide an overview of the key findings from recent assessments.

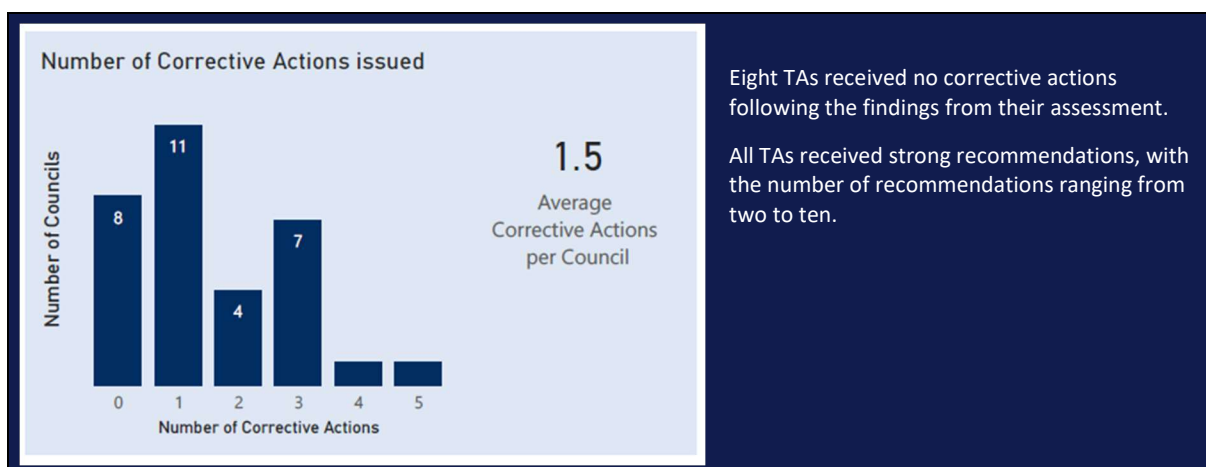
Performance Indicator	Compliance Schedules and BWoFs
<i>Tools to perform the function</i>	<p>Half of TAs did not, in our opinion, have sufficient staff resources to undertake their functions effectively.</p> <p>In relation to policies and procedures:</p> <ul style="list-style-type: none"> • five TAs were identified as having good policies and procedures • three did not have any policy or procedure in place for the functions assessed, and • the policies and procedures of a further 24 required improvements.
<i>Accuracy of compliance schedules</i>	<p>Slightly over half of TAs had fully completed updates of all their compliance schedules to meet the Act's requirements. However, this still left a high number of TAs with compliance schedules that did not comply with section 103 of the Act.</p> <p>There were also 15 TAs identified as having put compliance schedules on hold, something that is not provided for in the Act.</p> <p>Most TAs continue to struggle with compliance schedules with a significant number (27) having compliance schedules that required improvements. The remaining five TAs did have good quality compliance schedules. These numbers relate to a small sample of compliance schedules that were selected and reviewed during each TA assessment.</p> <p>Assessments of TAs - both those carried out under the recent assessment programme, as well as historically, have identified that many find it challenging to compile a good quality and building-specific compliance schedule.</p> <p>MBIE recently published its Exemplar Compliance Schedule - a 'best practice' document that is intended to be useful for TAs, as a guide, to assist in raising the quality of compliance schedules.</p>
<i>Assurance that inspection, maintenance and reporting procedures are taking place</i>	<p>MBIE continues to find councils without a good BWoF audit programme with most not reviewing enough BWoFs for their programme to be effective. Only four TAs had audited within or over the recommended 20-33% (minimum) of their BWoFs annually. A significant number of TAs (half of those assessed) had audited less than 7% of their BWoFs annually, and, in MBIE's opinion, this requires immediate action by the TA to address.</p> <p>Twenty-two TAs accept documentation from owners and IQPs that is not in accordance with the Act, allowing less than the full 12-month compliance required by section 108 of the Act.</p> <p>In relation to BWoF check sheets:</p> <ul style="list-style-type: none"> • almost all TAs assessed had a BWoF audit check sheet in place, and • slightly under half (14) had a BWoF review and processing sheet in place.
<i>Enforcement</i>	<p>Fifteen TAs (just under half of those assessed) do not actively use NTF provisions to encourage compliance.</p>
<i>Public information and assistance</i>	<p>The majority of TAs (27) did provide appropriate public information about compliance schedules and BWoFs as well the necessary forms. A small number of TAs (two) did not provide any public information, and the information provided by a further three TAs required some improvement.</p>

Performance Indicator	Residential Pools
<i>Tools to perform the function</i>	<p>One-quarter of the TAs assessed did not, in our opinion, have sufficient staff resources to undertake their functions effectively. However, residential pool functions were overall found to be slightly better resourced than functions relating to compliance schedules and BWoFs.</p> <p>In relation to policies and procedures:</p> <ul style="list-style-type: none"> • five TAs were identified as having good policies and procedures • one TA did not have any policy or procedure in place for the functions assessed, and • the policies and procedures of a further 26 required improvements.
<i>Capture of residential pools</i>	<p>All of the TAs surveyed (25) for this function had procedures in place to ensure all relevant pools in their district are captured in the council's register. This finding did not relate to all 32 TAs as MBIE only commenced seeking this information partway through the assessment programme.</p>
<i>Inspection of residential pools</i>	<p>Nineteen TAs did not fully complete inspections of residential pools in their district to ensure compliance with the Act's requirements.</p> <p>In relation to pool audit sheets:</p> <ul style="list-style-type: none"> • 15 TAs were found to have good audit sheets • the remaining 17 TAs were identified as needing improvement in this area.
<i>Enforcement</i>	<p>Most TAs did use NTF or infringement notices, however there were still 13 TAs who were not actively using these tools to encourage compliance.</p>
<i>Public information and assistance</i>	<p>Nineteen TAs provided good public information about residential pool requirements. The remaining TAs (13) did provide some public information, although this information required improvements.</p>



Overall, the findings identified mixed levels of performance amongst the TAs assessed with performance ranging from poor to good. Some TAs have performed well in one area but were struggling to meet requirements in other areas and functions.

Councils have typically focused on their BCA functions, at the expense of their TA functions. Consequently, TA functions were found to be often under-resourced and under-funded.



Eight TAs received no corrective actions following the findings from their assessment.

All TAs received strong recommendations, with the number of recommendations ranging from two to ten.

Follow up on non-performing TAs

MBIE has written to those TAs not meeting statutory requirements to determine their intention to address the concerns raised. The reaction from TAs to date has been positive, with most acknowledging the issues and informing MBIE of their intent to employ more staff, or rearrange priorities, to address the issues. A small number of TAs have already completed their corrective actions.

The follow-up process has often been time-consuming for both MBIE and TA staff. A new document has been developed by MBIE to make the follow-up process smoother, ensure good record-keeping and provide council with clear expectations around future actions to be taken by MBIE. This has already proven to be a time-saver and will be utilised for future assessments.

MBIE will continue to monitor TA progress in addressing corrective actions. Where acceptable responses are not provided, or adequate progress is not made, we will investigate other measures to ensure compliance as well as encourage collaboration across TA cluster groups where appropriate.

Next steps

There are 35 remaining TAs due to be assessed for functions relating to compliance schedules, BWoFs and residential pools – this will complete the assessments of all 67 TAs for these functions.

MBIE has begun gathering data from these TAs and will prioritise assessments based on an initial high-level assessment of performance. The data will help to identify those TAs requiring a more detailed assessment.

MBIE has recently tested online assessments for two further TA functions, looking at how TAs are meeting their obligations in respect of:

- certificates for public use (used when a building needs to open before a code compliance certificate is issued) and
- dangerous, affected and insanitary buildings.

While the testing of the assessments for the two new functions has largely provided the data we were seeking, some further testing and refinement is required before implementing these assessments for all TAs more widely later in 2022.



Appendix 1: TA functions, duties and powers

TA functions, duties and powers under the Act include the following.

TA FUNCTIONS, DUTIES AND POWERS	RELEVANT SECTIONS OF THE ACT
In relation to building consents:	
Granting discretionary exemptions under Schedule 1(2) of the Act	42A, Schedule 1(2)
Issuing building consents subject to waivers and modifications of the building code	67, 68, 69, 70
Granting building consents for buildings on land subject to natural hazards	71-74
If there are two or more allotments, issuing a building consent with a conditional certificate stating the allotment cannot be transferred or leased except in conjunction with part on other allotment	75-83
Deciding the extent to which buildings must comply with the building code when they are altered, their use is changed or subdivided and where their specified intended life changes	112, 113, 115-116
Requirement to collect levies on behalf of MBIE's chief executive	53, 219
Other functions, duties and powers:	
Issuing project information memoranda	34
Issuing NTFs and infringement notices	163-168, 370-374
Issuing certificates of acceptance and certificates for public use	96-99A, 363A
Issuing and amending compliance schedules (where no building work is involved), including powers to inspect in relation to compliance schedules	100-107, 111
Administering and enforcing provisions relating to BWoFs	108-110
Performing various functions relating to dangerous, affected and insanitary buildings (also required to have a policy on dangerous, affected and insanitary buildings)	121-132A

TA FUNCTIONS, DUTIES AND POWERS	RELEVANT SECTIONS OF THE ACT
Determining if a building is potentially earthquake-prone and issuing earthquake-prone building notices	133AA-133AY
Ensuring that the means of restricting access to residential pools are inspected at least once every three years	162A-162E, 67A
Powers to carry out inspections in certain circumstances	222-228
Powers to charge fees and to carry out building work in certain circumstances	219-220
Requirements to keep information about buildings with respect to various TA functions	64, 216-218

Appendix 2: Statistics from councils – 2012 to 2019 (inclusive)

The following tables include statistical data supplied by councils ahead of their TA reviews.

Table 1 contains data on compliance schedules and BWoFs.

Table 2 includes data with respect to residential pools, which has been collected from councils reviewed from July 2018 onwards.

Table 1: Statistical data regarding compliance schedules and BWoFs from councils reviewed from 2012 – 2019 (inclusive).

Territorial authorities	Number of buildings with compliance schedules	Amended compliance schedules issued	On-site BWoF audits carried out	Notices to fix issued for compliance schedule and BWoF matters	Infringement notices issued for compliance schedule and BWoF matters
	As of various dates in the 2019 – 2020 financial year	Data not collected	March 2012 to various dates in the 2019 – 2020 financial year	March 2012 to various dates in the 2019 – 2020 financial year	March 2012 to various dates in the 2019 – 2020 financial year
Kawerau District Council	79	-	157	0	0
Opotiki District Council	127	-	10 (estimate)	1	0
Rotorua Lakes Council	1001	-	1453	92	83
Tararua District Council	273	-	25	36	49
Westland District Council	238	-	8	3	0
	As of various dates in the 2018 – 2019 financial year	Data not collected	March 2012 to various dates in the 2018 – 2019 financial year	March 2012 to various dates in the 2018 – 2019 financial year	March 2012 to various dates in the 2018 – 2019 financial year
Central Hawke’s Bay District Council	194	-	0	1	0
Central Otago District Council	438	-	0	0	0
Hutt City Council	1438	-	366	30	2
Manawatu District Council	424	-	149 (from 2014 only)	47	6
Napier City Council	824	-	1066	0	0

Territorial authorities	Number of buildings with compliance schedules	Amended compliance schedules issued	On-site BWoF audits carried out	Notices to fix issued for compliance schedule and BWoF matters		Infringement notices issued for compliance schedule and BWoF matters	
				March 2005 – March 2012	March 2012 to various dates in the 2017 – 2018 financial year	July 2008 – March 2012	March 2012 to various dates in the 2017 – 2018 financial year
Otorohanga District Council	107	-	40	0		0	
Rangitikei District Council	275 (estimate only)	-	157 (estimate, and 2017-2019 only)	45 (estimate, and 2017-2019 only)		15 (estimate, and 2017-2019 only)	
Southland District Council	707	-	429	1289		65	
Waipa District Council	499	-	180 (from 2018 only)	0		0	
Waitomo District Council	124	-	7	0		0	
Whanganui District Council	665	-	228 (2016-2019 only)	126 (2016-2019 only)		8	
	As of various dates in the 2017 – 2018 financial year	March 2012 to various dates in the 2017 – 2018 financial year	March 2012 to various dates in the 2017 – 2018 financial year	March 2005 – March 2012	March 2012 to various dates in the 2017 – 2018 financial year	July 2008 – March 2012	March 2012 to various dates in the 2017 – 2018 financial year
Carterton District Council	85	1	27	0	1	0	0
Hastings District Council	875	560	72	0	14	0	9
Hauraki District Council	211	80	154	0	0	0	0
Matamata-Piako District Council	389	350 (estimate only)	58	11	17	0	0
Taupo District Council	587	467	2207	0	0	0	0
Wairoa District Council	121	No information available	3	0	0	0	0
	As of various dates in the 2016 – 2017 financial year	March 2012 to various dates in the 2016 – 2017 financial year	March 2012 to various dates in the 2016 – 2017 financial year	March 2005 – March 2012	March 2012 to various dates in the 2016 – 2017 financial year	July 2008 – March 2012	March 2012 to various dates in the 2016 – 2017 financial year
Kaikoura District Council	91	No information available	1	No information available	2	No information available	1

Territorial authorities	Number of buildings with compliance schedules	Amended compliance schedules issued	On-site BWoF audits carried out	Notices to fix issued for compliance schedule and BWoF matters		Infringement notices issued for compliance schedule and BWoF matters	
Mackenzie District Council	150 (estimate only)	0	0	0	0	0	0
Masterton District Council	450 (estimate only)	50 (estimate only)	No information available	0	45 (estimate only)	0	0
Ruapehu District Council	423	423	3	6	68	0	0
South Taranaki District Council	348	295	279	0	0	0	0
Waimate District Council	104	6	0	0	0	0	0
Waitaki District Council	323	232	247	0	2	0	0
Wellington City Council	2960	2813	1826	576	866	47	74
Whangarei District Council	969	969	4193	53 (2008 – 2013 only)	174	0	0
	As of various dates in the 2015 – 2016 financial year	March 2012 to various dates in the 2015 – 2016 financial year	March 2012 to various dates in the 2015 – 2016 financial year	March 2005 – March 2012	March 2012 to various dates in the 2015 – 2016 financial year	July 2008 – March 2012	March 2012 to various dates in the 2015 – 2016 financial year
Buller District Council	194	No information available	26	No information available	No information available	0	0
Clutha District Council	206	No information available	0	0	0	0	0
Far North District Council	797	No information available	No information available	0	3	1	3
Gore District Council	211	47	0	0	0	0	0
Grey District Council	288	235 (estimate only)	49	67 (estimate only)	16	0	4
Horowhenua District Council	308	128	0	0	2	0	0

Territorial authorities	Number of buildings with compliance schedules	Amended compliance schedules issued	On-site BWoF audits carried out	Notices to fix issued for compliance schedule and BWoF matters		Infringement notices issued for compliance schedule and BWoF matters	
Hurunui District Council	128	108	127	4	6	0	6
New Plymouth District Council	912	399	430	0	0	0	0
Porirua City Council	437	25 (estimate only)	10 (estimate only)	23	No information available	0	1
Selwyn District Council	482	222	25	0	1	0	0
South Wairarapa District Council	156	12	41	0	2	0	0
Stratford District Council	77	65	49	0	3	0	0
Waikato District Council	486	391	543	0	4	0	2
Waimakariri District Council	300	No information available	64	No information available	13	0	0
	As of various dates in the 2014 – 2015 financial year	March 2012 to various dates in the 2014 – 2015 financial year	March 2012 to various dates in the 2014 – 2015 financial year	March 2005 – March 2012	March 2012 to various dates in the 2014 – 2015 financial year	March 2005 – March 2012	March 2012 to various dates in the 2014 – 2015 financial year
Ashburton District Council	477	No information available	106	2	No information available	2	0
Auckland Council	16098	No information available	1834	2297	591	61	0
Christchurch City Council	4037	No information available	331	0	4	1	0
Dunedin City Council	1634	797	0	230	147	30	7
Kapiti Coast District Council	420	185	330	35	46	0	1
Queenstown Lakes District Council	604	277	0	0	0	2	0

Territorial authorities	Number of buildings with compliance schedules	Amended compliance schedules issued	On-site BWoF audits carried out	Notices to fix issued for compliance schedule and BWoF matters		Infringement notices issued for compliance schedule and BWoF matters	
Palmerston North City Council	1708	270	14	9	13	1	5
Tasman District Council	425	342	0	0	0	0	0
Timaru District Council	768	38	8	2	4	1	2
Thames-Coromandel District Council	332	223	142	33	129	15	15
Upper Hutt City Council	301	No information available	0	0	0	0	0
Western Bay of Plenty District Council	309	162	0	23	12	5	1
Whakatane District Council	353	223	0	0	0	0	0
	As of various dates in the 2012 – 2013 financial year	March 2012 to various dates in the 2012 – 2013 financial year	March 2012 to various dates in the 2012 – 2013 financial year	March 2005 – March 2012	March 2012 to various dates in the 2012 – 2013 financial year	March 2005 – March 2012	March 2012 to various dates in the 2012 – 2013 financial year
Hamilton City Council	2030	243	1329	840	113	0	0
Hutt City Council	1138	157	0	0	0	0	0
Marlborough District Council	503	41	1	13	5	2	3

Table 2: Statistical data regarding residential pools from councils reviewed from July 2018 - October 2019.

Territorial authorities	Number of pools on the TA's register - requiring the TA or an IQP to inspect every three years	On-site pool barrier audits carried out	Notices to fix issued for pool barrier matters	Infringement notices issued for pool barrier matters
	As of various dates in the 2019 – 2020 financial year	January 2017 to various dates in the 2019 – 2020 financial year	January 2017 to various dates in the 2019 – 2020 financial year	January 2017 to various dates in the 2019 – 2020 financial year
Kawerau District Council	48	45	0	0
Opotiki District Council	68	67	7	0
Rotorua Lakes Council	400 (approximate only)	650	13	1
Tararua District Council	375	217	0	0
Westland District Council	59	6	0	0
	As of various dates in the 2018 – 2019 financial year	January 2017 to various dates in the 2018 – 2019 financial year	January 2017 to various dates in the 2018 – 2019 financial year	January 2017 to various dates in the 2018 – 2019 financial year
Central Hawkes Bay District Council	594	48	0	0
Central Otago District Council	421	0	0	0
Hutt City Council	696	180	0	0
Manawatu District Council	310	131	5	0
Napier City Council	1622	809	0	0
Otorohanga District Council	196	71	0	0
Rangitikei District Council	261 (estimate only)	112 (estimate only)	5 (estimate only)	1

Territorial authorities	Number of pools on the TA's register - requiring the TA or an IQP to inspect every three years	On-site pool barrier audits carried out	Notices to fix issued for pool barrier matters	Infringement notices issued for pool barrier matters
Southland District Council	60	19	0	0
Waipa District Council	782	150	0	0
Waitomo District Council	178	62	0	0
Whanganui District Council	506	115	7	1

Appendix 3: Statistics from councils – 2020 onwards

The following tables include statistical data supplied by councils ahead of their TA reviews. Table 1 contains data on compliance schedules and BWoFs and table 2 includes data with respect to residential pools.

Table 1: Statistical data regarding compliance schedules and BWoFs from councils assessed from the beginning of 2020 through to April 2022.

Territorial authorities	Number of buildings with compliance schedules	Amended compliance schedules issued	On-site BWoF audits carried out	Notices to fix issued for compliance schedule and BWoF matters	Infringement notices issued for compliance schedule and BWoF matters
Ashburton District Council	487	146	150	15	0
Clutha District Council	290	217	70	0	0
Far North District Council	898	647	688	194	25
Gisborne District Council	626	626	92	20	0
Grey District Council	309	309	234	20	0
Gore District Council	232	232	110	0	0
Hamilton City Council	2274	1942	2655	190	16
Horowhenua District Council	317	317	123	0	0
Hurunui District Council	183	183	0	13	0
Invercargill City Council	923	200	0	20	0
Kaikoura District Council	95	85	83	1	0
Kaipara District Council	235	Unknown	24	3	0
Kapiti Coast District Council	496	496	362	30	1
Mackenzie District Council	143	Unknown	4	0	0
Marlborough District Council	641	637	140	2	1
Nelson City Council	867	173	321	0	0

Territorial authorities	Number of buildings with compliance schedules	Amended compliance schedules issued	On-site BWoF audits carried out	Notices to fix issued for compliance schedule and BWoF matters	Infringement notices issued for compliance schedule and BWoF matters
Palmerston North City Council	1480	830	791	565	282
Porirua City Council	466	466	20	Unknown	0
Queenstown Lakes District Council	771	743	161	25	0
Ruapheu District Council	447	447	6	8	0
South Waikato District Council	249	Unknown	122-149	0	0
South Wairarapa District Council	163	118	33	1	0
Stratford District Council	100	0	0	0	0
Tasman District Council	585	468	15	4	16
Tauranga City Council	1646	1646	37	195	5
Thames – Coromandel District Council	413	406	123	112	0
Timaru District Council	990	982	50	0	0
Upper Hutt City Council	418	150	54	Unknown	Unknown
Waikato District Council	775	703	384	0	0
Waimakariri District Council	458	458	220	31	7
Western Bay of Plenty District Council	368	184	7	9	9
Whakatane District Council	496	305	37	0	0

Table 2: Statistical data regarding residential pools from councils assessed from the beginning of 2020 through to April 2022.

Territorial authorities	Total number of pools on the TA's register - requiring the TA or an IQPI to inspect every three years	On-site pool barrier audits carried out – since January 2017	Notices to fix issued for pool barrier matters	Infringement notices issued for pool barrier matters	Number of FTEs relating to pools	Number of pools per FTE
Ashburton District Council	675	698	2	0	0.3	750
Clutha District Council	2	2	0	0	0	Unknown
Far North District Council	775	729	4	0	1.25	207
Gisborne District Council	578	217	1	0	0.5	385
Gore District Council	28	7	0	0	0.1	93
Grey District Council	61	61	4	0	0.05	407
Hamilton City Council	4536	2295	89	3	2	756
Horowhenua District Council	280	280	3	1	0.25	373
Hurunui District Council	313	360	0	0	0.2	521
Invercargill City Council	148	50	0	0	0.1	493
Kaikoura District Council	8	8	0	0	0.25	11
Kaipara District Council	470	0	0	0	0.2	783
Kapiti Coast District Council	987	733	6	0	2	165
Mackenzie District Council	100	45	0	0	0.1	333
Marlborough District Council	1318	1270	37	0	1	439
Nelson City Council	720	580	1	0	0.7	343

Territorial authorities	Total number of pools on the TA's register - requiring the TA or an IQPI to inspect every three years	On-site pool barrier audits carried out – since January 2017	Notices to fix issued for pool barrier matters	Infringement notices issued for pool barrier matters	Number of FTEs relating to pools	Number of pools per FTE
Palmerston North City Council	691	675	10	1	0.5	461
Porirua City Council	277	477	Unknown	0	0.25	369
Queenstown Lakes District Council	689	950	2	0	1	230
Ruapheu District Council	194	84	0	0	0	NA
South Waikato District Council	194	194	0	0	0.25	259
South Wairarapa District Council	403	256	1	0	0.25	537
Stratford District Council	114	25	0	0	0.25	152
Tasman District Council	1156	132	0	0	1.1	350
Tauranga City Council	2926	2546	5	0	1.63	488
Thames – Coromandel District Council	456	394	17	3	1	152
Timaru District Council	422	422	5	1	0.5	281
Upper Hutt City Council	989	74	5	0	0	Unknown
Waikato District Council	2384	1392	2	1	1.6	489
Waimakariri District Council	898	1111	181	24	0.35	855
Western Bay of Plenty District Council	1729	1173	1	0	1.4	419
Whakatane District Council	626	433	0	0	0.65	321