



## **Memorandum of Understanding: Building Control**

**Between Parties:**

Central Otago District Council  
Clutha District Council  
Dunedin City Council  
Gore District Council  
Invercargill City Council  
Mackenzie District Council  
Queenstown Lakes District Council  
Southland District Council  
Timaru District Council  
Waimate District Council  
Waitaki District Council

**Whereby the parties hereto agree and declare as follows:**

### **Principles**

- The principal aim of the regional approach is to develop and implement common processes, procedures, and standards for building control services across the Southern Building Controls Group area and to achieve consistency of interpretation and application of the Building Act 2004.
- This MOU does not create a new and/or separate organisation. It does not create any legally binding obligations. It is recommended that all courses of action agreed between the Building Consent Authorities (BCAs) should be accepted and implemented within the frameworks of the respective Councils. However, in some cases this may not be possible or practical to do so.
- The parties will participate in an ongoing cooperative relationship with each other, each contributing their knowledge, skill and experience in a way that will enhance the prospect of achieving the parties' aims. The parties will also keep each other informed on matters relevant to the objectives of the MOU and the regulatory implementation of the Building Act 2004.
- The parties will endeavour to work collaboratively on all projects that they agree should be carried out jointly between the parties (joint projects). All joint projects will be entered into in a spirit of good faith, honesty and openness, and be fully supported by BCA management.

- The focus of all joint projects will be to achieve consistency of the interpretation and application of the Building Act 2004, and any other legislative acts or requirements, to the mutual satisfaction of all parties.
- Any costs incurred in common will generally be divided on an even cost share basis. Where the agreed formula is not appropriate for a particular task or project, then the signatory parties to the MOU reserve the right to negotiate a different formula to apportion costs. Any other costs will be negotiated as part of each project plan.
- A project plan will be developed for all joint projects and agreed upon by the parties before any work on them begins. Costs will be allocated according to need, contributions and results for each project will be generally in line with the cost share basis above.

#### **Expectations of the parties**

- It is assumed that each BCA will nominate an appropriate representative (BCA manager, team leader, etc) to attend all scheduled SBCG meetings, unless other priorities take preference. (Electronic systems may be explored for example Skype or Teleconferencing if members cannot achieve travel to a meeting) Regulatory/Group managers or Chief Executives may also choose to attend meetings from time to time. It is also assumed that those Council representatives' tasked with these duties will contribute to positive and productive discussions either at SBCG meetings, during email exchanges or as part of a subcommittee project team for specialist tasks.
- BCA staff resources will be assigned on a project by project basis, and where practical, from each Council. Staff will be selected according to the needs and outcomes of each joint project. This will include both technical and management experience and knowledge. BCA staff will be encouraged to be part of project teams. Where staff cannot be provided for a particular project then it may be appropriate to make a financial contribution towards the costs of undertaking the joint project pursuant to the MOU in lieu of providing the staff resource.

#### **Group Objectives**

- To be aware of the vast economies of scale that exists between the parties, ranging from large city based BCAs to small rural BCAs. Plus to recognise the scale of industrial, commercial and residential related growth being experienced among many districts across the region.
- To promote regional collaboration towards the efficient research and development of best practice procedures and processes for the likes of continued BCA Accreditation, plus the many other regulatory requirements we must comply with.
- To embrace the current systems available for BCA staff to obtain an appropriate qualification, and to encourage further qualifications to be sought beyond the minimum level to improve standards.
- To encourage our colleagues and peers to aspire to gaining a higher profile in the construction industry and increase the level of professionalism within our organisations.

- To deliver consistent messages to our building industry clients who deal with several BCAs across our geographical boundaries.

#### **Current and Future projects**

- Review and enhance the current suite of standard SBCG forms and seek further agreement on items such as vetting/processing check sheets, standard letter templates, regional newsletters and public information.
- Shift the hosting of the SBCG website to a new location and be maintained by a BCA, then refresh and develop the website to be a one stop location for a wider range of industry information.
- Collaborate and share procedures for the implementation and delivery of the Building (Earthquake-prone Buildings) Amendment Act 2016 legislation. Sharing of staff resources could also be possible via the SBCG Resource Sharing agreement.
- To maintain the Producer Statement Authors (PSA) register and offer support to the PSA panel members and the administration host (Invercargill City Council) of the register.
- To source and arrange localised collective training courses to assist with the upskilling and enhancement of the current competency levels of BCA staff, across the SBCG area.
- Share research and analysis information (where possible) when considering new IT systems, electronic consent lodgement/processing portals and electronic tools as they develop.
- Investigate the possibility of mentoring or engaging a suitable person to conduct competency assessments and/or audits for BCOs across all or part of the SBCG area.
- Report to the Regulatory Managers group (at least annually) on current projects, those completed (with performance outcomes and results) and any new projects that have arisen.

#### **Risks**

- Each party will carry its own risks and liabilities in respect of any work done in the advancement of a joint project, or as encountered during normal activities associated with being part of the Southern Building Controls Group.

#### **Dispute Procedures**

- The nominated BCA representatives will arbitrate in any disputes that cannot be resolved within the project teams. If necessary the Regulatory managers will be asked to make a final decision in any dispute that cannot be resolved by the BCA representatives. However, it is acknowledged that this MOU defines the relationship between the parties and the proposed projects rather than creating any legal or policy binding commitment.

## Signatories

Sign as a participant to the Memorandum of Understanding

Central Otago District Council

Name: Wenke Anne van der Voort  
Position: Executive Manager, Planning & Environment

Authorised Signature \_\_\_\_\_ Date 5 / 6 / 18

Clutha District Council

Name: [Signature]  
Position: Planning + Regulatory Group Manager

Authorised Signature \_\_\_\_\_ Date 13 / 4 / 18

Dunedin City Council

Name: PAUL HENDERSON  
Position: BUILDING SOLUTIONS MANAGER

Authorised Signature \_\_\_\_\_ Date 24 / 4 / 2018

Gore District Council

Name: IAN DAVIDSON-WATTS  
Position: GENERAL MANAGER

Authorised Signature \_\_\_\_\_ Date 9 / 4 / 2018

Invercargill City Council

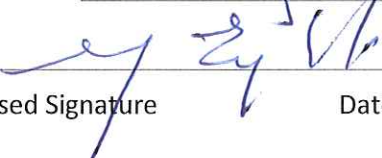
Name: Pamela M. Gare  
Position: Director of Environmental and Planning Services

Authorised Signature Pamela M. Gare Date 3 / 4 / 2018

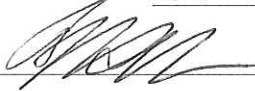
Mackenzie District Council

Name: Karina Moran  
Position: Group Manager Regulations  
  
Authorised Signature Date 16 / 4 / 2018

Queenstown Lakes District Council

Name: Chris English  
Position: Building Services Manager  
  
Authorised Signature Date 12 / 6 / 18

Southland District Council

Name: Bruce Halligan  
Position: G.M. - ENVIRONMENTAL SERVICES  
  
Authorised Signature Date 3 / 5 / 18

Timaru District Council

Name: Tracy Tierney  
Position: Group Manager Environmental Services  
  
Authorised Signature Date 18 / 4 / 18

Waimate District Council

Name: Sue Kelly  
Position: Regulatory & Compliance Group Manager  
  
Authorised Signature Date 13 / 4 / 18

Waitaki District Council

Name: Lichelle Cuylen  
Position: Heritage, Environment & Regulation Group Manager  
  
Authorised Signature Date 20 / 4 / 18