

Statement of Proposal

Transfer of Powers under the Building Act 2004

Submissions open	11 September 2023
Submissions close	11 October 2023

Overview

Under the Building Act 2004, Kaipara District Council is proposing to **transfer the power to approve Independently Qualified Persons (IQPs)** from Whangarei District Council to Auckland Council.

IQPs are those parties accepted by Council as being qualified to carry out responsibilities in relation to Building Warrants of Fitness (BWof).

Whangarei District Council (WDC) currently maintains the register of IQPs for Northland's three district councils (Whangarei District Council, Far North District Council and Kaipara District Council).

The current system is inefficient and outdated and there are a number of positive outcomes to be gained through the transfer, including:

- cost savings for IQPs in reduced registration and renewal fees
- cost and resource savings for councils – to upgrade and manage a new system
- greater opportunities for Northland based IQPs to work within the Auckland region under a single licence
- greater options for customers with a much larger register of IQPs to choose from
- a better experience for IQPs and building owners through Auckland Council's modern web-based system
- reduction of potential risk through a robust assessment of IQPs.

The proposed transfer only relates to the approval of IQPs, the maintenance of the register of IQPs and the setting of registration and renewal fees. The responsibilities of ensuring that buildings have current BWofS and their auditing will remain with Kaipara District Council.

What are Independent Qualified Persons?

The Building Act 2004 (BA) requires Territorial Authorities (TA) to accept IQPs as being qualified to carry out or supervise all or some of the inspection, maintenance, and reporting procedures required for a specified system stated in a compliance schedule and to certify that those procedures have been fully complied with.

In simple terms, the IQPs certify the safety systems (known as specified systems) for commercial buildings through the annual Building Warrant of Fitness regime.

IQPs play an important role in ensuring our buildings are safe and reducing risk to building users. It is a big responsibility, and it is vital our IQPs are qualified to assess buildings accurately.

Why is the Transfer of Powers being considered?

At present WDC maintain the register of IQPs for all three of Northland's district councils. This arrangement has been in place for approximately 20 years and means that IQPs who are on the register can undertake work throughout Northland rather than having to be accepted by three different councils.

There is an increasing trend throughout the country for TAs to work together in relation to the registering of IQPs. For example, the South Island operates under one register administered by Timaru District Council and in the Waikato, there is a joint group that administers the register for Hamilton CC, Hauraki DC, Matamata Piako DC, Otorohanga DC, Thames Coromandel DC, Waikato DC, Waipa DC and Waitomo DC.

There are two main reasons why the transfer of power is being considered, efficiencies and technical capability.

These considerations are outlined in the procedures for transfer under the Local Government Act 2002 and explained further below.

The technical capability is important as robust assessment of IQPs will result in reduced risk going forward.

Efficiencies Assessment

The maintenance of the register is currently a very manual process with letters being emailed to and from IQPs. Whilst this approach does work, it is not an efficient use of resources and falls short of a modern web-based portal approach (as per Auckland).

Currently the register includes approximately 160 IQPs and staff time involved in the maintenance of the register is significant.

Whangarei District Council (WDC) receives approximately \$27,000 per annum from the fees associated with the register. Should the transfer not take place, the Northland councils will need to upgrade to a modern web-based portal system to meet customer expectations in the near future. Cost estimates for this upgrade are around \$50,000 (indicative).

Transferring the register and the approval process to Auckland Council would allow IQPs to practice under one single registration in both Auckland and Northland regions. As well as allowing Northland-based IQPs to operate in Auckland, Northland building owners will also have a larger pool of IQPs potentially available to undertake work within the Northland region.

The proposed Transfer of Power would bring cost savings to IQPs. Auckland's \$400 initial assessment fee includes a three-year registration, with further three-year renewals costing \$250. WDC's initial fee is \$433 with \$182 annual renewal fees.

Under WDC's current fees schedule, three-year registration will cost \$546 compared to Auckland's \$250. Under the proposal, IQPs currently registered in both regions will only have to pay one renewal fee going forward.

IQPs will be required to go through the Auckland on-line assessment process so will need to demonstrate their suitability to be accepted. This will be a positive check to reduce risk to the public.

Technical Capabilities

Due to the number of IQPs within the Auckland area and the number of buildings subject to the BWoF process, Auckland Council has developed a system for the registration of IQPs including a panel of experts who meet fortnightly to consider new applications. This is a more robust approach than is currently undertaken within Northland.

This approach helps limit risk going forward as there is less chance of inappropriate people being accepted as IQPs, which in turn lessens the potential for BWoF's to be issued erroneously. The improved system is a significant advantage with transferring the power to Auckland Council.

Should the transfer not occur it is likely that current processes for assessing suitability would require review and allocation of additional resources.

Summary

There are two options under consideration, either continue with the status quo or transfer the power to Auckland. There are a range of factors in favour of the transfer of powers including;

- a more technological advanced system for IQPs and building owners through the Auckland Council website
- additional opportunities for Northland's IQPs to work beyond Northland
- a reduction in compliance costs and
- a potential reduction in risk from an improved assessment regime.

Should the transfer not occur it is likely that our current processes will require review and likely amendment, which will create additional costs.

Have your say

We are seeking feedback from current Northland IQPs and the general public on this proposal.

Submissions open on 11 September 2023 and close at 5pm 11 October 2023.

Any person or organisation can make a submission on the Proposed Transfer of Powers under the Building Act 2004.

Submissions can be made, either electronically online, by email or on paper. Submissions should:

- Explain your views and the reasons for them
- Advise whether you wish to be heard in support of your submission.

You can make a submission online at www.kaipara.govt.nz/haveyoursay or complete the form on the following pages.

How to get this form to us

- Mail to:** Transfer of IQP Register 2023 feedback
Kaipara District Council
Private Bag 1001,
Dargaville 0340
- Email to:** buildingsupport@kaipara.govt.nz
- Deliver to:** 32 Hokianga Road, Dargaville **or**
Unit 6, The Hub, 6 Molesworth Drive
Mangawhai

Feedback Form - Proposed transfer of IQP register

You can also complete this form online at www.kaipara.govt.nz/haveyoursay

Points to remember when submitting your feedback.

- Please print clearly. Make sure it can be easily photocopied, read and understood.
- All feedback is considered public under the Local Government Official Information and Meetings Act. It may be published and made available to elected members and public.
- Your feedback will not be returned to you once lodged with Council. Please keep a copy for your reference.
- You can also attend a hearing, scheduled for, to speak to your submission.

Your details

Name _____

I am making this submission as:

- ☐ An individual
- ☐ On behalf of an organisation – Organisation Name _____

Postal address _____

_____ Postcode _____

Phone number _____

Email _____

Preferred method of contact

- ☐ Email ☐ Phone ☐ Post

Do you wish to be heard in support of your submission? ☐ YES ☐ NO

Hearings are scheduled for 12 October 2023.

Your feedback

1. Do you agree with the proposed transfer of the IQP register from Whangarei District Council to Auckland Council?

☐ YES ☐ NO

If NO, which aspect do you not agree with and why?

2. Do you have any further feedback about the proposed transfer of the IQP register?

Thank you!

Thank you for providing your feedback on the proposed transfer of Independently Qualified Persons (IQP) Register to Auckland Council.

Your input will help ensure we continue to support IQP's in fulfilling the important role their play in the building industry.