



**THE UNITED REPUBLIC OF TANZANIA**

**NATIONAL AUDIT OFFICE**



**PERFORMANCE AUDIT REPORT ON MONITORING OF BUILDING WORKS IN  
URBAN AREAS**

**AS PERFORMED BY  
THE PRESIDENT'S OFFICE - REGIONAL ADMINISTRATION AND LOCAL  
GOVERNMENT**



**REPORT OF THE CONTROLLER AND AUDITOR GENERAL OF THE UNITED  
REPUBLIC OF TANZANIA**

**MARCH 2019**



THE UNITED REPUBLIC OF TANZANIA

NATIONAL AUDIT OFFICE



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## PREFACE

The Public Audit Act No. 11 of 2008, Section 28, authorizes the Controller and Auditor General to carry out Performance Audit (Value for-Money Audit) for the purpose of establishing the economy, efficiency and effectiveness of any expenditure or use of resources in the Ministries, Departments and Agencies (MDA), Local Government Authorities (LGAs) and Public Authorities and other Bodies. The Performance Audit involves enquiring, examining, investigating and reporting, as deemed necessary under the circumstances.

I have the honour to submit to His Excellency the President of the United Republic of Tanzania, Dr. John Pombe Joseph Magufuli and through him to the Parliament of the United Republic of Tanzania the Performance Audit Report on Monitoring of Building Works in Urban Areas in Tanzania. The main audited entity is the President's Office - Regional Administration and Local Government.

The report contains findings of the audit, conclusions and recommendations that have focused mainly on improving the effectiveness of monitoring of building works in the country on areas such as strategic and annual planning, implementation of planned monitoring activities and monitoring and evaluation of monitoring activities being implemented.


The President's Office - Regional Administration and Local Government Authorities was given the opportunity to scrutinize the factual contents and comment on the draft report. I wish to acknowledge that the discussions with the President's Office - Regional Administration and Local Government were very useful and constructive.

My office intends to carry out a follow-up audit at an appropriate time regarding actions taken by the audited entities in relation to the recommendations of this report.

In completion of the assignment, the office subjected the report to the critical reviews of Professor Ignas Aloys Rubaratuka and Professor Wilbard Kombe who came up with useful inputs for improving the output of this report.

This report has been prepared by Mr. Deusdedit Sise Muhono - Team Leader, Eng. Pendaël Ulanga - Team Member under the supervision and guidance of Eng. Asnath L. Mugassa - Audit Supervisor, Mr. George C. Haule - Assistant Auditor General and Mr. Benjamin Mashauri - Deputy Auditor General.

I would like to thank my staff for their assistance in the preparation of this report. My thanks should also be extended to the audited entity for their fruitful interaction with my office.

A handwritten signature in dark ink, featuring a large, stylized 'M' and 'A' that are interconnected. The signature is written in a cursive, fluid style.

**Prof. Mussa Juma Assad**  
**Controller and Auditor General**  
**The United Republic of Tanzania**  
**March, 2019**

## **LIST OF ACRONYM AND ABBREVIATIONS**

<b>ACC</b>	Arusha City Council
<b>ACET</b>	Association of Consulting Engineers of Tanzania
<b>AQRB</b>	Architects and Quantity Surveyors Registration Board
<b>CRB</b>	Contractors Registration Board
<b>DID</b>	Directorate of Infrastructure Development
<b>DCC</b>	Dodoma City Council
<b>DUD</b>	Directorate of Urban Development
<b>ERB</b>	Engineers Registration Board
<b>FRF</b>	Fire and Rescue Force
<b>KDC</b>	Kasulu District Council
<b>KMC</b>	Kinondoni Municipal Council
<b>LGAs</b>	Local Government Authorities
<b>MoLHHD</b>	Ministry of Lands, Housing and Human Settlement Development
<b>MCC</b>	Mbeya City Council
<b>MDC</b>	Misungwi District Council
<b>MoWTC</b>	Ministry of Works, Transport and Communications
<b>NCC</b>	National Construction Council
<b>NEMC</b>	National Environmental Management Council
<b>OSHA</b>	Occupational Safety and Health Authority
<b>PO-RALG</b>	President's Office - Regional Administration and Local Government
<b>RSs</b>	Regional Secretariat
<b>TZS</b>	Tanzanian Shillings
<b>TTC</b>	Tandahimba Town Council

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## EXECUTIVE SUMMARY

The construction industry is a sector of the economy that transforms various resources into constructed physical, economic and social infrastructure necessary for socio-economic development. The construction industry of which building works comprise the bulk of it is estimated to contribute about 12 percent of the GDP. In this sector, one of its components is building works which require effective monitoring as a prerequisite for quality and durability of buildings. However the buildings should be in compliance with set regulations, standards and specifications<sup>1</sup>. Actually monitoring of building works is an effective control of the whole process of acquiring a building from conceptual or pre-construction to construction of the intended building structure. The act of monitoring is done through close supervision in compliance with set regulations, rules, procedures, standards and specifications.

Moreover construction industry embraces the process by which the physical infrastructure are planned, designed, procured, constructed, altered, repaired, maintained, renovated and demolished<sup>2</sup>. In enhancing the construction industry as an economic sector, Tanzania has embarked on a long-term development strategy with the objective of achieving sustainable human development with all pre-requisites for a middle income country by the year 2025. This envisages the creation of a strong, diversified, resilient and competitive economy that can effectively cope with the challenges of development and that can easily adapt to the changing market and technological conditions in the regional and global economy. The priorities identified as the essential catalyst for the attainment of the Vision 2025 objective include development of infrastructure as an important ingredient towards attainment of faster economic growth<sup>3</sup>.

Despite such government initiatives, monitoring of building works has encountered several challenges namely: ineffective inspections and supervisions of building projects; presence of buildings that are hardly regulated in unplanned areas; use of substandard building materials; and poor quality of constructed buildings. All these challenges constitute an indication that there are weaknesses in the area of monitoring of building works in the country. These weaknesses, therefore, called for the conduct of the performance audit in respect to the monitoring of building works whose main objective was to assess whether the President's Office - Regional Administration and Local Government (PO-RALG) through Local Government Authorities (LGAs) effectively monitors building works in urban

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<sup>1</sup>Handbook on Planning, Monitoring and Evaluating for Development Results; United Nations Development Programme, 2009

<sup>2</sup>Construction: A vibrant industry "UNESCO National Commission of the United Republic of Tanzania" Pg. 205, National Construction Policy, 2003

<sup>3</sup>National Construction Policy, 2003

areas in order to ensure the constructed buildings are of the required standards and they are safe for public use.

On the other hand, the audit focused on the monitoring of building works as it is carried out by the Planning Authorities (LGAs) to both the public and private buildings. The justification for this is the fact that both are required to adhere to the same procedures including the fact that their construction is controlled by their respective Planning Authorities.

The audit also focused on the activities performed by LGAs in monitoring of building works which covered the issuance of building permits as applied by developers; planning and budgeting for monitoring of building works as well as the implementation of monitoring plans for building works. For PO-RALG, the audit covered the assessment of monitoring activities it undertakes in measuring the performance of LGAs in the monitoring of building works in their respective areas.

The audit covered a period of five financial years i.e. from 2013/14 to 2017/18. This period provided an extensive duration which depicts the extent of the problem and the time is enough for tracking the improvements made as a result of corrective actions made during the inspections and monitoring of building works. The inspections and monitoring of building works are performed with the intention of improving the quality of building works in the country. Moreover, the methods which were used to collect data were interviews, documentary reviews and observations.

The following is the summary of major findings, conclusion and recommendations developed from this performance audit.

## **Major Findings**

### **Existence of Significant number of Unmonitored Buildings works**

The audit noted that a large number of urban cities have buildings which are not monitored. This is indicated by the presence of buildings in unplanned areas. For instance, the report of the Ministry of Lands, Housing and Human Settlements Development on the unplanned settlement project (2013), provided that Dar es Salaam City had about 400,000 (80%) out of 500,000 houses which have been developed in unplanned areas or informal settlements that are not surveyed. These areas were characterized by houses of poor quality, built without regarding the accessibility to roads, storm water drainage, and water supply provisions.

Further, due to inadequate monitoring of building works most of the completed building works were reported to be of unsatisfactory quality. As a result, there have been reported incidences of collapse of buildings in

urban areas. This indicates presence of buildings which do not meet the required building standards.

Similarly, the audit noted that PO-RALG did not have information related to building works carried-out in the country. The absence of the information related to monitoring of building works implies that monitoring of building works has not been carried out to ensure that they meet the required standards as per the approved designs and building permits.

### **Inefficiency in Issuance of Building Permits to Developers**

The audit noted that the issuance of building permits in LGAs was inefficient and was also associated with lack of effective mechanism to facilitate their issuance to the developers. The inefficiency was indicated by the delays in issuance of building permits in all 7 LGAs visited. The delays ranged from 19 to 730 days since when the applications were lodged up for the approval of building permits' applications.

LGAs lacked systems for registration of the applications for building permits which leads to failure to properly manage the applications for building permits. Also LGAs have not conducted advocacy to the communities on the process for acquiring building permits hence creating the knowledge gap to the communities. As a result, between 2 to 23 percent of the applications for building permits were not approved. Because of the repetitions in approvals of the submitted applications, building developers opted to construct buildings without obtaining building permits.

Further, LGAs had shortage of technical staff responsible for processing applications for the building permits. For the 7 visited LGAs, the percentage shortage of technical staff ranged from 50 to 88. This has created high ratio of technical staff per applications of building permits thereby affecting their effectiveness in the review of building permits as well as timely processing of the building permits.

### **Inadequate Planning for Monitoring of Building Works by LGAs**

The audit noted that all 7 visited LGAs had no strategies, plans and budgets for monitoring building works in their areas of jurisdiction. There was no database for both Ministries and LGAs regarding the on-going and completed buildings. As a result, monitoring activities were not implemented effectively due to absence of funds.

Further, PO-RALG treated building works as part of land development activities thereby giving it low priority when it comes to allocation of resources. This made monitoring of building works to be carried-out on ad-hoc basis and not focusing on high risk buildings.

### **Inadequate Monitoring of Building Works**

The audit noted that there was inadequate monitoring of building works due to lack of monitoring mechanism. Up to the time of this audit, PO-RALG had not developed a standardized checklist for monitoring building works in the country. Instead, Planning Authorities used the monitoring checklist for roads construction issued by TANROADS; however this checklist missed important building components. Lack of the checklists has made Planning Authorities not to be able to ascertain compliance to building standards at every stage of the construction cycle. The likely consequence to this is sub-standard construction of buildings within their areas of jurisdiction.

Likewise, monitoring of building works was affected by lack of co-ordination between user department within PO-RALG and Infrastructure and Urban Development. The same was the case between PO-RALG and Regional Secretariats including LGAs. As a result, most of the buildings managed by the user departments were not monitored by the Division of Infrastructure and Urban Development which is responsible for monitoring building works.

### **Inadequate Monitoring and Evaluation of Performance of RSs and LGAs by PO-RALG**

The audit noted that PO-RALG neither monitored nor evaluated effectively the performance of LGAs in monitoring building works. For the whole period which was targeted by this audit, PO-RALG did not have any monitoring and evaluation plans.

It was also found out that monitoring which was carried out by PO-RALG did not address the existing challenges of building works. It was noted that PO-RALG did not have an overall performance status of the Regional Secretariats and LGAs. Moreover, the information and status about the completed and on-going building works in urban areas were not available.

### **General Conclusion**

The audit concluded that PO-RALG through LGAs has not effectively monitored building works in urban areas in order to ensure that the constructed buildings are of the required standards and they are safe for public use.

Currently, there are a significant number of building works which are not monitored in urban areas. PO-RALG lacks effective mechanism to ensure that LGAs monitor the building works in their areas. This has been caused by the inefficiency in the issuance of building permits to developers, inadequate planning and implementation of monitoring building works activities. The other factor is inadequate monitoring of performance of LGAs in the monitoring of building works by PO-RALG.

It was noted that there were significant delays in managing applications for building permits in planning authorities; absence of strategies and plans set by PO-RALG to ensure that planning authorities register all building works within their areas of jurisdiction; inspections and supervision of buildings being constructed in the country are not done as required; and lack of proper actions to control and monitor building works encourage people to continue carrying out building works without having building permits. Since the sanctions were not deterrent, unplanned settlements continued to emerge as buildings proponents were not worried of any serious actions being taken against them. Poor reporting system and unreliable data collected from LGAs resulted into unresolved challenges because of the poor feedback mechanism at all levels. Likewise the co-ordination between PO-RALG, Regional Secretariats, LGAs and other stakeholders is ineffective and weak. Finally, there is no smooth sharing of information between other regulatory authorities and professional boards.

## **Recommendations**

### **Strategies to ensure Building Permits are well managed**

The President's Office - Regional Administration and Local Government should:

- a) Establish strategies and mechanisms that will ensure LGAs effectively manage the issuance of building permits as per the established standard processing time;
- b) institute controls such as dedicated section or unit for building works and set-up information systems for issuing building permits which link all key-players involved in monitoring building works to revoke or sanction applications and applicants who do not comply to standards; and
- c) ensure that LGAs develop effective mechanism for community sensitization on the processes for acquiring building permits. The mechanism should enable LGAs to cover a large number of communities in their areas of jurisdiction.

### **Improving Plans for Monitoring of Building Works**

The President's Office - Regional Administration and Local Government should:

- a) prepare and integrate its strategies, plans and budgets for monitoring of building works and those plans should allow considerations of all types of building works to be monitored;
- b) ensure that the guideline for monitoring of building works and issuance of building permits of 2018 is effectively disseminated to all LGAs and that all LGAs effectively utilize the guideline;
- c) in collaboration with the Ministry of Lands, Housing and Human Settlement Development and Ministry of Works, Transport and Communications, develop the National Building Policy and fast track the establishment of the Building Standard Codes for different types of buildings and building materials; and
- d) ensure there is proper coordination and collaboration with other stakeholders such as Ministry of Health, Community Development, Gender, Elderly and Children; Ministry of Lands, Housing and Human Settlements Development; NEMC; ERB; CRB; AQRB and Fire and Rescue in monitoring building works.

### **Effective Implementation of Plans for Monitoring of Building Works**

The President's Office - Regional Administration and Local Government should ensure that LGAs:

- a) prepare inspection and supervision plans for monitoring of building works and those plans should consider all risk factors associated with buildings works; and
- b) provide for equitable allocation of resources both financial and human resources for effective monitoring of building works under their jurisdictions.

### **Monitoring and Evaluation of LGAs Performance**

The President's Office - Regional Administration and Local Government should ensure that:

- (a) monitoring and evaluation plans which capture performance of Regional Secretariats and LGAs regarding monitoring of building works are developed and used in their routine monitoring activities;
- (b) reporting mechanism from LGAs to PO-RALG is developed and building works being monitored by LGAs are effectively reported and there is proper follow-up on the implementation of issued recommendations to LGAs.



- (c) Database for building works is established and effectively used by LGAs for managing building works. The database should be updated regularly.

# CHAPTER ONE

## INTRODUCTION

### 1.1 Background of the Audit

According to the National Construction Policy of 2003, construction industry development is a deliberate and managed process to improve the capacity and effectiveness to meet the national economic demand for buildings and other infrastructure facilities. This is achieved by ensuring increased value-for-money to the industry, clients as well as environmental responsibility in the delivery process<sup>4</sup>.

Monitoring of building works is an effective control of the whole process of acquiring a building from conceptual or pre-construction to construction of the intended building structure. This is done through close supervision in compliance with set regulations, rules, procedures, standards and specifications. Thus, effective monitoring of building works is a prerequisite for quality and durability of building in respect of compliance with set regulations, standards and specifications<sup>5</sup>.

Monitoring of buildings works is the ongoing process by which stakeholders obtain regular feedbacks on the progress being made towards achieving their goals and objectives by reviewing progress against the goals. In the broader approach, monitoring also involves tracking strategies and actions being taken by partners and non-partners on monitoring of building works and figuring out what new strategies and actions need to be taken to ensure progress towards the most important intended results<sup>6</sup>.

Building works is one of the components in the construction industry as a sector of the economy that transforms various resources into constructed physical, economic and social infrastructure necessary for socio-economic development. It embraces the process by which the physical infrastructure are planned, designed, procured, constructed, altered, repaired, maintained, renovated and demolished<sup>7</sup>.

In enhancing this economic sector, Tanzania has embarked on a long-term development strategy aiming at achieving sustainable human development;

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<sup>4</sup>National Construction Policy, 2003 p. 4

<sup>5</sup>Handbook on Planning, Monitoring and Evaluating for Development Results; United Nations Development Programme, 2009

<sup>6</sup>Handbook on Planning, Monitoring and Evaluating for Development Results; United Nations Development Programme, 2009

<sup>7</sup>Construction: A vibrant industry “UNESCO National Commission of the United Republic of Tanzania” Pg. 205, National Construction Policy, 2003

with all pre-requisites for a middle income country by the year 2025. This envisages creation of a strong, diversified, resilient and competitive economy that can effectively cope with the challenges of development and that can easily adapt to the changing market and technological conditions in the regional and global economy. The priorities identified as the essential catalyst for the attainment of the Vision 2025 with the objective of developing infrastructure as an important ingredient towards attainment of faster economic growth<sup>8</sup>.

Despite various improvements made since 2003, yet, the construction industry especially buildings works has encountered a number of challenges which have been translated as weaknesses as it has been highlighted in Section 1.2 of this Audit Report.

## **1.2 Motivation for the Audit**

The essence of conducting the audit on effective monitoring of building works was a result of weaknesses in building works highlighted by various sources. These sources have indicated that building works activities are not well monitored. The following are some of the problem indicators which motivated the National Audit Office to carry-out this performance audit:

***Unprofessionalism and Misconduct on Part of Building Works' Monitoring Authorities:*** UNESCO's National Commission report of the United Republic of Tanzania of 2011 indicates that there are professional misconducts that include negligence among engineers, consultants, supervisors and contractors in monitoring of building work. This is justified by the existence of incidences of breaches of professional ethics.

***Ineffective Inspection and supervision of building projects:*** Stakeholders vested with the duty of inspecting and supervising buildings construction works do not adequately consider the concept of monitoring and cost of maintenance as components of the project. This has resulted into use of inappropriate technologies that do not meet the required construction standards; inadequate funds for monitoring and maintenance of buildings<sup>9</sup> as indicated by the UNESCO report. This therefore implies that, there is ineffective monitoring of building projects in Tanzania.

***Non adherence to approved building drawings:*** In 30<sup>th</sup> March 2013, it was reported in the Citizen newspaper that at least 17 people have been killed after a multi-storey building collapsed in the center of the main Tanzanian city of Dar es Salaam on the Friday morning, according to a local official. Earlier, the reports said 45 people, including construction workers, residents and children from a Koranic school situated in Kariakoo along the

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<sup>8</sup>National Construction Policy, 2003

<sup>9</sup> UNESCO - Commission of the United Republic of Tanzania

<http://www.natcomreport.com/Tanzania/pdf-new/construction.pdf>

collapsed building were reported missing<sup>10</sup>. According to interviews with Engineers Registration Board's officials, it was noted that high-rise buildings under construction is now a "huge pile of chaos". The collapsed building was supposed to have been at least 12 floors high when finished, but it had 16 floors.

***Absence of clear indicative construction Standards and Costs:*** The Daily News of 23<sup>rd</sup> September 2017 reported that, the Minister for Works, Transport and Communications, highlighted that absence of indicative construction standards and cost as among the causes for having collapsed buildings. The Minister insisted that in the previous years, the country has experienced the collapse of large buildings in the city center which ended up in causing chaos and loss to people in the areas.

It was further pointed out that the Minister implored the National Construction Council (NCC) to work-out a plan which is going to lay down indicative construction costs and standards. This would be used as a reference point to the public for any form of construction be it in a house or building of all natures. He also insisted that the public is relying on Engineers as experts; should deal with the buildings issues in the magnitude of their importance in the scale of the economy<sup>11</sup>.

***Presence of Buildings in Unplanned Areas:*** It was further reported in the news<sup>12</sup> that more than 50 percent of urban residents in the East African nations including Tanzania live in unplanned settlements. Senior Officials from the Ministry of Lands, Housing and Human Settlements Development reported that due to the increase in buildings in unplanned areas, Tanzanian government launched a countrywide demolition targeting houses built in unplanned areas. The Minister<sup>13</sup> said the exercise is aimed at ensuring that buildings are built in planned areas and not otherwise. He blamed LGA officials who turned a blind eye to people building houses and other structures haphazardly. He said the majority of town planners spending most of the time in their offices instead of being in the field.

The Minister hinted that Council Directors, land officers and urban planners are the major obstacle to this, vowing a war with officials who continue thwarting the government's land formalizing efforts. With a population of 5

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<sup>10</sup> <https://www.thecitizen.co.tz/News/1840340-1837232-uhm5j8/index.html>; Daily News, 23 September 2017 "Put in place indicative construction costs - Mbarawa"<http://dailynews.co.tz/index.php/home-news/53142-put-in-place-indicative-construction-costs-mbarawa>

<sup>12</sup> NXINUA NEWS, 23 October 2017 "Tanzania to demolish houses built in unplanned areas"  
[http://www.xinhuanet.com/english/201710/23/c\\_136698673.htm](http://www.xinhuanet.com/english/201710/23/c_136698673.htm)

<sup>13</sup> Lands, Housing and Human Settlements Development

million, the country's commercial capital Dar es Salaam has approximately two-thirds of its residents living in the informal settlements<sup>14</sup>.

***Use of Substandard Building Materials:*** According to Common Wealth and Association of Surveying and Land Economy (CASLE) case for Tanzania, of 2015, it was pointed out that use of substandard materials is among the major causes of building collapse. Other causes mentioned were corruption and greed, absence of adequate soil investigation for suitable foundation, faulty construction and alteration of approved design, incompetent contractors or designers and lack of supervision by consultants.

***Poor Quality of Constructed Buildings:*** According to International Journal of Engineering Research and Technology (IJERT) of 2013<sup>15</sup>, 98 percent of buildings constructed in Dar es Salaam and upcountry had poor quality of reinforced concrete. According to this journal, this was mainly caused by lack of national building codes and standards, design deficiencies such as lack of design details and accuracy. Other causes include unsatisfactory quality of concrete ingredients, inappropriate construction technology, lack of quality control measures and inadequate supervision on construction sites.

Similar cases are indicated by some scandals reported by concerning haphazard construction of buildings in Mwanza City that a building was built below standards. In recent years the Mwanza city council has been tolerating sub-standard buildings within the city contrary to Land Act No. 4 of 1999 and the Urban Planning Act no. 8 of 2007<sup>16</sup>.

The above mentioned problems indicate significant weaknesses in area of monitoring of building works, that calls for further audit.

### **1.3 Audit Design**

#### **1.3.1 Audit Objectives**

The main audit objective was to assess whether the President's Office - Regional Administration and Local Government (PO-RALG) through Local Government Authorities (LGAs) effectively monitor building works in urban areas in order to ensure the constructed buildings are of the required standards and they are safe for public use.

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<sup>14</sup>NXINUA NEWS, 23 October 2017 "Tanzania to demolish houses built in unplanned areas" [http://www.xinhuanet.com/english/2017-10/23/c\\_136698673.htm](http://www.xinhuanet.com/english/2017-10/23/c_136698673.htm)

<sup>15</sup>International Journal of Engineering Research and Technology (IJERT) of 2013 Vol. 2 pg. 820-827 Issue 12 December 2013: "Challenges of the Quality of Reinforced Concrete Buildings in Dar es Salaam" By Prof. Eng. Ignas Aloyce Rubaratuka

<sup>16</sup>Raia Mwema: Mkurugenzi Jiji la Mwanza Matatani (<https://www.raiamwema.co.tz/mkurugezi-jiji-la-mwanza-matatani/>)

In order to address the main audit objective, four specific audit objectives were used. These specific audit objectives were to assess whether:

- a) PO-RALG through LGAs is efficiently issuing building permits to developers;
- b) plans for monitoring of building works are adequately done;
- c) plans for monitoring building works activities in LGAs are effectively implemented; and
- d) PO-RALG measures the performance of LGAs' in monitoring of building works activities to ensure the constructed buildings meet the required standards.

In order to clearly operationalize the above audit objectives, more specific audit questions and sub - audit questions were prepared as provided in ***Appendix 2.***

### **1.3.2 Scope of the Audit**

The main audited entity was the President's Office - Regional Administration and Local Government (PO-RALG). It is the parent Ministry responsible for overseeing the functions of LGAs which are directly involved in monitoring of building works carried-out within their areas of jurisdiction.

The audit mainly focused on the monitoring of building works as carried out by Planning Authorities (LGAs) to both the public and private buildings. This is because they both follow the same procedures and their construction is being controlled by the respective Planning Authorities.

It also focused on the activities undertaken by LGAs with regards to monitoring of building works covering the issuance of building permits as applied by developers; planning and budgeting for monitoring of building works as well as the implementation of monitoring plans for building works. Assessment of monitoring activities as done by PO-RALG in measuring the performance of LGAs in monitoring of building works in their respective areas was also covered.

Regarding issuance of building permits, the audit looked on the functioning of registration systems, mechanisms for issuance of building permits, time taken as well as the adequacy of inspection activities done prior to issuance of permits. In monitoring and evaluation level, the audit assessed the availability of monitoring plans at PO-RALG, the extent of use of key performance indicators, extent to which the monitoring activities identify the existing building works monitoring challenges and follow up of the recommendations issued to RSs and LGAs.

In planning, the audit team checked the extent of inclusion of building work risk factors, presence of updated database for building works and budget of

the monitoring of the building works. At the implementation level the audit looked on the availability of effective monitoring tools, adequacy of monitoring activities based on the plans, coordination of monitoring activities; timely application of sanctions to the defaulters and corrective actions and the communication of the monitoring results.

The audit covered a period of five financial years i.e. from 2013/14 to 2017/18. This period provided an extensive duration which depicts the extent of the problem and the time is enough for tracking the improvements made as a result of corrective actions made during the inspections and monitoring of building works. The inspections and monitoring of building works are performed with the intention of improving the quality of building works in the country.

### **1.3.3 Sampling, Methods for Data Collection and Analysis**

For the methodological approach, the appropriate sampling techniques, methods of data collection and analysis were preferred in order to realize the main objective for conducting the performance audit. Thus, the methodological approach applied in this audit is explained as follows:

#### **(a) Sampling Methods Used**

Non-probability sampling was used to select regions and LGAs. Regions were first clustered into seven administrative zones namely, Southern, Northern, Southern Highlands, Eastern, Western, Central and Lake Zones. To have a countrywide representation, from each zone, one region was purposively selected and thus selecting a total of 7 out of 25 regions of Tanzania mainland. These regions are Arusha, Dar es Salaam, Mtwara, Kigoma, Dodoma, Mwanza and Mbeya.

The selected regions were selected by considering a combination of three factors. These factors were: numbers of building works implemented and population of the regions.

Then from each selected region, a purposive sampling technique was used to select one LGA which falls in the category of Districts, Townships, Municipals and Cities. This is because they are the ones with high population and rapid growth of building infrastructure. The selected LGAs were Kinondoni MC, Arusha CC, Kasulu TC, Dodoma CC, Mbeya DC, Misungwi DC and Tandahimba TC.

The summary of the analysis of the selected Regions and LGAs covered in the audit is as indicated in **Table 1.1**.

**Table 1.1: Visited Regions and LGAs**

Zone	Region to be Visited	LGAs covered	Total population (estimates 2018 <sup>17</sup> )	Category of LGAs
Eastern	Dar es Salaam	Kinondoni (MC)	5,465,420	Municipal Council
Northern	Arusha	Arusha CC	1,890,653	City Council
Southern	Mtwara	Tandahimba TC	1,334,606	Township Authority
Southern Highlands	Mbeya	Mbeya DC	1,883,024	District Council
Western	Kigoma	Kasulu TC	2,342,250	Town Council
Central	Dodoma	Dodoma CC	2,264,508	City Council
Lake	Mwanza	Misungwi DC	3,122,992	District Council

*Source: National Bureau of Standards (Tanzania in Figures) Report of June, 2017 and Auditors' Analysis (2019)*

## (b) Methods Used for data Collection

### i) Documents Review

The audit team reviewed various documents from the President's Office - Regional Administration and Local Government, selected Regional Secretariats and Local Government Authorities. The review of documents was done in order to clarify on and triangulate the information collected from interviews and observations done during site visits.

The review focused mainly on documents relating to strategic and annual plans, implementation reports, monitoring and evaluation plans as well as monitoring and evaluation reports. The documents reviewed were those containing information within the selected audit timeline i.e. 2013/14 - 2016/17.

The documents included: (1) Planning documents (2) Performance and progress reports (3) Manuals and Guidelines (4) Policies and Acts and other relevant reports. Details of the documents which were reviewed have been appended as **Appendix 3**.

### ii) Interviews

In order to respond to the audit questions and derive conclusions against the audit objective, interviews were conducted during the audit for the purposes of obtaining more information on the current and previous practice of PO-RALG in monitoring of building works in the country.

<sup>17</sup> [https://www.nbs.go.tz/nbs/takwimu/references/Tanzania\\_in\\_Figures\\_2016.pdf](https://www.nbs.go.tz/nbs/takwimu/references/Tanzania_in_Figures_2016.pdf)



The audit team conducted interviews and discussions with officials from PO-RALG, selected RSs and LGAs as outlined in the scope. This was done so as to get clarifications on the information obtained through reviewed documents. The details of officials who were interviewed are as detailed in **Appendix 4**.

### **iii) Physical Observation**

In order to get a better understanding of the procedures used in monitoring of building works, performance auditors collected additional information through site visits. The aim of these visits was also to observe the processes, procedures and documentations for monitoring of building works projects. Observations were made on selected 3 on-going selected building projects from 7 LGAs visited making a total of 21 building projects.

During the process, the audit team was accompanied by officials responsible for monitoring of building works from LGA with an intention of assessing practical monitoring processes and procedures. The outcomes from observations were compared with reviewed documents and interviews for verification purposes.

### **(c) Methods Used for Data Analysis**

The audit team used different techniques to analyse qualitative and quantitative data. These methods are detailed hereunder:

#### **i) Analysis of Qualitative Data**

- Content analysis techniques was used to analyse qualitative data by identifying different concepts and facts originating from interviews or documentary reviews and categorise them based on their assertions;
- The extracted concepts or facts was either tabulated or presented as it is to explain or establish relationship between different variables originating from the audit questions;
- The recurring concepts or facts was quantified depending on the nature of data portrayed; and
- The quantified information (concepts/facts) was then summed-up or averaged in spread-sheets to explain or establish the relationship between different variables (mean, mode and median)

## **ii) Analysis of Quantitative Data**

- Quantitative information and data with multiple occurrences were tabulated in spread-sheets to develop point data or time series data and relevant facts extracted from the figures obtained;
- The tabulated data was summed-up, averaged or proportioned to extract relevant information and relationships from the figures;
- The sums, averages or percentages were plotted using different types of graphs and charts depending on the nature of data in order to explain facts for point of data or establish trends for time series data; and
- Other quantitative information and data with single occurrence were presented as they were in the reports by explaining the facts they assert.

### **1.3.4 Assessment Criteria**

In order to assess the extent of monitoring of building works as carried out by PO-RALG through RSs and LGAs, assessment criteria were drawn from different sources such as: Policies, Legislations (Acts and Regulations), Guidelines and best practices for monitoring of building works. The assessment criteria used in this audit were based on the following specific areas:

#### *Extent of existence for the problem of Monitoring of Building Works in Tanzania*

Planning Authorities are required to monitor building works to ensure that constructed buildings are safe. They are also required to prohibit the construction of any new building unless and until the plans thereof have been submitted, to and approved by the authority (*Local Government (Urban Authorities) Act, No. 8 of 1982, Section 59 (u)*).

Planning authorities are required to make by-laws regulating construction of buildings and of the execution of work on existing buildings and structures both in planned or unplanned settlements. Such by-laws should prescribe the conditions subject to which the construction of buildings and the execution of work on existing buildings may be undertaken and carried out (*The Local Government (Urban Authorities) Act, 1982 as amended in 200 Section 85(1)*).

### *Efficiency of LGAs in the Issuance of building permits to developers*

The Planning Authorities are required to monitor the issuance of building permits and ensure that they are issued on time. They are also required to scrutinize the applications for building applications so as to ensure they comply with the requirements of building standards (*The Local Government (Urban Authorities) (Development Controls) Regulations, 2008. Sections 124 & 125*);

Planning Authorities are also required to regulate and monitor the duration of any building permit provided and the extension of such time, and for the revocation of such permit if the construction of the building or execution of the work to which it relates has not commenced within a time specified in such permit (*Local Government (Urban Authorities) Act, No. 8 of 1982, Section 85(s)*);

Planning Authorities are required to grant consent to develop land, for retention of any buildings or works constructed or carried out on that land as well as granting of building permits (*The Local Government (Urban Authorities) Act No. 8 of 2007 Section 7*).

### *Planning for Monitoring of Building Works*

Planning Authorities (LGAs) are required to ensure that plans for rural and urban development are in place in order to promote and facilitate the social and economic development of their areas of jurisdictions as required by the National Construction Industry Policy of 2003 (*The Local Government Authorities Act No. 8 of 1982, Section 54(1)*);

PO-RALG is required to oversee plans and coordinate the national level resource allocation for urban infrastructures development and maintenance. PO-RALG is also required to oversee and coordinate preparation of plans and budgets which are prepared by LGAs and assess their implementation status (*The Functions and Organisation Structure of The President's Office, Regional Administration and Local Government (PO-RALG) (Approved by the President On 12<sup>th</sup> February, 2015)*).

On the other hand, PO-RALG and LGAs are required to set budgets for monitoring of building works (*National Construction Industry Policy of 2003 Section 8.1.1 (c)*) and prepare and enforce Annual Performance Agreement for building works in LGAs (*The Functions and Organisation Structure of The President's Office, Regional Administration and Local Government (PO-RALG) (Approved by the President On 12<sup>th</sup> February, 2015)*);

In addition, PO-RALG and LGAs are expected to develop their monitoring plans for the building works based on the risks associated with the construction of buildings being erected within their respective areas of

jurisdiction. Therefore, LGAs are required to have a risk profiling mechanism for proper planning (*Best Practice: UNDP Handbook on Planning Monitoring and Evaluation for Development Results, 2009, pg. 100-119*)<sup>18</sup>

### *Implementation of Planned Activities for Monitoring of Building Works*

LGAs are required to conduct regular inspections to buildings in their respective areas of jurisdiction in order to ascertain if they are being carried-out in accordance with the approved building designs and standards (*The Local Government (Urban Authorities) Act No. 8 of 1982 and the Local Government (Urban Authorities) (Development Control) Regulations of 2008*), PO-RALG is also required to build the capacity of its staff in project management and contract administration (*National Construction Industry Policy, 2003, Para 8.1.2*).

Also, PO-RALG in relation to Local Government Authorities is required to ensure availability of qualified staff as required by the staff establishment of a particular profession. It is also required to ensure availability of equipment, human resources and funds for the implementation of activities in the Local Government Authorities (*Local Government Laws (Miscellaneous Amendments) Act, 2006 Section 20*).

In addition, LGAs are required to make by-laws to prohibit, restrict and regulate the construction, alteration, alignment and elevation of all buildings and other structures and/or parts thereof, and compel the demolition, removal, repair or rendering unsafe of any building, structure or part thereof which, in the opinion of the authority is dangerous or unfit for occupation for structural or sanitary reasons or which otherwise constitutes a nuisance and for the doing of any such work as aforesaid at the cost of the owner or occupier and for recovering such costs (*Local Government (Urban Authorities) Act, No. 8 of 1982, Section 85(1), 85 (2) (g), 85 (5) and Item No. 8, 15 and 18 of Schedule to the Act*).

### *Monitoring and Evaluation of LGAs' performance in building works activities*

PO-RALG is required to prepare monitoring plans for monitoring activities conducted by Divisions responsible for urban development as well as infrastructure development. It is also required to monitor and evaluate implementation of the PO-RALG's Annual Plans and Medium Term Strategic Plan (*PO-RALG's Strategic Plan 2013-2018; The Functions and Organisation Structure of The President's Office, Regional Administration and Local Government (PO-RALG) (Approved by the President On 12<sup>th</sup> February, 2015)*);

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<sup>18</sup> <http://web.undp.org/evaluation/handbook/documents/english/pme-handbook.pdf>

In addition, PO-RALG is required to: (a) supervise professionalism of personnel relating to the particular sector in the Local Government Authorities; (b) ensure quality assurance in the performance of the functions of technical personnel relating to the sector in the Local Government Authorities; (c) undertake monitoring and evaluation of the technical personnel's evaluation of their performance (*Local Government Laws (Miscellaneous Amendments) Act, 2006 Section 20(2)*).

Not only that but also, PO-RALG is required to facilitate the development, review, implementation and monitoring of performance reporting frameworks in RSs, LGAs and Affiliated Institutions. It is required to develop and install M&E System, Strategies and Plans and monitor its implementation in RSs, LGAs and affiliated Institutions. (*PO-RALG's Strategic Plan 2013-2018; The Functions and Organisation Structure of President's Office, Regional Administration and Local Government (PO-RALG) (Approved by the President on 12<sup>th</sup> February, 2015)*).

#### **1.4 Data Validation Process**

The President's Office - Regional Administration and Local Government was given the opportunity to go through the draft report and comment on the information and figures presented. PO-RALG confirmed on the accuracy of the information and figures presented in this audit report.

The information was crosschecked and discussed with experts in the field of building works to provide expert opinions and confirm the validity of the information and facts presented in the audit report.

#### **1.5 Standards used for the Audit**

The audit was done in accordance with the International Standards for Supreme Audit Institutions (ISSAIs) on performance audit issued by the International Organization of Supreme Audit Institutions (INTOSAI). These standards require that audit is planned and performed in order to obtain sufficient and appropriate evidence to provide a reasonable basis for the findings and conclusion based on audit objectives.

It is believed that according to the audit objectives, the evidence obtained provide reasonable basis for the findings and conclusion.

#### **1.6 Content and Structure of the Audit Report**

The remaining part of this report is presented as follow:

**Chapter Two** presents the description of various actors and processes involved in monitoring of building works in the country;

**Chapter Three** presents the findings of the audit related to Monitoring of Building Works;

**Chapter Four** provides for overall conclusion and specific conclusions of the performance audit based on audit objective and specific audit objectives; and

**Chapter Five** provides for recommendations that are directed to the President's Office-Regional Administration and Local Government in order to improve monitoring of building works in the country.

## **CHAPTER TWO**

### **SYSTEM FOR MONITORING BUILDING WORKS IN TANZANIA**

#### **2.1 Introduction**

This chapter describes the system for ensuring the effective monitoring of building works in the country. The chapter portrays the policy and laws that govern building works, the roles and responsibilities of the key players in the monitoring activities and the process for ensuring effective monitoring of building works in Tanzania.

#### **2.2 Governing Policy and Legislation**

##### **2.2.1 Policy**

###### **The Construction Industry Policy of 2003**

This policy recognises construction industry as a fundamental economic sector which permeates most of the other sectors. This is because it transforms various resources into constructed physical economic and social infrastructure necessary for socio-economic development.

The policy objective is to formulate and enforce the application of appropriate building regulations and standards. Section 8.1 of the policy emphasizes/directs the government to accelerate the formulation and updating of regulations and standards and ensure industry's wide usage. It also requires the government to ensure effective co-ordination and collaboration of institutions responsible for formulation, updating and enforcement of building regulations and standards.

##### **2.2.2 Acts and Regulations**

###### *(a) The Local Government (Urban Authorities) Act, No. 8 of 2007*

The Act provides for framework of land use and planning including issuance of planning and buildings guidelines. It also gives mandate to Planning Authorities<sup>19</sup> to control building construction works within their respective areas. These include setting buildings standard and coordinating all activities relating to land use and managing the land use planning processes.

According to Section 35 of the Act, Planning Authorities has got the power to grant consent to develop land, for the retention on land of any buildings

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<sup>19</sup>These are local government authorities empowered by law to exercise urban planning functions in their areas of jurisdiction. In Tanzania these include District Councils, Town Councils, Township Authorities, Municipal Council and City Council.

or works constructed or carried out on that land and granting of building permits.

*(b) The Local Government (District Authorities) Act, 1982*

The Act provides for the formulation of the planning committees in LGAs, functions and monitoring responsibilities of Planning Authorities/LGAs. The Act also provides for requirements for obtaining or building permits prior to starting any building works.

For the purpose of this Act, the Planning Authority i.e. LGAs have been mandated to restricts any construction of any building without building permits. It further provides the requirements for monitoring, supervision of construction of buildings, maintenance, elevations and alignments of buildings according to respective townships' plans.

*(c) The Local Government (Urban Authorities) (Development Controls) Regulations of 2008*

These are regulations made under the Local Government (Urban Authorities) Act of 2007. The regulations provide for building permits requirements prior to erecting any building.

Part VIII of the Regulations, especially Regulations 124 and 125 makes mandatory for any building works to obtain building permits from the Planning Authorities. The regulations also provide for timeframe of the building permit since when it is issued, which ranges from 7-30 days depending on the type of the building.

*(d) The Public Health Act, 2009*

Sections 5, 66, 67 and 68 of the Public Health Act of 2009, requires that no buildings to be constructed without submission of drawings and approved standards for scrutiny for the purpose of ascertaining whether they qualify for health requirements. Buildings cannot be inhabited unless certificate of occupancy is issued by the Health Officer of the respective LGAs.

It further provides for scenarios which may impede approval of such building drawings. These scenarios may be if the site cannot be properly drained, the site has been filled with waste, has other offensive matters or decayed vegetation. The approval is also limited in case:

- the site is in proximity to other buildings or premises as to obstruct light and free circulation of air around the building or premises;
- the building or premises was not accessible for solid, gaseous, hazardous and liquid waste removal or facilitate access to fire and rescue services;



- the ventilation and size of the rooms are unsatisfactory or inadequate; or
- the erection of the building or premises would contravene with other written laws.

*(e) The Engineers (Registration) Board Act, 1997 (As amended in 2007)*

Section 118 (1), (2), (3) and (4) give mandate for the Engineers Registration Board (ERB) to enter into and inspect sites where there are erections, alterations, renovation or maintenance for the purpose of verifying that engineering activities are undertaken by engineers registered in appropriate categories and engineering firms. Also, it gives mandate for the Board to enter into and inspect building sites to monitor works rendered by engineers and take legal action in case of non-compliance.

*(f) The Architects and Quantity Surveyors (Registration) Act, 2010*

Section 4 (i), (ii) and (iii) of the Architect and Quantity Surveyors (Registration) Act of 2010 provides for restriction to any person or institutions to prepare and approve building drawings and designs unless such persons or institutions are fully registered by the Architects and Quantity Surveyors Registration Board (AQRB). It also provides for penalties and fines for failure to comply with the requirements.

The Act further provides for mandate to the Architects and Quantity Surveyors Registration Board to enter into and inspect any building for the purpose of verifying and ensuring that the works are being carried-out by registered architectural and quantity surveyors.

## **2.3 Key Actors in Monitoring of Building Works**

The main key actors responsible for monitoring of building works in Tanzania are the PO-RALG through Regional Secretariats and LGAs.

The roles for each one of the identified key actors are briefly explained below:

*(i) President's Office - Regional Administration and Local Government*

This is a parent Ministry endowed with the roles of monitoring and supervising building works. It plays administrative and advisory roles to Regional Secretariats (RSs) and Local Government Authorities (LGAs) on matters relating to monitoring of building works.

The functions are principally carried out through the Divisions of Infrastructure Development and the Urban Development. According to PO-

RALG's Strategic Plans of 2013-2018 and the current under review of 2018-2023, the roles of these divisions are:

- a) to foresee all infrastructure developments in the country which are undertaken by LGAs;
- b) to monitor the implementation of developed policies and guidelines on infrastructure development; and
- c) to review and approve urban development designs and give technical assistance to LGAs;

These functions are carried out through Regional Secretariats and Local Government Authorities.

**(ii) *Regional Secretariats (RSs)***

The Regional Secretariat works on behalf of the PO-RALG at the regional level. According to the Local Government (Urban Authorities) (Development Control) Regulations of 2008, Regional Secretariats are responsible for:

- a) providing advice and guidance to Local Government Authorities on land use, planning and developments;
- b) monitoring and evaluating LGAs' activities related to monitoring of building works and provide technical backstops; and
- c) overseeing and compiling LGAs plans and reports and forwarding the same to the Minister responsible for LGAs.

**(iii) *Local Government Authorities (LGAs)***

Based on the Urban Planning Act, No. 8 of 2007, LGAs as Land Planning Authorities have the following roles:

- a) control of Development of Land and Consent for development including control and use of land, development of land and buildings in the interests of proper and orderly development of the planning area;
- b) determine density of buildings on land, height, design and appearance and sitting of buildings, manner of access to land and buildings in their areas of jurisdiction;

In addition to the above roles, LGAs have powers to make by-laws for monitoring of buildings, quality controlling, issuance of permit construction of buildings and other structures within their areas of jurisdiction. Such by-laws also prescribe to the subject conditions which the construction of buildings and execution of work on the existing buildings and structures renovation, rehabilitation and constructions may be undertaken and carried out.

## **2.4 Roles of Other Stakeholders**

Management of monitoring of building works involves other stakeholders such as sector ministries, regulatory authorities, professional boards and associations as well as academicians. The roles and their responsibilities are described below:

### **(i) Other Sector Ministries**

#### ***Ministry of Lands, Housing and Human Settlements Development***

Although the Ministry of Lands, Housing and Human Settlements Development is not directly involved in the monitoring of building works, it has a pre-function in terms of facilitating acquisition of land for building works and urban development in general and designates land use all over the country. It is vested with powers through the Land Use Act No. 4 of 1999 to plan and designate uses of lands throughout the country. Through the Land Administration Department, the Ministry's roles are to:

- a) prepare and approve plans for land use;
- b) administer and monitor planning of urban and rural settlements;
- c) prepare of land use plans and carry out surveys of the same;
- d) issue certificate of rights of ownership of land;
- e) register rights of ownership and other land related legal documents; and
- f) encourage the public to have standard and quality housing services as per master plans.

### **(ii) Professional and Regulatory Boards**

#### ***Architect and Quantity Surveyors Registration Board (AQRB)***

According to the Architects and Quantity Surveyors Registration Board Act, of 2015, it has the role to monitor professional conducts of the registered Architects and Quantity Surveyors. They are responsible for ensuring that all building projects registered by the Board are managed by full registered and qualified Architects and Quantity Surveyors.

#### ***Engineers Registration Board (ERB)***

Engineers Registration Board has a primary role of monitoring, inspecting and auditing of engineers, engineering activities and stakeholders in building construction sites before and during the execution of completed projects. The Engineers Registration Board Act of 1997 (as amended in 2007) and its Regulations of 2015 give mandate to the Board for monitoring of building works such as:

- a) ensure, engineering activities are undertaken by the Engineers who have been registered in the appropriate categories and engineering consulting firms;
- b) the standards ,professional ethics and relevant occupational health and safety aspects are observed;
- c) ensure that the project is registered by the Board, and the works are executed in accordance with the conditions stipulated in the Contract and standard construction procedures.

### ***Contractors Registration Board (CRB)***

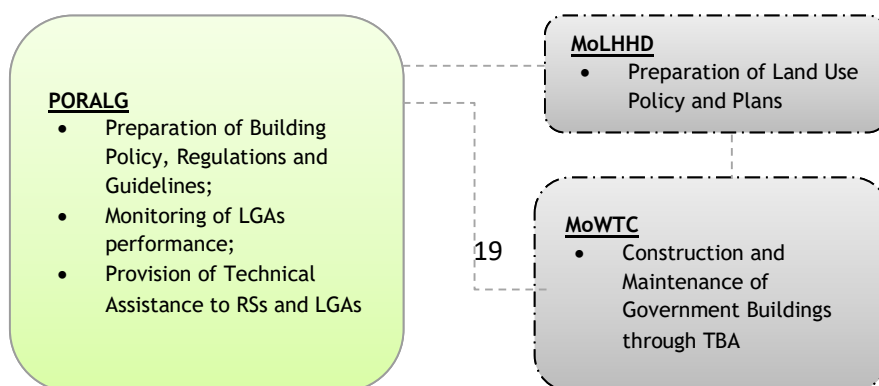
According to the Contractors Registration Board Act, No 17 of 1997, the roles include regulating the activities and conduct of contractors and to enter and inspect any site for construction, installation, erection or alteration works for the purpose of verifying and ensuring that the works are being undertaken by registered contractors; and that the works comply with all governing regulations and laws of the country.

### **(iii) Other Institutions that Provide Technical Support in Building Works**

#### ***Ardhi University and University of Dar es Salaam - College of Engineering and Technology***

These are academic institutions which provide researches and consultancy services with regards to engineering architectural and quantity surveying works and in particular building works.

The relationship of different stakeholders is shown in **Figure 2.1**.



**Figure 2.1: Relationship among Different Stakeholders Involved in Monitoring of Building Works Process Cycle**  
*Source: Interviews and Review of Building Works Guiding Legislations*

## **2.5 Key Processes on Monitoring Building Works in Tanzania**

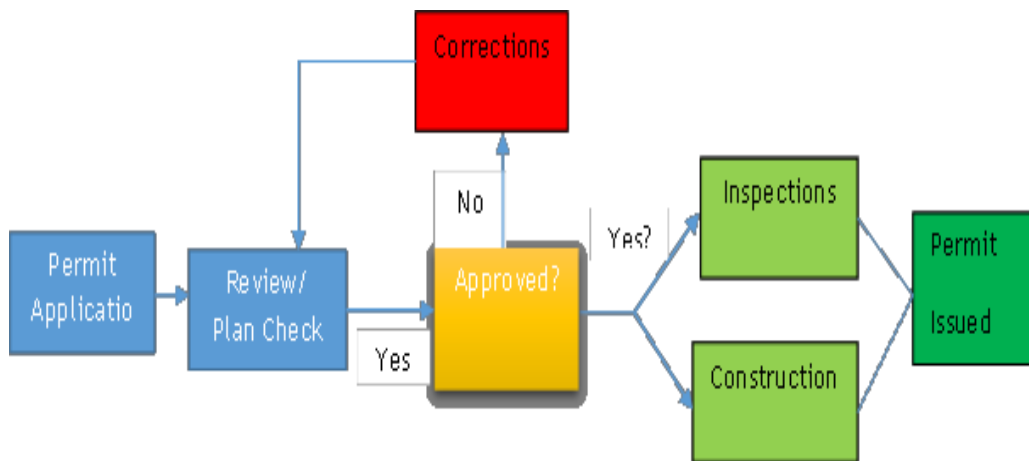
Monitoring of building works is categorised into two dimensions. *First dimension* starts with issuance of building permits to occupancy of the buildings whereas all the monitoring activities such as setting out, inspections and quality assurance are being carried -out by the respective Planning Authorities.

*Second dimension* is carried out by other professional bodies which are established to ensure that building works are carried out in accordance with standards, specifications and by the registered and recognized professionals. The following are the details for each process of building activity process:

### **i) Monitoring Process as done by Local Government Authorities**

Local Government Authorities are responsible for monitoring of building works covering issuance of building permit process and the building activities during

the execution. The issuance of building permits involves various activities as summarized in **Figure 2.2**.



**Figure 2.2: Summary of the Issuance of Building Permit Process**

*Source: Interviews and Review of Building Works Guiding Legislations*

**Permit Application:** The developer applies for the building permit to the respective LGA. The application is accompanied by drawings and payment of application fees depending on the type of building.

**Reviewing:** This is done by the panel of technical staff composed of Architect, Engineer, Environmental expert, Health and Occupational expert, Urban Planners and Land Officers. They review thoroughly the application whereby each technical personnel check whether the requirements in respect to his/her field of specialisation are adhered to and therefore the permit should be granted or withheld.

**Approval:** Depending on review comments issued by technical staff, the application is approved, and issuance of building permits followed. At this stage, if the applicant does not comply with one of requirements, the application is rejected or disapproved and correction is required for further review.

**Correction:** The applicant or developer is required to incorporate comments from technical committee and resubmit it for review and approval.

**Inspection:** After the developer has obtained the building permit, the developer is required to notify the LGA when setting-out will start so as to witness the setting-out of the building in compliance with the requirements set in the approved building permit.

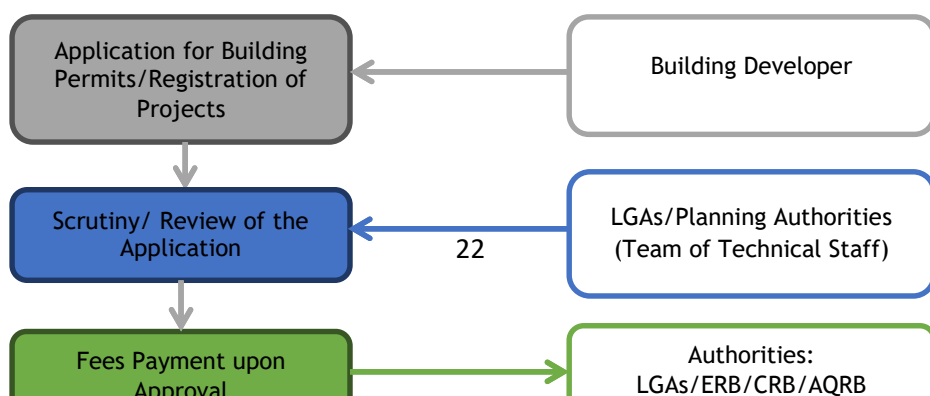
**Construction:** At this stage, the respective Officer/Engineer from the LGA has to conduct regular inspections from the commencement of building to the

completion of the project. Each stage has to be approved by the Council's Engineer before the commencement of the next stage.

Critical areas that require approvals during construction and their respective sanctions are as explained below:

- a) **Laying of Foundations:** after completion of the foundation stage, the work done must be inspected by the project manager and the engineers from the Planning Authority, short of which, the work done has to be re-done in case it fails the necessary tests/standards or fined in case the start of laying of the building is not approved;
- b) **Quality of Reinforcements:** These may be reinforcements bars and aggregates (gravels) used for concrete mix to ensure that they meet standards. Engineers are required to test and approve the quality of the reinforcements;
- c) **Laying of Bricks and Concrete Works:** Concrete works must be in accordance with specified standards in the building designs thus project managers and Planning Authorities should inspect and test the standard of the concrete used in the buildings; and
- d) **Other materials necessary in construction of the buildings as per building's material designs:** should always be inspected and approved by project engineers and engineers from Planning Authorities and approval given in writings, short of which, that will amount to the breach of buildings permits terms and conditions which may lead to revocation of the building permits and stoppage of building works.

**Issuance of Certificate of Occupancy:** After completion of project, the developer is required to request for the final inspection. The inspection is carried out by technical team after the developer has incorporated any snag that has been pointed out by inspection team prior to issuance of certificate of occupancy. At this stage, the developer is permitted to occupy the building through the issued Certificate of Occupancy. The summarized key process and the responsible players are as presented in **Figure 2.1**.



**Figure 2.3: Summary of Key Process for Monitoring of Building Works and the responsible Players**  
*Source: Interviews and Review of Building Works Guiding Legislations*

#### Process Time for Issuance of Building Permit

The processing time for the issuance of building permit varies, depending on the size and nature of the building. **Table 2.1** presents the time it takes to process a building permit for each category of building:

**Table 2.1: Timeframe for Issuance of Building Permits**

Type of Buildings	Timelines for Issuing Permits (from date of application) (Days)
Non-Storey Residential Buildings	0-7
Buildings not exceeding four Storeys	7-14
Buildings with more than four stories	14-30



*Source: The President's Office - Regional Administration and Local Government (Building Permits and Monitoring of Building Works Guidelines of 2018)*

## **ii) Monitoring by Professional Boards**

### *The Architects and Quantity Surveyors Registration Board (AQRB)*

This is the professional registration board for architects and quantity surveyors with a role to regulating the registration and conduct of Architects and Quantity Surveyors. In buildings, all building projects being constructed in any area (usually storey and non-storey buildings involving Architects and Quantity Surveyors with a value of at least TZS 100 million) are required to be registered by AQRB.

The Board also carries out inspection to building construction sites during the construction to ensure that building works undertaken in respective areas are duly registered and that the architectural designs and drawings were done by Architects and Quantity Surveyors who are fully registered with AQRB and hold valid practicing certificates.

### *The Contractors Registration Board (CRB)*

This is the Professional Registration Board for Contractors with a role to regulating the registration and conduct of construction firms. In buildings, all building projects being constructed in any area and undertaken by contractors are required to be registered with CRB.

The Board also carries-out inspection to building construction sites during construction to ensure that building works undertaken in respective areas are duly registered and that the contractors who execute the works are fully registered with CRB and hold valid practicing certificates.

### *The Engineers Registration Board (ERB)*

This is the Professional Registration Board for Engineers with a role of regulating the registration and conduct of Engineers and Engineering firms in the country. In buildings, all building projects being constructed in any areas and are managed by project Engineers are required to be registered with ERB.

The Board also carries-out inspections to building construction sites during construction to ensure that building works undertaken in respective area are duly registered and that the engineers who execute the works are fully registered with ERB and hold valid practicing certificates.

## **iii) Coordination Among Stakeholders**

PO-RALG is required to coordinate all urban development activities with other stakeholders such as professional boards, sector ministries and agencies in all activities relating to buildings construction activities.

The coordination is vital as there are a number of players in building works such as NEMC, Fire Rescue Force (FRF), Ministry of Health, Community Development, Gender, Elderly and Children; OSHA and Ministry of Lands, Housing and Human Settlements Development.

#### **iv) Monitoring of Performance of Regional Secretariats and Local Government Authorities**

PO-RALG has the role of monitoring the performance of all LGAs (Planning Authorities) in all of their activities and in this case monitoring of building works being carried-out in their respective areas of jurisdiction.

PO-RALG is expected to receive quarterly progressive reports of all LGA's activities on the performance of their activities. PO-RALG is also expected to give feedback or recommendations to LGAs on how to address the weaknesses noted in the reports and accordingly make follow-ups of their implementations.

However, PO-RALG usually does the monitoring exercises through Regional Secretariats which are responsible to effect communication between LGAs and PO-RALG.

RSs have basic role to provide technical support to LGAs in monitoring of building works. This is usually through capacity building, organisation of resources such as equipment, transport, fund and skills. All these activities should be reported quarterly by LGAs and submitted to RSs and thereafter to PO-RALG.

### **2.6. Resources for managing Monitoring of Building Work activities**

The effective monitoring of building works requires both human and financial resources. The Division of Infrastructure and Urban Development at PO-RALG plays a direct role towards ensuring effective monitoring of building works.

The allocated resources for this activity at PO-RALG are as detailed below:

#### **2.6.1 Financial Resources**

The main source of funds for monitoring of building works is the budget set aside by PO-RALG. **Table 2.2** presents the budget and actual allocated amount in this division from 2012/13- 2017/18.

**Table 2.2: Budgeted and Allocated Fund Allocated to Infrastructure and Urban Development Division - by PO-RALG**

Financial Year	Budget (TZS)	Actual Allocated (TZS)	%age allocated
2012/13	304,000,000	269,684,810	89
2013/14	304,000,000	127,993,454	42
2014/15	288,742,000	69,189,134	24
2015/16	142,810,000	73,757,577	52
2016/17	95,577,920	70,096,582	73
2017/18	144,407,392	104,752,848	73

*Source: PO-RALG Strategic Plan and Annual Plans and Budgets of 2013-2018*

As indicated in **Table 2.2**, there has been variations in the budget that is prepared by PO-RALG and actual amount received. PO-RALG actual budget ranged between 24 and 89 percent with the lowest actual amount being in 2014/15 whilst 2012/13 being the highest.

## 2.6.2 Human Resource

Human resource is among the crucial resources to ensure effective implementation of monitoring of building works. The Division is headed by an Assistant Director and was required to have a total of 22 staff as of 2017/2018. Currently, the division has 19 staff composed of one (1) Assistant Director, four (4) Engineers, 2 Architects, and 12 Quantity Surveyors. Two (2) out of four (4) Engineers are directly involved in the monitoring of public building works being undertaken through the Tanzania Building Agency. The staffing level of the Divisions of Infrastructure Development and Urban Development is as shown in **Table 2.3**.

**Table 2.3: Staffing level at the Divisions of Infrastructure Development and Urban Development**

Financial Year	Number of Technical Staff Required	Actual Number of Technical Staff Available	% age staff available
2012/13	22	6	27
2013/14	22	14	64
2014/15	22	17	77
2015/16	22	17	77
2016/17	22	17	77
2017/18	22	19	86

*Source: PO-RALG Approved Organization Structure, Staff List, 2019*

**Table 2.3** indicates that there has been an increase in staff level within the Division of Infrastructure and Urban Development over the period of 5 years. It can also be noted that the percentage of staff available within the Divisions ranged between 27 and 86 with year 2017/18 recording the highest percentage.

## **CHAPTER THREE**

### **FINDINGS**

#### **3.1 Introduction**

This chapter presents the audit findings with regard to monitoring of buildings in Tanzania. The findings show the extent of the existence of the problem of building works and also address the four specific objectives of the audit. It presents findings related to efficiency in the issuance of building permits to developers; adequacy of plans for monitoring of building works as well as the extent of the implementation of the plans.

It also presents the findings related to activities of PO-RALG in assessing the performance of LGAs in monitoring building works activities in order to ensure that constructed buildings meet the required standards. Below are the detailed findings for each of the four sub-audit objectives:

#### **3.2 Extent of the Problem of Monitoring of Building Works in Urban Areas**

The extent of existence of the problem of monitoring of building works was measured in three aspects namely: existence of unmonitored buildings works; quality problems; and presence of buildings in unplanned areas. The following are the details of each aspect:

##### **3.2.1 Existence of Significant number of Unmonitored Buildings works**

The analysis of the unmonitored building works was done based on the number of buildings that exist in unplanned areas. This is because building permits are provided for the projects which are undertaken in planned areas, that forms a basis for monitoring.

Through the interviews held with the Urban Development and Infrastructure Development officials from PO-RALG and those from visited LGAs, the audit noted that a large number of urban areas have buildings which have been developed in unplanned areas, which are accordingly not monitored. For instance, report of the Ministry of Lands, Housing and Human Settlements Development on the unplanned settlement project (2013), reported that Dar es Salaam City had about 400,000 (80%) out of 500,000 houses which have been developed in unplanned or informal settlements that are not surveyed. According to this report, the situation and trends are the same in other big towns and cities such as Mwanza, Arusha and Mbeya.

The estimated number of people living in unplanned areas (based on the assumption that 80 per cent of the people living in unplanned areas) is represented in **Table 3.1**.

**Table 3.1: Statistics of Buildings Works located in Unplanned Areas in the Visited Regions**

Region	Population (2015) <sup>20</sup> in Millions	Population living in unplanned land (in Millions)	People living in unplanned land in %	People living in Planned land in %
Arusha	1.84	1.47	80	20
Dar es Salaam	5.17	3.82	74	26
Dodoma	2.22	0.67	30	70
Kigoma	2.29	0.69	30	70
Mwanza	3.03	1.33	44	56
Mtwara	1.32	0.40	30	70
Mbeya	2.94	2.06	70	30

*Source: National Environment Statistics Report (NESR, 2017)-Tanzania Mainland*

Since building permits are only issued to buildings constructed in planned areas, it can be confidently argued that LGAs are monitoring only a small fraction of the buildings constructed in their areas of jurisdiction and in urban areas in general.

The increasing number of building in unplanned areas is inter alia a result of delays in the preparation of urban Master Plans. . For instance, it was noted that in Mtwara only 47 percent of the entire Municipal land is planned whilst 53 percent remains unplanned but habited. This implies that, 53 percent of the buildings constructed were not monitored, and possess high risk for not meeting the building standards and regulations.

### **3.2.2 Existence of Unsatisfactory Quality of Constructed Buildings Works**

Interviews held with stakeholders<sup>21</sup> and the review of 2013 reports on the unplanned settlement project by the Ministry of Lands, revealed that houses developed in unplanned or informal settlements that are not surveyed, are normally characterized by housing of poor quality, built without regard to adequate accessibility such as access to roads, or provision of storm water drainage, water supply and provisions.

The case reported in 30<sup>th</sup> March 2013 whereby a multi-storey building collapsed in the centre of the main Tanzanian city of Dar es Salaam depicts poor monitoring and enforcement of building works regulations and standards. Further, a review of National Council Construction report, 2013 and CRB report of 2013 reported a collapse of 4 and 16 storey buildings in Dar es Salaam at Sinza Mori and Indira Gandhi Street respectively, where 36 people lost their

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<sup>20</sup> This is the current report as per the National Environmental Statistics Report (NESR, 2017) - for Tanzania Mainland

<sup>21</sup> ERB, AQRB and Professional Academicians

lives. This indicates the presence of buildings which do not meet the required building standards.

The audit team noted that, the existence of the problem of unmonitored building works is mainly caused by a number of factors. These include *inefficiency in the issuance of building permits to developers, inadequate planning and implementation of monitoring building works activities. The other factor is inadequate monitoring of performance of LGAs in the monitoring of building works by PO-RALG.*

The subsequent sections of this chapter provide the detailed presentation of these factors.

### **3.2.3 Absence of Sufficient Information on Building Works in the Country**

Through the interviews held with the officials from PO-RALG, it was noted that for the period under audit the Ministry did not have information related to the building works carried-out in the country. The official further mentioned that, this was due to the fact that the Division of Urban Development encountered the challenge of shortage of resources both human resources and funds.

Similar information was mentioned by the interviewed RS officials of all seven visited regions. Despite lack of capacity, there are many on-going building works which have not been monitored, as well as completed works which have not been monitored. However, the officials said that they were focusing on the road works. These scenarios indicated that these building works were either on-going or completed without being monitored by the respective LGAs.

Through the reviewed monitoring reports from PO-RALG and the interview with the officials sampled seven Regional Secretariats, it was noted that building works and status of building permits were not reported at all. The absence of the information related to monitoring of building works implies that monitoring of building works has not been carried out to ensure that they meet the required standards as per approved designs and building permits. As a result, neither the security of users nor value for money for these unmonitored buildings can be guaranteed.

### **3.3 Inefficiencies in the Issuance of Building Permits to Developers**

Through the interviews held with the PO-RALG officials, it was noted that the Ministry did not have effective mechanism to ensure LGAs do provide building permits to developers in an efficient manner. The audit team noted that the Ministry has managed to develop the guideline for issuance of building permits and monitoring of building works in March 2018. However, through interviews held with the officials from the Division of Urban Development, it was noted that, the guideline has not been launched officially due to shortage of funds.

Further, the officials declared that, the guideline was not effectively disseminated to the respective Regional Secretariats and LGAs as it was sent through emails to the respective Regional Secretariats and LGAs without elaboration on how to use it. Because of this, LGAs has not managed to efficiently issue building permits to the developers.

This was verified in the visited LGAs where the efficiency in the issuance of building permits was measured against the time taken to issue the permits; functioning of the registration systems and adequacy of inspection conducted prior to issuance of the building permit. It was also assessed on the extent of advocacy done by LGAs to create awareness to the community on the requirement for the building permits.

The audit noted that there is inefficiency in the issuance of building permits associated with lack of effective mechanism to facilitate efficiency issuance of building permits to developers. The details are as described in the subsequent subsections:

### **3.3.1 Absence of Effective mechanism for Advocacy to the Community on Process for Acquiring Building Permits**

To ensure the general public complies with the requirements of building permits, PO-RALG was expected to ensure LGAs have established and maintain public information services; and advertise to give publicity knowledge on the process for acquiring building permits to the advantage and amenities of the area of the authority<sup>22</sup>. LGAs were also required to grant consent to develop land for retention of any buildings or works constructed or carried out on the land as well as granting of building permits<sup>23</sup>.

For this case, PO-RALG was required to ensure LGAs have effective advocacy plans and mechanisms to ensure that the general public in urban areas is aware on the process and requirement for obtaining building permits.

Through the interviews held with PO-RALG officials, it was revealed, although the Ministry developed Building Permit Guideline in March 2018 which started to operate in July 2018, it has not been launched and effectively advocated to all stakeholders responsible for building works due to shortage of funds. It was explained that the Ministry of Lands, Housing and Human Settlements Development (through its letter with reference number CCA.171/284/01/54 of 23<sup>rd</sup> January, 2018) TBA and Fire Rescue Force (through its letter with reference number BC.150/194/01 dated 10<sup>th</sup> October, 2018) who are the key stakeholders in this area had indicated unwillingness on the implementation of

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<sup>22</sup> Local Government District Authority Act No. 7 , 1982 pg 83

<sup>23</sup> (The Local Government (Urban Authorities) Act No. 8 of 2007 Section 7

the issued guideline. This also caused delay in the official launching of the developed guideline.

The reasons given for the reluctance to implement the Guidelines was that TBA, Fire Rescue Force and Ministry of Lands are mandated by their own laws to issue building permits and monitoring activities.

The officials further mentioned that LGAs lacked effective advocacy mechanisms for creating awareness to the communities regarding processes for obtaining building permits. The analysis of plan and advocacy method used in the visited LGAs is as presented in **Table 3.2**:

**Table 3.2: Analysis of Plans and Advocacy Method used by the Visited LGAs - 2013/2014 - 2017/2018**

Name of LGAs	Training and workshop Interventions			Advocacy method used (radio, website, training, together with plot offer letter)
	No of planned awareness interventions for five years	Actual implemented Interventions for awareness /advocacy	Areas covered by the advocacy	
<b>Kinondoni MC</b>	Not in plans	Publication of building permits application forms on website	Process and application forms	Website information
<b>Dodoma CC</b>	Not in plans	Not verified	Not verified	No evidence
<b>Arusha CC</b>	Not in plans	Not done	Not done	No evidence
<b>Kasulu TC</b>	Not in plans	Brochures and advertisement	Requirements for application of Building Permit	Public announcement
<b>Misungwi DC</b>	Not in plans	No any awareness intervention	None	None
<b>Mbeya DC</b>	Not in plans	Not done	No evidence	No evidence
<b>Tandahimba TC</b>	Not in Plans	No awareness intervention	None	None

*Source: Analysis of RSs and LGAs' Strategic Plans, Awareness Reports, 2019*

**Table 3.2** shows that, all 7 LGAs visited did not include public awareness interventions in their respective plans for advocacy to the community on the processes for acquiring building permits so as to create public awareness on the requirements for applying for the building permits. The reviewed RSs' and LGAs' Strategic Plans and Budgets for 2014-2018 indicated that all 7 RSs and 7 LGAs visited, did not plan and budget for community awareness for the four years covered in this audit. However, it was noted that Kinondoni Municipal Council had included details on building permits application process and application forms on its website.



Nevertheless, the electronic methods used cannot be accessed fully by many among the general public as many people do not have access to internet.

The audit team assessed the number of communities who have been offered with land plots if were informed on the requirements and processes for obtaining the building permits. This could have been easy and proper mode for disseminating information for obtaining the building permits and their importance to the applicants. However, it was noted there were standard letters offered to the applicants of certificate of right of occupancy. However, these offer letters had no clause indicating requirements for the holder of this letter of offer or right of occupancy to obtain the building permits prior to starting any building construction. The result for the sampled offer letter is indicated in **Table 3.3**:

**Table 3.3: Sampled Offer Letter for Land Plots with Information on Building Permit in the Visited 7 LGAs**

Name of LGAs	Number of Sampled Land Plots offer Letter (Number)	Availability of guide or clause for obtaining building permit
Kinondoni MC	10	Nil
Dodoma CC	10	Nil
Arusha CC	10	Nil
Kasulu TC	10	Nil
Misungwi DC	10	Nil
Tandahimba TC	10	Nil
Mbeya CC	10	Nil

*Source: Plot Offer Letters, 2019*

As it can be seen in **Table 3.3**, all 70 sampled plot offer letters in all visited LGAs lacked provision/clause of requirements for obtaining the building permits as well as the attachment prescribing the process for acquiring building permits, instead it only states that the owner should build within 36 days. Further, the language used is English which is not understood by all users. If the offer had clear information and written in a language which was familiar to the majority, it could have been effective to ensure that the information reaches all targeted groups.

Failure of the PO-RALG and LGAs to conduct effective advocacy has created a knowledge gap to the communities on the requirements needed for them to successfully acquire the building permits. This is indicated by the following:

**(i) Existence of Unapproved Applications for Building Permits**

The audit noted that between 2 to 23 percent of applications for building permits were not approved due to failure of the applicants to fulfil the requirements. The reviewed minutes of Urban Planning Building Permit committee meetings from the visited LGAs indicated that some of applications were not approved, because the applicants did not fulfil all requirements.

The analysis of the building permits applications that were approved for the visited council between 2013/14-2017/18 is as presented in **Table 3.4**.

**Table 3.4: Percentage of Not approved Building Permits Applications in the Visited Councils from 2013/14- 2017/18**

Name of the LGA	Total Building Permits Applications received	Number of Approved Building Permits Applications	Number of Building Permits Applications Not Approved	% of not approved building permit Applications
Kinondoni MC	1283	1059	224	17
Dodoma CC	2575	2360	215	8
Arusha CC	879	680	199	23
Misungwi DC	117	117	0	0
Kasulu TC	81	81	81	0
Mbeya DC	43	40	3	7
Tandahimba TC	30	28	2	7

*Source: Urban Planning Committee Meetings Minutes, 2013/14 -2017/18*

As indicated in the **Table 3.4**, a number of not approved building permits were noted in 4 out of 7 LGAs with the highest percentage noted in Arusha CC which was 23 percent of all applications. There were no unapproved applications in Misungwi DC and Kasulu (see details in **Appendix 5**) of this report. However, the audit noted that the main reasons for the failure to get approval were weaknesses in proposed buildings' designs e.g. setting (set-backs); missing environmental expert comment; defects of the applications details in the application forms; non-attachment of building's designs and certificate of right of occupancy; and failure of applicants to correct the noted weaknesses in the application form and resubmit.

The audit team sampled 5 applications which were not approved in every LGA visited, making a total of 35 unapproved applications, and carried out further analysis to establish the extent of contribution of each factor for unapproved applications of building permits. The results of the analysis are detailed below.

**Table 3.5: Reasons and Incidences for Unapproved Building Permits Applications**

Factor for unapproved building permits	No. of incidences in submitted applications
Design weaknesses in the proposed buildings	12
Defects on the application forms submitted	5
Missing of environmental aspects/EIA/EMP	4
Non-attachment of building designs	5
Non-attachment of certificates of right of occupancy/Residential	6
Failure for applicants to resubmitted corrected application forms after addressing noted weaknesses	3
<b>Total</b>	<b>35</b>

*Source: Building Permits Applications, 2018*

**Table 3.5** indicates that most of the reasons for non-approval of building permits applications was mostly attributed to weaknesses in the proposed designs in the applications which were submitted by the applicants.

As a result, some of the developers have opted to start construction without obtaining building permits. For example, it was noted that three (3) and two (2) developers in Arusha and Dodoma respectively had started construction works while they did not have building permits. The reviewed building permits approval minutes indicated that their applications were rejected two to three times for reason of missing environmental expert comment, the weakness in settings in the building designs to support their application.

#### ***(ii) Presence of Developers who Proceed with Construction Without Having Building Permits***

Interviews held with the PO-RALG and LGAs officials revealed that there were developers who started buildings projects without having building permits. The officials mentioned that, this case was mainly common in government schools and hospital buildings whereby they commenced the construction work without having building permits. This was confirmed through the reviews of details of building permits which had no details on registered government and public buildings.

For government buildings, it was further noted that TBA is assuming the roles and is issuing building permits to developers for those houses managed by TBA. However, TBA is not mandated to perform this role.

Furthermore, the audit team noted that the construction of one Korean Church, nursery school and staff houses were built in an open space in Mtwara Region. However, the Mtwara Regional Engineer (RSs) demonstrated to have no knowledge of the construction on that particular open space. In addition to that, it was also noted that the developer had even no possession of the right of occupancy. The said buildings constructed are as seen in **Photo 1.1**.



**Photo 1.1(a):** Korean Church built in the Mtwara Region: Photo was taken on 18/8/2018 at Mikindani



**Photo 1.1(b):** Nursery School for Orphans: Photo was taken on 18/08/2018 at Mikindani



**Photo 1.1(c):** Staff Houses for Workers and Teachers in the Mtwara Region: Photo was taken on 18/8/2018 at Mikindani



**Photo 1.1(d):** Staff Houses for Workers and Teachers in the Mtwara Region: Photo was taken on 18/8/2018 at Mikindani

**Photo 1.1** indicates the buildings in the Mtwara Region built on an open space and without building permits. This is a clear indication of the construction work which was completed without being inspected and monitored.

However it was noted that such occurrence in the Mtwara region has happened due to inadequate advocacy to the communities on the process to obtain the building permits. The interviewed ward officials at sites were of the views that they had an understanding that because the building structures were meant for social services there was no need for building permits or even right of occupancy over the area.

Through site visits made for the verifications of building works in Kindononi MC, the audit noted that there was a maximum of up to 9 storey buildings quarters under construction at 4<sup>th</sup> floor stage for ex-tenants at Magomeni opposite to Kinondoni MC offices which were being constructed without building permits and not monitored by Kinondoni MC at all stages as indicated in **Photo 1.2**.



**Photo 1.2:** Nine storey Government buildings under Construction at 4<sup>th</sup> Floor Stage for ex-tenant at Magomeni just outside Kinondoni MC without Building Permits building permits being monitored by Kinondoni MC.

The same case was seen in Tandahimba TC whereas it was observed that there was a developer who had commenced construction of a lodge without obtaining the approval of the Council's engineer. There was no documentation in place indicating that the Council's had provided the approval for the commencement of the building works at site. **See Photo 1.3.**





**Photo 1.3:** Private owned hotel building being constructed in Tandahimba DC without being inspected prior to commencement of building works (Photo taken on 07<sup>th</sup> March 2019 at Tandahimba DC area)

It was also noted in Dodoma CC that there were construction activities of various buildings which did not comply with the building permit requirements. **Photo1.4** shows the buildings being constructed in the surveyed area without being issued with the building permits.



**Photo 1.4:** Plot No.15 Block D constructed 2 buildings structures and one plinth foundation without building permits, captured at Ipagala North in Dodoma City Council.

As shown in **Photos 1.1, 1.2, 1.3 and 1.4**, in every 3 projects sampled for verification purpose so as to assess whether projects complied with building permits requirements, at least 2 had no building permits as indicated above.

**(iii) *Most of the Government Entities do not seek for Building Permits***

Although it is a clear fact that all public buildings are supposed to seek for the building permits, the audit noted that there were some developers who did not seek for building permits before commencing the development work. Through interviews with the officials from PO-RALG and LGAs, it was noted that public entities such as Tanzania Building Agency, NSSF, NHC, and MDAs were building without being issued with the building permits.

The officials further indicated that, TBA is the overall overseer of all public buildings, but the institution was reported as the one which did not follow the process for acquiring the building permits. For instance, one 16 storey building constructed on Plot No. 45 and 46 along Chimala Street in Ilala Municipality in Dar es Salaam Region under TBA had no building permit and did not adhere to the standards. Similar incidence was noted in Kinondoni MC, whereby there were on-going building projects close to the Kinondoni Municipal offices managed by TBA but they did not have building permits (*see Photo 1.2*).

The officials from PO-RALG pointed out that, even after the new guideline was issued, TBA has indicated that it would not apply for the building permits for the projects under their management. This was noted through TBA's letter to PO-RALG with Reference No. GB: 17/293/01/X/80 dated 19 February 2016. However, PO-RALG responded through via Reference No. GB.39/203/01/5 dated 9 March 2016 indicating unwillingness to change the policies and legislations for issuance of building permits and monitoring of building works insisting that building permits should only be issued by Planning Authorities to avoid legal contradictions during the process.

Similarly, all buildings implemented by Health, Education and Administration departments within RS and LGAs did not have building permits. This was due to lack of coordination between the departmental sectors and the Works and Infrastructure department. For the 7 visited LGAs, there was no evidence as to whether government buildings had submitted building permits applications prior to proceed with construction works as required. This was mostly noted in LGAs where most of development projects are carried out such as schools, health centres and dispensaries.

Consequences of building without a building permit include:

**a) Increased buildings constructed in unplanned urban areas:** Because building permits are issued to surveyed areas, it is obvious that building constructed without building permits facilitate building in unplanned areas.

**b) Poor buildings which may collapse and cause death and loss to lives:** Absence of building permits limits monitoring activities by planning authorities. This is because monitoring is focused more on buildings with building permits. Therefore, all buildings that do not have building permits are not monitored by respective Planning Authorities, thus they do not conform to the required building standards. This may cause collapse and loss of people's lives. In 2013 there were reported incidences of collapsed 4 and 16 multi-storey buildings in Dar es Salaam City leading to 36 deaths.

**c) Increased cost due to re-constructions, corrections and repairs:** Most buildings constructed without building permits are not monitored and do not meet the required quality. These kind of building normally experience a series of modification and correction which has cost implications to the developer and the monitoring authority.

**d) Demolition of constructed buildings causing loss of property and homes:** Constructed building without building permits, do not comply with planning authorities master plans. These are normally built without regard to accessibility to roads, storm water drainage, water supply and provisions; road reserve which eventually are demolished by the respective authorities in case of new development. This leads to loss of homes and property and hence results into increased unplanned and informal settlements.

### **3.3.2 Delays in Issuance of Building Permits**

PO-RALG was required to ensure that Planning Authorities (LGAs) set mechanism to monitor the issuance of building permits and ensure they are provided to the developers on time<sup>24</sup>. However, interviews held with the PO-RALG officials noted that, the Ministry did not ensure that LGAs have effective mechanism for timely issuance of building permits to developers especially for a period prior to 2017/18. According to Local Government (Urban Planning) (Development Control) Regulations of 2008, LGAs were required to issue building permits utmost 60 days since when the application was lodged, which was not the case with most of the visited LGAs.

However, the audit noted that PO-RALG had developed a building permits and monitoring of buildings guideline in April 2018 which became effective on July

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<sup>24</sup>(The Local Government (Urban Authorities) (Development Controls) Regulations, 2008. Sections 124 & 125)



2018. The guideline aimed at ensuring that building permits are effectively monitored and issued on timely basis. The audit also noted that the guidelines were made available to all 7 LGAs visited namely, Dodoma CC, Kinondoni CC, Arusha CC, Misungwi DC, Kasulu TC, Tandahimba TC and Mbeya DC.

The analysis of building permit processing time for the financial year 2013/14 to 2017/18 indicated significant delays. The extent of the delays for the sampled building permits in the visited LGAs based on 60 days before the introduction of a new guidelines was done and the results is as presented in Table 3.6.

**Table 3.6: Building Permits Processing Time for Sampled Projects from the visited LGAs for year 2013/14-2016/17 (Before the New Guideline)**

Name of the Council	Owner of Building	Application Date	Date Issued	Number of Delay (Days) <sup>25</sup>
Dodoma CC	DCC1	08.03.2016	8.3.2019	730
	DCC2	11.02.2016	24.03.2016	42
	DCC3	20.01.2016	10.02.2016	21
Kinondoni MC	KMC1	21.11.2016	16.10.2017	269
	KMC2	15.07.2016	31.01.2017	140
	KMC3	29.11.2016	10.03.2017	41
Misungwi DC	MDC1	18.11.2016	30.06.2017	224
	MDC2	26.07.2016	21.12.2016	148
	MDC3	30.06.2016	18.10.2016	80
Arusha CC	ACC1	17.05.2018	18.08.2018	93
	ACC2	30.09.2018	18.12.2018	84
	ACC3	12.04.2018	30.06.2018	79
Kasulu TC	KTC1	29.04.2016	09.05.2016	10
	KTC2	04.05.2016	09.05.2016	5
	KTC3	28.04.2017	03.05.2017	5
Mbeya CC	MDC1	6.11.2017	7.11.2017	-
	MDC2	11.07.2017	12.07.2017	-
	MDC3	11.09.2017	12.09.2017	-
Tandahimba TC <sup>26</sup>	No details	No details	No details	-

*Source: LGAs Building Permits Registers and Approval Meeting Minutes, 2016/2017 and 2017/2018*

Table 3.6 shows that in all sampled projects from the 7 visited LGAs experienced delays on the issuance of building permits. The delays ranged from 36 to 730 days, whereby the highest average delay was noted in Kinondoni Municipal Council and the lowest was noted in Dodoma City Council.

<sup>25</sup>Based on the old timeframe provided by the Local Government (Urban Authorities) (Development Control) Regulations which provided for a maximum of 60 days after application for building permits had been lodged

<sup>26</sup> Tandahimba did not have data before new guideline was introduced.

### ***Delays in Issuance of Building Permits after a New Guideline***

The extent of delays for issuance of building permits based on the new guideline of April 2018 which started in 2017/18 was made and the results are as presented in Table 3.7.

**Table 3.7: Delay in Application and Approval of Building Permits as per 2017/2018 Guideline**

Name of the Council	Owner of Building	Type of Building	Application Date	Date Issued	Number of Days of Delay <sup>27</sup>
Kasulu TC	KTC1	Residential	31.01.2018	14.08.2018	195
	KTC2	Commercial	09.02.2018	14.03.2018	33
	KTC3	Commercial	15.03.2018	10.04.2018	26
Misungwi DC	MDC1	Commercial	19.10.2017	30.04.2018	193
	MDC2	Commercial	02.11.2017	21.12.2017	49
	MDC3	Commercial	13.09.2017	18.10.2017	35
Tandahimba TC	TTC1	Commercial	07.09.2018	07.12.2018	153
	TTC2	Residential	06.08.2018	06.11.2018	92
	TTC3	Petrol Filling Station	07.01.2019	07.02.2019	31
Arusha CC	ACC1	Residential	15.07.2017	14.12.2017	152
	ACC2	Office/Residential	05.06.2017	31.07.2017	56
	ACC3	Residential	06.07.2017	14.08.2017	39
Kinondoni MC	KMC1	Residential	13.06.2018	30.08.2018	78
	KMC2	Residential	06.06.2018	01.08.2018	56
	KMC3	Residential	11.06.2018	01.08.2018	51
Dodoma CC	DCC1	Residential	11.09.2017	21.10.2017	40
	DCC2	Residential	26.09.2017	20.10.2017	24
	DCC3	Residential	07.09.2017	26.09.2017	19
Mbeya DC	MDC1	Commercial	05.03.2018	14.05.2018	70
	MDC2	Factory	05.07.2018	16.07.2018	11
	MDC3	Primary School	30.04.2018	04.05.2018	4

*Source: Building Permits Applications and Approvals*

Table 3.7 shows that the delay on issuance of building permits was ranging from 4 to 195 days since when applications were lodged by applicants, the highest number being recorded in Kasulu TC whereby building permits were issued to a maximum of 195 days after building permits applications were lodged.

It was also revealed that there were also delays in issuance of building permits even after the new building permit guideline was issued by PO-RALG in 2018 which required the building permits to be issued within 30 days.

<sup>27</sup> Based on a maximum of 30 days after application had been lodged depending on the type of building

The reasons for delays in the issuance of building permits include:

***(i) Absence of effective review mechanism for the lodged building permits applications***

The audit noted that, despite the introduction of new building permits guidelines, yet there were no documented mechanisms for implementation for review of building permits. The audit also noted that there are no clear list of documents and preapprovals required before a building permit application can be submitted. Also there are no clear systems for providing applicants with information on the required fees and how they are calculated towards achieving clarity, consistency and transparency.

Consequently, the new issued guidelines by PO-RALG have not effectively addressed the problem of delays in issuance of building permits as all permits were issued out of time depending on the type of buildings as explained in **Section 3.3.2**.

***(ii) Shortage of Technical Staff in RS and Planning Authorities***

Interviewed officials from the visited LGAs pointed out that, they had shortages of technical staff such as engineers, architects, quantity surveyors, or town planners who were responsible for reviewing applications for building permits. The extent of shortage of staff in the visited and RS and their respective LGAs is as presented in **Table 3.8**.

**Table 3.8(a): Percentage of Shortage of Technical Staff in the RSs**

S/N	RSs'	Engineer/Technicians		Urban Planners/Surveyors/Architects/ Land Officers		Percentage Shortage (%)
		Required	Available	Required	Available	
1.	Dar es Salaam	14	4	12	4	69
2.	Mwanza	5	1	7	3	69
3.	Dodoma	10	4	12	3	68
4.	Arusha	2	1	7	3	67
5.	Mtwara	4	1	6	3	60
6.	Mbeya	2	0	8	5	60
7.	Kigoma	3	2	5	3	37

*Source: RSs' Staff Establishment 2014/15 to 2017/18*

As indicated in **Table 3.8(a)**; at RSs, the shortage of Engineers (Civil and Building Engineers) and Urban Planners (Surveyors/Architects/ Land Officers) ranged between 37 to 69 percent from 2013/2014 to 2017/2018. This implies that, there is high work load to the available personnel at RSs' especially to the officials who are responsible for monitoring and evaluation of building works in their respective regions.

Similar analysis was done for the visited LGAs and the results are as presented in Table 3.7 (b).

**Table 3.8(b): Percentage of Shortage of Technical Staff in the LGAs Visited**

S/N	RSs /LGAs	Engineers/ Technicians		Urban Planners/Surveyors/Architects/ Land Building Officers		Percentage Shortage (%)
		Required	Available	Required	Available	
1	Kasulu TC	20	2	21	3	88
2	Mbeya DC	8	1	7	4	67
3	Dodoma CC	12	4	14	6	62
4	Arusha CC	14	6	10	4	58
5	Tandahimba TC	15	8	8	2	57
6	Misungwi DC	8	2	17	10	52
7	Kinondoni MC	8	4	12	6	50

*Source: LGAs Staff Establishment 2014/15 to 2017/18*

As indicated in Table 3.8(b), at the council level, the shortage of Engineers (Civil and Urban Planners (Surveyors/Architects/ Land Building Officers) ranged between 50 to 88 percent from 2013/2014 to 2017/2018. The shortage of staff led to huge load of monitoring building works in the areas of their of jurisdiction.

However, based on the given data in Table 3.8(a) & 3.8(b), the audit team carried out an analysis to assess the ratio of technical staff per building permits (application submitted) and also per number of building projects needed to be monitored. The analysis considered technical staff such as engineers, Urban Planners/Surveyors/Architects/ Land Officers and officers<sup>28</sup> found in every visited Region and LGA who were directly involved in reviewing building permits applications. Details of both RSs and LGAs are as indicated in Tables 3.9 (a) and 3.9 (b).

**Table 3.9(a) Staff Ratio as Compared to Number of Building Permits Applications in RSs**

Region	Total Number of Technical Staff Available		Number of Building Permits Applications to process (C)	Ratio (Engineers /Permits) (A:C)	Ratio (Other technical staff/ permits) (B:C)
	Engineers (A)	Other technical staff (B)			
Dodoma	4	3	2,575	1:644	1:858

<sup>28</sup>This staffs includes Land officers, Urban Planners, Surveyors, Land Valuers/Mpima, Health and Environmental Officers. These have been categorised to refer other technical staff within LGAs who are also part of the review of building permits application. Categorisation is based on roles and functions of these staff as well as ease of reference.

Dar es Salaam	4	4	1,283	1:321	1:321
Arusha	1	3	879	1:879	1:293
Kigoma	2	3	720	1:360	1:240
Mwanza	1	3	119	1:119	1:40
Mbeya	0	5	43	0:43	1:9
Mtwara	Not Available	Not Available	Not Available	Not Available	Not Available

*Source: Auditors' Analysis of Technical Staff Available in Visited Regional Secretariat, 2018*

As indicated in **Table 3.9(a)** there were variations in the distribution of technical staff in the visited Regions. Whereas the highest ratio of engineers per building permit applications was noted in Arusha Region (benchmarked with Arusha CC) whereby 1 engineer reviewed at least 858 building permits applications per annum. On part of other technical staff responsible in reviewing the building permits applications, it was noted that the least ratio of staff per number of building applications was noted in Mbeya Region (benchmarked with Tandahimba TC) with whilst the highest was noted in Dodoma Region.

The benchmark was done in Regions based on the number of staff in the Region as compared to total number of LGAs within the same Region. This means that, technical staff in Regions is not adequate enough to provide technical support to LGAs as expected.

On the other hand, the audit made similar analysis based on the technical staff information obtained during the audit the results are as indicated in **Table 3.9 (b)**.

**Table 3.9(b) Staff Ratio as Compared to Number of Building Permits Applications in LGAs**

LGA	Total Number of Technical Staff Available		Number of Building Permits Applications to process (C)	Ratio (Engineers /Permits) (A:C)	Ratio (Other technical staff /permits) (B:C)
	Engineers (A)	Other technical staff (B)			
Dodoma CC	4	6	2,575	1:644	1:429
Kindondoni MC	4	6	1,283	1:321	1:214
Arusha CC	6	4	395	1:65	1:98
Mbeya DC	1	1	43	1:43	1:43
Kasulu TC	2	3	81	1:41	1:27
Tandahimba TC	8	2	30	1:4	1:15
Misungwi DC	2	10	117	1:59	1:12

*Source: Auditors' Analysis of Technical Staff Available in Visited LGAs, 2018*

As indicated in **Table 3.9(b)** there was high ratio of engineers per building permits applications in Dodoma CC whilst the least with regard to engineer's ration was noted in Kasulu TC. In addition, there was highest ration of other technical staff in Dodoma CC while the lowest ratio was noted in Misungwi DC.

This means that, when compared amongst visited LGAs it can be noted that there were instances of an uneven distribution and allocation of staff to regions with more applications as compared to those with less building permits applications as it is the case when looking at the situation in Dodoma CC and Kasulu TC.

With this significant shortage of technical staff, for review and scrutiny of complex designs and in case of large volume of works it took long period of time to approve the applications. The analysis of the staff ratio and their corresponding delay in processing the building permit was made and the results are as presented in **Table 3.10**:

**Table 3.10: Comparison of delays in Processing Building Permits and the workload ratio for the visited LGAs for year 2013/14-2016/17 (Before the New Guideline)**

Name of the LGA	Owner of the Building	Number of Delay (Days ) <sup>29</sup>	Ratio (Engineers/ Permits)	Ratio (Other technical staff/permits)
Dodoma CC	DCC1	730	1:644	1:429
	DCC2	42		
	DCC3	21		
Kinondoni MC	KMC1	269	1:321	1:214
	KMC2	140		
	KMC3	41		
Misungwi DC	MDC1	224	1:59	1:12
	MDC2	148		
	MDC3	80		
Arusha CC	ACC1	93	1:65	1:98
	ACC2	84		
	ACC3	79		
Kasulu TC	KTC1	10	1:41	1:27
	KTC2	5		
	KTC3	5		
Tandahimba TC	TTC1	153	1:04	1:15
	TTC2	92		
	TTC3	31		
Mbeya DC	MDC1	70	1:43	1:43
	MDC2	11		

<sup>29</sup>Based on the old timeframe provided by the Local Government (Urban Authorities) (Development Control) Regulations which provided for a maximum of 60 days after application for building permits had been lodged

	MDC3	4		
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*Source: Auditors' Analysis (2019)*

**Table 3.10** shows that, there was a higher delay in LGAs with higher ratio of technical staff to building permits compared to those with lower ratio with the exception of Tandahimba TC where the ratio is low but it has registered higher delays.

This means that if left unattended a number of approved buildings permits and even building projects may be implemented without being adequately monitored or not monitored at all. As a result, the review and scrutiny of complex buildings lodged permits led to delay of between 31 and 153 days up to the actual approval of the building permits.

### **(iii) *Uncoordinated Monitoring of Building Permits Applications Processes***

Interviewed stakeholders and officials of the visited LGAs, revealed that there was weak coordination of stakeholders responsible for reviewing the application of building permits. Since, approval and review of building permits application process involves site visits that have to be done by different stakeholders, proper coordination was necessary for its efficiency. The review requires the involvement of experts such as Land officers, Land Surveyors, Urban Planning Officers, Architects, Health Officers, Fire Rescue Officers, Engineers, Environmental Officers and Occupational Safety Officers and Fire rescue experts. In addition ward councillors also form part of the approving process which was eliminated by the new, issued guideline of April, 2018.

It was further mentioned by the interviewed officials from PO-RALG, that some of the stakeholder such as Fire Rescue Force are not ready and have resisted being part of the LGAs committee for monitoring of building works, instead they want to work on their own.

Failure to properly coordinate this activity caused the process to take longer time because it needs coordination to ensure on time availability of different staff from different Departments within LGAs e.g. Land Officers, Surveyors, Urban Planning Officers, Engineers, Health Officers or Environmental Inspectors. This was said to contribute to the delay in issuance of building permit.

### **(iv) *Lack of mapped and planned lands to facilitate issuance of building permits processes***

The Interviews with the LGAs officials responsible for issuance of building permits indicated that building permits were mainly considered for processing and issuance on all buildings which were mapped and planned. Officials also

acknowledged that the exercise of mapping and planning settlement areas was slower as compared to developments made by the public. Thus, LGAs are facing difficulties in the issuance of permits due to most of the presence of lots of land which is not planned. This is because the current master plans being implemented by LGAs are out-dated.

The review of currently implemented master plans for Dodoma CC, Kinondoni MC and Arusha CC indicated there is lack of readily available mapped and surveyed land plots and infrastructure within LGAs for simplifying the availability of building permits to the developers. This is because they were prepared for more than 40 years ago whilst there is wide increase in population and on-going developments in terms of building works and infrastructure. This also contributed to the delay in issuance of building permits.

However, it was noted that process for the preparation of master plans for Dodoma CC, Kinondoni MC, Kasulu TC, Misungwi DC and Arusha CC are underway thus all of these 5 LGAs do not have updated and approved master plans which affect largely the rate and timeframe for issuance of building permits in terms of cost and delays caused by volumes of applications.

### **3.3.3 Inadequate review of Building Permits Applications**

Review of building permits application files, noted that, LGAs did not thoroughly review the documents attached in the application form prior to issuance of permits. Practically, prior to approval process LGAs technical staff were supposed to conduct physical site visits for verification on adherence to particular lodged building permit applications.

The Urban Authorities Development Control Regulations of 2008 require that while reviewing the building permits applications, the review team should also conduct site verifications to ascertain the existence of the plot/site to which a building is going to be erected.

The audit team noted two weaknesses which indicate inadequate review of building permits applications. These are as detailed below:

#### ***i) Issuance of building permits prior to site visit for verification***

The reviews of building permits application files in the visited LGAs indicated that 4 out of 7 visited LGAs did not adequately conduct site verifications. The audit also reviewed the approved building permits applications for the 3 types of buildings and tested whether site verifications were done during the reviews prior to issuance of building permits. **Table 3.11** provides the percentage of number of building applications that were approved without verification through site visit.

**Table 3.11 (a): Percentage of Non-Storey Residential Buildings that were**



**Approved without Inspection for Verification**

Name of LGAs	Total number of Sampled Non-Storey Buildings Approved	Number of Applications not Verified	% of Applications not Verified
Mbeya DC	43	41	95
Tandahimba	28	19	68
Dodoma CC	1,675	1,120	67
Kinondoni MC	632	382	60
Arusha CC	654	379	58
Misungwi DC	64	27	42
Kasulu TC	74	7	9

*Source: Building Permits Applications and Approval Meeting Minutes, 2019*

**Table 3.11 (a)** shows that for non-storey residential buildings, in all 7 visited LGAs, there were building permits issued without doing site verifications. The percentage of permits issued without verification ranged between 9 to 95 percent; whereas the highest value was noted in Mbeya DC. The same analysis was done for the building with less than four Storeys and the results is as presented in **Table 3.11 (b)**

**Table 3.11 (b): Percentage of Residential Buildings with less than four Storeys that were Approved without Inspection for Verification**

Name of LGAs	Total number of building with less than four Storey Approved	Number of Applications not Verified	% of Applications not Verified
Dodoma CC	763	479	63
Kinondoni MC	432	233	54
Arusha CC	150	76	51
Misungwi DC	49	24	49
Kasulu TC	-	-	0
Tandahimba TC	-	-	0
Mbeya DC	-	-	0

*Source: Building Permits Applications Register*

**Table 3.11 (b)** shows that for buildings with less than 4 storeys, the percentage of permits issued without verification ranges from 49 to 63; whereas the highest value was noted in Dodoma CC.

Analysis for the building with more than 4 storeys is indicated in **Table 3.11 (c)**

**Table 3.11 (c): Percentage of Residential Buildings with more than four Storeys that were approved without inspection for verification**

Name of LGAs	Total number of building with more than four Storeys Approved	Number of Applications not Verified	% of Applications not Verified
Kinondoni MC	219	121	55
Arusha CC	75	39	52

Name of LGAs	Total number of building with more than four Storeys Approved	Number of Applications not Verified	% of Applications not Verified
Dodoma CC	137	63	46
Misungwi DC	4	1	25
Kasulu TC	-	-	0
Tandahimba TC	-	-	0
Mbeya DC	-	-	0

*Source: Building Permits Applications and Approval Meeting Minutes*

**Table 3.11 (c)** shows that for buildings with more than 4 storeys, the percentage of permits issued without verification ranged between 25 to 55 percent; whereas the highest value was noted in Kinondoni Municipal Council and the least in Misungwi DC.

Furthermore, during the site visits done by the audit team it was noted that building permits were issued without adherence to detailed structural designs of the projects in one of the warehouses.

Further review of the building permits' details and verifications on the data provided by LGAs in respect to a number of building permits revealed that there were unexplainable discrepancies on the figures presented as compared to the approved and non-approved building permits applications. It was explained that, the discrepancies were mainly caused by the fact that there were applications which were made but the applicants did not collect their respective permits. Another reason was attributed to applications which were submitted but applicants did not pay respective application fees and thus they were not processed. On the other hand, there was no system or database for capturing all applications and approvals of building permits leading to inconsistency in reporting on the number of building permits.

#### ***ii) Building Permits Application were not effectively reviewed***

The audit team found that, LGAs did not adequately review the building permits applications including supporting documents attached in the application form before issuing building permits. LGAs review team were required to check various items such as building drawings and designs, land ownership (right of occupancy), building consent, name and details of the applicant, citizenship and land use details e.g. if it is for commercial, residential or public offices.

However, the audit team noted that officials were not checking various elements. **Table 3.11** presents a summary of items covered and not covered during the review of building permit applications in various LGAs that were visited by the audit team.

**Table 3.12: Summary of Common Items covered during the review of Building permits application in various LGAs**

Name of LGAs	Common Items covered during the review of building permits and inspection before issuance of building permits	Stakeholders involved during the review of building permits and inspection before issuance of building permits	Items not covered	Stakeholders not involved in approving and review of the building permits applications
Kinondoni MC	<ul style="list-style-type: none"> <li>• Architectural Drawings</li> <li>• Designs</li> <li>• Right of Occupancy</li> <li>• Drainages</li> <li>• Land use</li> </ul>	<ul style="list-style-type: none"> <li>• Engineers</li> <li>• Urban Planners</li> <li>• Surveyors</li> <li>• Architects</li> </ul>	<ul style="list-style-type: none"> <li>• Drainages</li> <li>• Fire</li> <li>• Health Issues</li> </ul>	<ul style="list-style-type: none"> <li>• NEMC</li> <li>• Fire Rescue Force</li> <li>• Health Officers</li> </ul>
Dodoma CC	<ul style="list-style-type: none"> <li>• Architectural Drawings</li> <li>• Designs</li> <li>• Right of Occupancy</li> <li>• Drainages</li> <li>• Land use</li> </ul>	<ul style="list-style-type: none"> <li>• Engineers</li> <li>• Urban Planners</li> <li>• Surveyors</li> <li>• Land officers</li> <li>• Architects</li> </ul>	<ul style="list-style-type: none"> <li>• Drainages</li> <li>• Fire</li> <li>• Land use</li> <li>• Health issues</li> </ul>	<ul style="list-style-type: none"> <li>• NEMC</li> <li>• Fire Rescue Force</li> <li>• Health Officers</li> <li>• Land officers</li> </ul>
Arusha CC	<ul style="list-style-type: none"> <li>• Architectural Drawings</li> <li>• Designs</li> <li>• Right of Occupancy</li> <li>• Drainages</li> <li>• Land use</li> </ul>	<ul style="list-style-type: none"> <li>• Engineers</li> <li>• Urban Planners</li> <li>• Surveyors</li> <li>• Land officers</li> <li>• Architects</li> </ul>	<ul style="list-style-type: none"> <li>• Drainages</li> <li>• Fire</li> <li>• Health issues</li> </ul>	<ul style="list-style-type: none"> <li>• NEMC</li> <li>• Fire Rescue Force</li> <li>• Health Officers</li> </ul>
Kasulu TC	<ul style="list-style-type: none"> <li>• Architectural Drawings</li> <li>• Structural Designs</li> <li>• Right of occupancy</li> <li>• Land Use</li> </ul>	<ul style="list-style-type: none"> <li>• TC Engineer</li> <li>• TC Urban Planners</li> <li>• TC land Surveyors</li> </ul>	<ul style="list-style-type: none"> <li>• Health and Environment</li> <li>• Fire Safety and Rescue</li> </ul>	<ul style="list-style-type: none"> <li>• NEMC</li> <li>• Fire Rescue Force</li> <li>• Health Officers</li> </ul>
Misungwi DC	<ul style="list-style-type: none"> <li>• Architectural Drawings</li> <li>• Structural Designs</li> <li>• Right of occupancy</li> <li>• Land Use</li> </ul>	<ul style="list-style-type: none"> <li>• DC Engineer</li> <li>• DC Planning Office</li> <li>• Surveyors</li> <li>• Land Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Drainage</li> <li>• Fire</li> <li>• Health</li> <li>• Environmental issues</li> </ul>	<ul style="list-style-type: none"> <li>• NEMC</li> <li>• Fire Rescue Force</li> <li>• Health Officers</li> </ul>
Tandahimba TC	<ul style="list-style-type: none"> <li>• Architectural Drawings</li> </ul>	<ul style="list-style-type: none"> <li>• Engineer</li> <li>• Planning Office</li> <li>• Surveyors</li> </ul>	<ul style="list-style-type: none"> <li>• Drainage</li> <li>• Fire</li> <li>• Health</li> </ul>	<ul style="list-style-type: none"> <li>• NEMC</li> </ul>

Name of LGAs	Common Items covered during the review of building permits and inspection before issuance of building permits	Stakeholders involved during the review of building permits and inspection before issuance of building permits	Items not covered	Stakeholders not involved in approving and review of the building permits applications
	<ul style="list-style-type: none"> <li>• Structural Designs</li> <li>• Right of occupancy</li> <li>• Land Use</li> </ul>	<ul style="list-style-type: none"> <li>• Land Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Environmental issues</li> </ul>	<ul style="list-style-type: none"> <li>• Fire Rescue Force</li> <li>• Health Officers</li> <li>•</li> </ul>
Mbeya DC	<ul style="list-style-type: none"> <li>• Architectural Drawings</li> <li>• Structural Drawings</li> <li>• Right of occupancy</li> <li>• Land Use</li> </ul>	<ul style="list-style-type: none"> <li>• DC Engineer</li> <li>• DC Urban Planning</li> <li>• Land Surveyors</li> <li>• Land Officers</li> </ul>	<ul style="list-style-type: none"> <li>• Drainage</li> <li>• Health and Environment</li> <li>• Fire Safety and Rescue</li> </ul>	<ul style="list-style-type: none"> <li>• Fire Rescue Force</li> <li>• NEMC</li> <li>• Health Officers</li> </ul>

*Source: Individual Sampled building Permits and Building Permits review team meeting minutes for 2013/14-2017/18*

Table 3.12 indicates that there were parts of the review comments which were not reviewed by relevant technical staff who formed the urban planning committees. Common officials/stakeholders who were noted as being not adequately involved in the review of the building permits were: officials from NEMC (for environmental aspects); Fire Safety staff; health officers for review of health components of the application) as well as OSHA staff (especially for buildings with less than 4 storeys and non-storey buildings).

Further enquiry showed that, there was lack of coordination during reviews as there was no evidence as to whether these officials were invited for a review and approval committees. Thus, their attendance was not adequately evidenced by LGAs' engineers who were the coordinators of the approval meetings. On the other hand it was noted that, non-availability of representative officials from NEMC, OSHA, Ministry of Health, Community Development, Gender, Elderly and Children and Fire rescue usually had no representatives in LGAs' thus posing risks of not providing review comments on the building permits applications.

### 3.3.4 Absence of Effective Systems for Registration of Building Work Permit

Section 36 of the Urban Planning Act, 2007, requires both PORALG and LGAs to have a register for the building work carried out. However, this was not the case as detailed hereunder:

### ***Absence of Building Work Register at PO-RALG***

Through the interview with the PORALG officials, it was noted the Ministry lacks systems for registration of building work permits. This is against the requirement of section 36 of the Urban Planning Act, 2007, which requires the Director of Infrastructure at PO-RALG to maintain a register of building permits applications in the prescribed form. It also requires the Ministry to keep records of all building consent, building permits and approvals granted or refused.

It is also noted that this challenge is associated with unclear demarcation of duties of the Director of Infrastructure and Director of Urban Development. Although the Act requires Director of Infrastructure to maintain the buildings register, most of the building works are under the Director of Urban Development (Division of Urban Development). However, PO-RALG under the strategy for Improvement of the Business Environment has budgeted funds for development of electronic systems for building works.

Reasons for not having building permit register was lack of priority for monitoring of building works, lack of budget for monitoring of building works, absence of monitoring of building works and building permits guideline. As a result PORALG failed to have an understanding of the status of building permits issued to developers thus failure to know the actual number and quality of on-going building works in the country.

### ***LGAs do not have updated building permit application register***

According to section 36 of the Urban Planning Act, 2007, LGAs as planning authority, were required to maintain a register of building permit applications in the prescribed form and keep records of all building consent, building permits and approvals granted or refused. The register of applications and copies of such records together with such plans were to be made available for inspection by members of public. The register was required to capture information such as the number of building permits applications, number of permits processed, number of permits rejected, approved and number of issued building permits.

Through the interviews with the officials responsible with monitoring of building works from the visited LGAs, the audit noted that all 7 LGAs visited did not have updated building permit registers. This could assist in tracking the permits issued and also for efficiency processing of the building permit applications. The summary of the availability of building permit register and the details are presented in **Table 3.13**:

**Table 3.13: The summary of the Availability of Building Permit Register and the Details Covered for the Visited LGAs**

Name of LGAs	Availability of Building Permit Register(Available/not Available)	Regular update of Building Permits (Updated/not updated)	Items covered in the building Permit Register
Kinondoni MC	Not available	Not updated	Not available
Dodoma CC	Not available	Not updated	Not available
Arusha CC	Not available	Not updated	Not available
Tandahimba TC	Not available	Not updated	Not available
Mbeya DC	Not available	Not updated	Not available
Kasulu TC	Not available	Not updated	Not available
Misungwi DC	Not available	Not updated	Not available

*Source: Building Permits Applications*

**Table 3.13** shows that all 7 LGAs visited did not have updated building works permits. It was also noted that LGAs used counter books to record the building permits' applications. The reviewed counter books had a list of submitted applications, dates submitted names of applicants and type of application. As a result, it was not easy for the LGAs to assess their effectiveness in the issuance of building permits as there were no any details on the processes involved after the applications were submitted.

Among the reasons for not maintaining and updating the building work register includes lack of priority on the importance of building permits records, lack of dedicated staff for receiving and recording building permits records, lack of technology e.g. software for tracking building permit process that could facilitate recording and storing of building permits information.

### **3.3.5 Absence of Functioning Mechanisms for Issuance of Building Permits to Developers**

The Local Government (Urban Development) (Development Controls) Regulations of 2008 require LGAs to receive and process the building permits and that no any building shall be erected without obtaining a building permits depending on the type of the building. Accordingly it was expected that LGAs would have a working mechanism that would facilitate issuance of building permit process. Through the interview and review of various document at LGAs, the audit noted that LGAs lack functioning mechanisms for issuance of building permits. This was evidenced by the following observed weaknesses:

#### **i) Weak/ ineffective Urban Planning Committee**

According to the building permit guidelines, LGAS were expected for LGAs to form urban planning committee composed of a total of 8 members. The committee was to include land officers, engineers, urban planners, architects, surveyors, health officers, fire rescue officers and occupational safety officers.

The audit noted that, the review committee of LGAs did not have required number and composition of the members. Analysis of the composition of review committee in the visited LGAs is as presented in **Table 3.13**.

**Table 3.14: The Analysis of Composition of the Building permit Application Review Committee for the Visited LGAs**

Name of LGAs	Total number of Review Committee Required	Actual composition of the Review Committee
Kinondoni MC	8	No committee to date
Dodoma CC	8	No committee to date
Arusha CC	8	No committee to date
Tandahimba TC	8	No committee to date
Mbeya CC	8	No committee to date
Kasulu TC	8	No committee to date
Misungwi DC	8	No committee to date

*Source: Building Permits Applications Review Committee Meeting Minutes*

As shown in **Table 3.14** all LGAs did not have urban planning committees since the establishment of the new building permits guideline. However further enquiry indicated that, even before the coming into effect of the guideline in July 2018, LGAs had no adequate technical staff who would timely review the applications and provide their comments. For instance, for three visited LGAs, all were missing as at least 3 technical staff as well as representatives from other key stakeholders.

The main reason mentioned by the interviewed officials was that LGAs lacked adequate technical staff who would form part of the reviewing committee for reviewing and approving building permits applications. Absence of the key staff in the review committee has affected the professional opinion of the missing key personnel include:

#### **ii) Absence of Guidelines for Issuance of Building Permit**

Through interviews with the officials from all 7 visited LGAs, it was noted that before March 2018 there was no guideline for issuance of building permits. Meaning that, there was no prescribed procedure specifically for issuance of building works.

As a result, most buildings were constructed without building permits and approved building architectural drawings and designs. This poses a significant risk to the quality and standard of building materials, strength and safety completed buildings within LGAs.

### **3.4 Inadequate Planning for Monitoring of Building Works by LGAs**

The audit team assessed the performance of LGAs in planning for monitoring of building works, whereby it looked on the plans if they were any risks to address key risk factors and risky building projects. The audit also checked if LGAs set budget for the planned building works monitoring activities and if they have planned implementation mechanism.

Through interview with the officials from LGAs and review of the LGAs plans, the audit noted that LGAs did not adequately plan for monitoring of building works. This was indicated by the following weaknesses.

#### **3.4.1 Lack of updated Database and Registers for Building Works**

According to Section 36 of Urban Planning Act, 2007, PO-RALG and LGAs were required to have registration system and data for on-going and completed buildings within each LGA. The audit noted that, there is no database for the building works at both levels from the Ministry and LGAs as explained below:

##### ***Absence of building database at the National level***

Interviewed three PO-RALG's officials acknowledged that, the Ministry does not have databank and register for applicants of building permits that might capture information regarding buildings works to date. This was because there were low priorities given by PO-RALG on registration of building works. This led to lack of buildings statistics in the country.

Lack of building work database has contributed to PO-RALG's failure to properly plan for monitoring of building work. The Ministry also lacks sufficient information on the overall status for on-going and completed private and public buildings.

##### ***Absence of building works database at LGAs level***

Interviews held with the officials responsible for monitoring of building works from the visited LGAs noted that all 7 LGAs did not have building work registers or database. Absence of building data bank was due to low priorities given by LGAs on monitoring of building works comparing to road infrastructure constructed within LGAs.

It was further noted from the interviews held with PO-RALG officials responsible with urban and infrastructure development as well as the reviewed Strategic Plan 2016/2017-2020/2021 and implementation report, there is Local Government Revenue Collection Information System (LGRSIS) which has Geographical Information System (GIS) if upgraded could have captured information for monitoring of building works from the applications of building permits to issuance of right of occupancy.

Further reviews of Strategic Plan (SP) of 2016/2017-2020/2021 for PO-RALG, audit team noted that, more priorities were given to other infrastructure. For



instance, *Objectives H* in the same SP of Infrastructure Development Division set target on installation of “Road monitoring systems” (DROMAS) revived and rolled out by June, 2021 on achievement of monitoring road work. This shows the extent to which low priorities are given by PO-RALG on monitoring of building works, whereby buildings monitoring mechanism could have considered on preparation of SP in the same way as road works.

Furthermore it was revealed that, on upgrading the system (LGRCIS) for building register could have increase revenue collection by updating and tracking the status of revenue collection for each occupant in the whole country.

Lack of building database could have contributed to the LGAs’ failure to adequately plan for monitoring of building works as there was no overall statistic, status for the on-going and completed private and public buildings.

### **3.4.2 Absence of Risk based Plans for Monitoring of Building Works at LGAs**

PO-RALG was required to ensure LGAs plan their monitoring activities based on the risks associated with the construction of buildings being erected within the areas of their respective jurisdiction. Therefore LGAs were required to have identified building work risk factors and conduct risk profiling to ensure that they plan based on the associated building risks<sup>30</sup>.

Through the interview with officials from all 7 visited LGAs, it was noted that LGAs did not have plans for monitoring of building works. Basically, it was expected that LGAs plan based on the category of buildings giving high priority to storey buildings; location of the building giving priority to buildings constructed to more sensitive areas such as those prone to environmental risks. They were also expected to indicate timeline and frequency of the monitoring required based on the nature of the building works. Further, the audit noted that all 7 visited LGAs did not have details of building permits and monitoring of building works in their respective annual work plans.

Reasons of failure of LGAs and PO-RALG to prepare risk based plans include:

***LGAs have not Identified Risk Factors:*** It was noted that all 7 visited LGAs did not identify risk factors associated to monitoring of building works in their areas. As a result, the plans developed were not based on the risk associated with building works.

***Absence of building Work Risk Based Indicators in the PLANREP:*** It was revealed from interview held with the PO-RALG’s Official that LGAs did not have risk based plans for monitoring of building works. The reason provided by the PO-RALG officials was because planning had been done through Planning

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<sup>30</sup> (Best Practice: UNDP Handbook on Planning Monitoring and Evaluation for Development Results, 2009, pg. 100-119)<sup>30</sup>

Reporting System (PlanRep) whereby the system had no risk based indicators for Monitoring and Evaluation (M&E) for monitoring of building works activities in the country.

***Treating Building Work as Part of Land Development Activity:*** The audit noted that PO-RALG had treated monitoring of building works as falling under the Ministry of Lands, Housing and Human Settlements Development. This caused PO-RALG not to put more efforts in the area. PO-RALG officials responsible for urban and Infrastructure development reiterated that lack of planning for building works was because division treated monitoring of building as land development control activities which included urban development as well as buildings.

***Inadequate Reporting at Ministry level:*** The audit team noted weaknesses in reporting of performance on monitoring of building works. The interview with the PO-RALG officials indicated that the Ministry did not report issues on the performance with regards to monitoring of building works in their progress reports. According to PO-RALG strategic plans, every unit was supposed to prepare and submit quarterly progress reports to the Director of Planning and Monitoring who consolidated the reports and submit to management.

The reviews of availed progress reports indicated that, issues reported in the report were in respect of roads construction, public buildings constructed under TBA and other donor funded projects and programmes abandoning buildings constructed in LGAs. This means that, PO-RALG did not put priorities on matters related to building works in their performance reporting frameworks. As the result, monitoring of buildings issues were not reported in their performance progress reports.

Failure of LGAs and PO-RALG to have plan for monitoring of building works has resulted into the failure to prioritize building works for monitoring and some of the buildings were not monitored as explained below:

**i) Monitoring done by LGAs did not prioritized High Risk buildings**

The review of LGAs annual monitoring plans indicated that they did not prioritize building works as part of the priority area during monitoring activities. It was further noted that LGAs did not have risk profiling plans in place for monitoring of building works activities. Thus the status of risks associated with building works in their respective areas of jurisdiction remained unknown.

There was no evidence as to whether LGAs considered building works as being one of the risky areas for monitoring purposes. LGAs did not prepare any risky analysis indicating type of buildings to be monitored, location of buildings, materials used and adequacy of construction staff and reporting requirements.

The reason for this was because there were no budgets in their respective annual plans for monitoring of building works. Consequently, LGAs failed to effectively conduct inspections and other monitoring activities as expected. **Table 3.14** presents the percentage of unmonitored government buildings in the visited LGAs.

**Table 3.15: Percentage of Monitored Government Buildings by LGAs**

LGAs	Total Number of building Monitored	Category of the owner of the Buildings		Risk based indicators considered for selecting building to monitor
		Number of Monitored Private owned Buildings	Number of Monitored Government owned Buildings	
Kinondoni MC	128	128	0	Size of the building
Dodoma CC	292	292	0	Size of the building
Arusha CC	No records	No records	No records	Size of the building
Misungwi DC	No records	No records	No records	Size of the building
Kasulu TC	No records	No records	No records	Size of the building
Mbeya CC	No records	No records	No records	Size of the building
Tandahimba TC	No records	No records	No records	Size and type of the building

*Source: LGAs Building Registers*

As indicated in **Table 3.15**, all LGAs considered only the size of the building in the selection of buildings to be inspected. Other risk factors like location of buildings, nature of the building and areas which are prompt for environmental risks were not taken into consideration. Additionally, for the two LGAs, Kinondoni MC and Dodoma CC, all buildings monitored were private owned.

## **ii) Private Owned Buildings were not Monitored by PO-RALG**

PORALG and LGAs were also expected to include private owned building in their plans as they have high risk for not adhering to the required building standards and regulations. Interviewed officials from the visited RSs and LGAs acknowledged that all buildings monitored were government owned buildings. However these were those buildings which were donor funded and which attracted public attention such as schools or health centres.

Similarly, review of the PO-RALG implementation reports for the year 2017/18 revealed that the PO-RALG focused only on government owned building, giving low priority to private owned buildings which were rapidly developed in the urban areas. **Table 3.16** presents the percent of private building monitored by PO-RALG.

**Table 3.16: Percentage of Monitored Government Buildings by PORALG in Various Regions**

Region	Total Number of building Monitored	Category of the owner of the Buildings		Risk based indicators arose from inspection
		Number of Monitored Private owned Buildings	Number of Monitored Government owned Buildings	
Mtwara	-	-	-	-
Arusha	8	0	8	No details
Mwanza	3	0	3	No details
Kigoma	12	0	12	No details
Mbeya	4	0	4	No details
Dodoma	4	0	4	No details
Dar es Salaam	5	0	5	No details
<b>Total</b>	<b>36</b>	<b>0</b>	<b>36</b>	

*Source: PO-RALG Progress report<sup>31</sup> and Auditors' analysis*

As seen from **Table 3.16** above, 100 percent of monitored buildings reviewed were those public owned and were entirely donor funded. This was due to low priority set by PO-RALG on monitoring of private buildings. Also, there were no risk based indicators provided in the report. As the result PO-RALG failed on the preparation of risk based monitoring plan or framework on monitoring of building works.

Interviewed officials from the Infrastructure Development Division and Planning Director from PO-RALG indicated that, priorities were given to Government buildings and constructed multi storey buildings projects. This is because non-storey building works are normally monitored at LGAs level and through professional boards such as AQRB, ERB and CRB.

### **3.4.3 Lack of Budgets for Monitoring of Building work activities**

The audit noted that both PORALG and LGAs did set budget for monitoring of building work. The status at each level is as detailed below:

#### *Lack of building work monitoring budget At the National Level*

Through the review of availed PO-RALGs annual plans and budgets, it was noted that, the Ministry did not set aside funds for monitoring of building works. Priorities were given to construction of roads whereby huge amount of funds were allocated for monitoring of road works and nothing was allocated for monitoring of building works. Analysis of budget allocated to the division of infrastructure for the period of five years is as indicated in **Table 3.17**.

<sup>31</sup> June-July (2017/2018)

**Table 3.17: Distribution of Budget for the Division of Infrastructure for monitoring Road- and for Building Works**

Financial Year	Budget (TZS)	Actual Allocated (TZS)	Allocated Budget for Monitoring of Road Works (TZS)	Allocated Budget for Monitoring of Building Works (TZS)
2012/13	304,000,000	269,684,810	121,358,165	Nil
2013/14	304,000,000	127,993,455	57,597,055	Nil
2014/15	288,742,000	69,189,134	31,135,110	Nil
2015/16	142,810,000	73,757,577	33,190,910	Nil
2016/17	95,577,920	70,096,582	31,543,462	Nil
2017/18	144,407,392	104,752,848	47,138,782	Nil

*Source: Aailed Annual Plans and Budgets PO-RALG, 2012/13 - 2017/18*

As indicated in **Table 3.17**, there was no budget specifically set for monitoring of building works by PO-RALG. This was because of low priorities set by PO-RALG on monitoring of building works. As the result, building works were not adequately monitored by PO-RALG.

For instance, reviews of Mid-term Expenditure Framework from 2013/2014-2017/2018 for urban control and housing infrastructure and Division of Infrastructure Development for monitoring activities at LGAs indicated that, only activities for urban development control, land monitoring and conflict resolution, and road works were conducted. This implies that, buildings activities were given low priorities during planning and implementation of plans and budgets.

#### *Inadequate plan/allocated human resources by PO-RALG*

PO-RALG was expected to oversee plans and coordinate the national level resource allocation for urban infrastructures development and maintenance<sup>32</sup>. However it was noted that PO-RALG lacked adequate staff to oversee monitoring activities carried out by LGAs.

According to the interview with Division of Urban Development (DUD) officials it was indicated that number of staff within the division was not enough for monitoring and evaluation of all on-going building works in the country. A review of staff establishment for LGAs showed a shortage of three staff at the division to date as shown in **Table 3.18**.

<sup>32</sup>The Functions and Organisation Structure of the Prime Minister's Office, Regional Administration and Local Government (PO-RALG) (Approved by the President on 12<sup>th</sup> February, 2015) President's Office-Public Service Management)

**Table 3.18: Shortage of staff at PO-RALG's Division of Urban development**

Financial Year	Required Human Resources/Staff	Available Number of staff	Deficiency	%age Shortage
2013/14	16	8	8	50
2014/15	16	11	5	31
2015/16	16	11	5	31
2016/17	16	11	5	31
2017/18	16	13	3	19

*Source: PO-RALG Staffing level (IKAMA) from 2013/2014-2017/2018*

From **Table 3.18**, Division of Urban Development and housing infrastructure needed three staff for fiscal year 2017/2018 for monitoring of building works. Further it was found that, the shortage of staff led to failure on follow up and implementation of new issued guidelines at LGAs. As the result, PO-RALG had not conducted follow ups on implementation of their directives and performance of LGAs regarding monitoring of building works. This made PO-RALG to lack the understanding of the overall picture of building works in the country.

#### *Lack of building work monitoring budget at the RS Level*

The audit noted that RSs was not provided with the budget for monitoring of building works in their respective budgets. Interviews held with RSs engineers indicated that monitoring of building works activities were not given much priority as they were supposed to be implemented by LGAs and RSs had the role of providing technical support in case of assistance and overseeing LGAs activities.

Among the operations of LGAs is to monitor building works thus RSs were supposed to have a budget for technical support on monitoring of building works activities carried out by LGAs. The audit obtained budgets for RSs and analysed it to determine whether monitoring of building works activities were budgeted for. The summary of the budget and allocated fund from 2012/13-2017/18 is as indicated in **Table 3.19**.

**Table 3.19: Distribution of Infrastructure Unit Budget to Road Works and for Building works at visited RS from 2012/13-2017/18**

Region	Budget (million TZS)	Actual Allocated (million TZS)	Percentage Allocated (%)	Allocated Budget for Monitoring of Road Works (million TZS)	Allocated Budget for Monitoring of Building Works (million TZS)
Dar es Salaam	547	485	89	218	0
Dodoma	1,058	266	25	120	0
Arusha	350	1,189	340	135	0
Mwanza	7,965	1,658	21	1,000	0
Kigoma	9,580	3,342	35	75	0
Mtwara	25,386	9,996	39	390	0

*Source: Analysis of RSs' Budgets, 2012/13- 2017/18*

**Table 3.19** indicates that for the past five years RSs were not setting aside funds to finance technical support to LGAs in relation to monitoring of building works. Although RSs were receiving less than 50 percent of their budget, the amount were allocated for road works only. However, Arusha and Dar es Salaam received more than 80 percent of their budget, they did not also allocate for building works. The reason for this was due to lack of priority on building works. As a result buildings being constructed in respective regions are not adequately monitored.

#### *Lack of building work monitoring budget at LGA Level*

Through review of plan and Medium Term Expenditure Framework from the visited LGAs, it was noted that LGAs did not set aside specific budget for monitoring of building works. This is contrary to the requirement of section 8.1.1 (c)) of the National Construction Industry Policy of 2003, which requires LGAs to set budgets for monitoring of building works<sup>33</sup>. However, interviews held with LGAs Officials revealed that, budget had been prioritised to road works constructed within LGAs. Analysis of budget allocated to the division of infrastructure for the period of five years is as indicated in **Table 3.20**.

<sup>33</sup> PO-RALG and LGAs are required to set budgets for monitoring of building works. (National Construction Industry Policy of 2003, Section 8.1.1 (c))

**Table 3.20: Distribution of Infrastructure Unit Budget to Road Works and for Building works at LGAs**

Name of the LGA	Budget (million TZS)	Actual Allocated (million TZS)	Percentage Allocated (%)	Allocated Budget for Monitoring of Road Works (million TZS)	Allocated Budget for Monitoring of Building Works (million TZS)
Kinondoni MC	390	358	92	161	0
Dodoma CC	777	723	93	325	0
Arusha CC	343	311	51	671	0
Misungwi DC	10,761	5,455	41	862	0
Kasulu TC	16,396	6,757	100	65	0
Mbeya DC	4,593	4,593	95	287	0
Tandahimba TC	6,478	6,168	92	449	0

*Source: Aailed Annual Plans and Budgets PO-RALG*

As indicated in **Table 3.20**, it is evident that LGAs did not set aside funds for monitoring of building works activities. None of the 7 visited LGAs had allocated funds for monitoring of building works despite having a unit dealing with buildings works. Further, with the exception of Misungwi DC and Arusha CC, the remaining 5 LGAs received more than 90 percent of their budget, but they could not prioritize the building works in the allocation of the received funds.

Low priorities given by LGAs on monitoring of building works within their areas of jurisdiction, and absence of planned intervention for monitoring of building works were the main cause of failure to set budget for this activity. As the result, LGAs failed to monitor on-going building works within their areas.

Furthermore, PO-RALG was required to oversee plans and coordinate the national level resource allocation for urban infrastructure development and maintenance and coordinate preparation of plans and budgets which are prepared by LGAs and assess their implementation status<sup>34</sup>. But for the period under review, the Ministry did not take action to advice the LGAs.

#### **3.4.4 Lack of Mechanisms for Monitoring for On-going Building Works**

For effective implementation of monitoring of building works, PO-RALG was required to ensure that LGAs have functioning monitoring mechanisms. However, the audit noted that LGAs lacked functioning working mechanism for monitoring of building works. This was indicated by the following:

<sup>34</sup> The Functions and Organisation Structure of the Prime Minister's Office, Regional Administration and Local Government (PO-RALG) (Approved by the President on 12<sup>th</sup> February, 2015) President's Office-Public Service Management)



### **i) LGAs Lacked Building Works Inspection and Supervision Checklists**

Interview with the PO-RALG officials, it was noted that, the Ministry has not developed a standardized checklist for monitoring of building works in the country. The officials acknowledged that, the Ministry was supposed to develop a monitoring checklist for building works and disseminate it to all planning authorities (LGAs) in the country.

Up to the time of this audit, there was no checklist that was developed. As a result each planning authority had its own monitoring checklist which affects the quality of monitoring works. This led to poor mechanism of monitoring of building works as well as un-harmonised system for monitoring of building works in the LGAs.

This was also confirmed by the interviewed officials responsible with monitoring of building works from the visited councils, where 5 out of 7 visited LGAs, namely Dodoma CC, Kinondoni MC, Arusha CC, Mwanza CC and Kasulu TC declared that they had no specific monitoring checklist for monitoring of building works. Instead, the officials were using monitoring checklist for roads constructions which was issued by TANROADS after customizing it to suit their respective municipality's situation. Due to this, planning authorities failed to ascertain compliance to building standards at every stage of the construction cycle. This may lead to sub-standard construction of buildings within their authoritative areas.

The audit team reviewed the customized checklist and noted that it missed important information in relation to status of building permits, registration of building works projects, building designs and architectural drawings, involvement of stakeholders, land use details as well environmental management plan which were necessary for the effective monitoring.

### **ii) Lack of Inspection Plan for Building Works at LGAs**

It was noted that all 7 visited LGAs did not have inspections plans for monitoring of building works. This is despite the fact that LGAs had Building Construction Units which were supposed to carry out inspection activities, yet they did not plan and budget for monitoring of buildings. They also did not prepare quarterly and annual inspection plan for building works. They mentioned that the general council annual plan prepared were for their daily inspection activities. As the results, there were no quarterly and annually buildings monitoring reports. This led to inadequately monitored buildings within their areas of jurisdiction.

The reason provided by interviewed officials was that, inspections for building works were not specifically budgeted for in LGAs' strategic plans and annual work plans. On the other hand, it was noted that departments established within LGAs which dealt with monitoring of building works e.g. buildings units,

had no budget to fund their monitoring activities. This made it difficult to fund monitoring activities to all constructed buildings thus most of the buildings are being constructed below quality and standard. In addition, lack of budget would lead to constructed buildings to have questionable quality due to non-compliances to approved building permits.

### **3.5 Ineffective implementation of planned monitoring of building works Activities**

Implementation of the monitoring of building works was associated with the following weaknesses:

#### **3.5.1 Inspection of building works were not effectively done by LGAs**

The assessment of adequacy of inspection was done under two aspects, before issuance of building permits and after issuance building permits. Below are the observations:

##### **i) Inadequate inspection prior to issuance of building permit**

LGAs were required to conduct inspection prior to issuance of building permit. During inspection they were required to inspect items such as set-backs, land use, environmental impact, location and ownership of land. This would guarantee the construction of buildings that meet the standard and comply with the available building regulations.

The audit team noted the 5 out of 7 visited LGAs did not adequately conduct inspection prior to issuance of building permits as detailed in section 3.3.3. The reasons mentioned by the interviewed officials were lack of specific budget for monitoring building works and shortage of staff for carrying out monitoring and inspection activities.

As a result, some of the building permits which were issued to developers did not meet the requirements such as environmental management plans (drainage designs), non-adherence to approved building designs, architectural drawings and adherence to land use plans.

##### **ii) Inadequate inspection after issuance of building permits**

It was expected LGAs to conduct regular inspections to buildings in their respective areas of jurisdiction in order to ascertain if they are being carried out in accordance with the approved building designs and standards for the execution of works being carried out<sup>35</sup>. It was also expected that, LGAs or Council Engineer to approve each stage of building from issuance of building

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<sup>35</sup>(The Local Government (Urban Authorities) Act No. 8 of 1982 and the Local Government (Urban Authorities) (Development Control) Regulations of 2008)

permits to occupancy. For this case it was expected LGAs to conduct inspection especially for the issued building permit focusing on the risk associated with the buildings.

The audit noted that LGAs did not conduct regular inspections for most the on-going and completed buildings. The extent of inspection conducted in each LGA is presented in **Table 3.21**.

**Table 3.21: Analysis of Number of Inspections Conducted for Issued Building Permits 2013/2014 to 2017/2018**

Name of the LGA	Total number of issued building permits from 2014-2018	Total number of inspections conducted	Percentage of inspected buildings (%)
Kinondoni MC	1,283	128	10
Dodoma CC	2,575	292	11
Mbeya CC	43	2	5
Tandahimba TC	30	No Inspection records	-
Arusha CC	879	No Inspection records	-
Kasulu TC	81	No Inspection records	-
Misungwi DC	117	No inspection records	-

*Source: Individual LGAs Building Permits Approving Committee's meeting Minutes and Reports*

**Table 3.21** indicates that all LGAs did not adequately conduct inspections of the on-going building works after issuing building permits to applicants/developers. The lowest inspection rate was noted in Tandahimba TC for not conducting any inspection. Other LGAs namely Arusha CC, Misungwi DC and Kasulu did not provide any details with regards to total building permits issued and inspection records were not in place.

However, the audit team noted that, there were no specific inspection reports which were prepared and submitted to management for scrutiny and decision making. The interviews held with some officials from the selected LGAs indicated that, most of the prepared inspection reports were for roads since road projects were the ones given higher priority in terms of the budget. On the other hand it was noted that monitoring of building works was given low priority by the planning authority and hence absence of specific budget for that.

Other main causes include:

#### ***Lack of sufficient inspection tools and facilities***

The audit noted that, LGAs inspection teams did not have sufficient tools to enable them to conduct thorough inspections. This is contrary to the requirement of Engineers Registration Act (Cap 63) which requires the inspection team to have relevant checklist, offence book, Stop Orders Books,

Penalty notice, Cameras, Field notes, GPS, P.P.Es, measuring tapes, Schmidt hammer etc.

Interviewed LGAs officials dealing with monitoring of building works acknowledged that there is shortage of equipment for monitoring activities. As detailed in Section 3.4 and **Table 3.17** above, 5 out of 7 LGAs did not have most of the tools required for inspections.

The officials mentioned that, this was because of lack of funds to cover transport costs and purchase of inspection equipment. This shortage of tools and equipment for monitoring of building works implied that, LGAs did not professionally conduct buildings inspections that could have measured the compliances of developers as per issued building permits.

### ***Shortage of Technical Staffs for monitoring of building works***

It was expected that, PO-RALG to ensure availability and allocation of staff as required by the establishment of a particular profession including human resources development. It was required to ensure availability of equipment, human resources and funds for implementation of activities in the Local Government Authorities<sup>36</sup>. However, the audit team found inadequate number of staff dealing with building works within the visited LGAs.

Interview with LGAs officials responsible with monitoring of building works and the review of staff establishments indicated shortage of technical staff in all LGAs visited. With the establishment of Tanzania Regional and Urban Roads Agency (TARURA), most technical staff in the LGAs were transferred to TARURA thus creating a huge staffing gap especially on part of engineers leaving huge work load to LGAs to deal with building works. This has created a shortage of technical staff of up ranging between 55 and 88 percent in visited LGAs. Further review of staff establishments and buildings' inspection tools in most LGAs indicated that the limited capacity of LGAs for monitoring of building works was due to shortage of technical staff dealing with building works.

Inadequate inspection of building prior and after issuance of building permits has resulted into a number of building being constructed without adherence to approved design. The audit team sampled 3 projects for each visited LGAs to verify if they complied with the approved design and noted that most of them were not done as per approved design. **Table 3.22** presents the compliance status for the sampled projects.

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<sup>36</sup> (Local Government Laws (Miscellaneous Amendments) Act, 2006 Section 20) (AQ 4.3)

**Table 3.22: Percentage Compliance for the Sampled Building Projects in the Visited LGAs**

Name of the LGA	Sample No. of Building works	No. of Projects that Comply to Approved Building Permits	Not Complying with Building Permits	Quality of the building (Satisfactor, not satisfactory)	% of sampled projects that complied to the Approved building permits
Kasulu TC	3	3	0	Satisfactory	100
Arusha CC	3	3	0	Not verified due to lack of designs	100
Dodoma CC	3	2	1	Satisfactory	67
Misungwi DC	3	1	2	Not verified due to lack of design	67
Tandahimba TC	3	2	1	Not verified due to lack of designs	67
Mbeya DC	3	1	2	Not Satisfactory	67
Kinondoni MC	3	1	2	Not satisfactory	33

*Source: Building Permits & site inspection, 2019*

**Table 3.22** indicates that in every 3 buildings which were visited for verification at least 1 did not comply with the approved designs and condition of the building permits. The most none compliant were noted to be in Kinondoni MC where the compliance level was 33 percent.

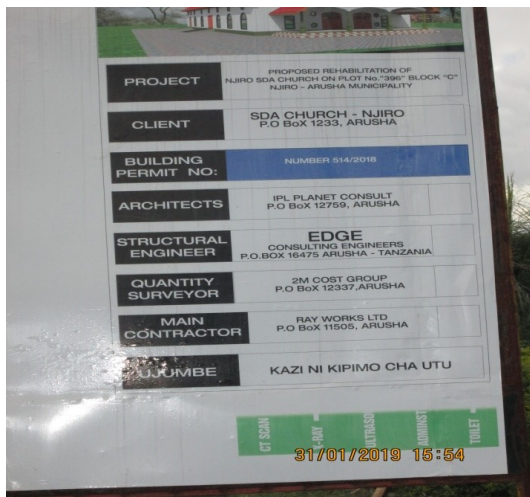
Only 7 out of 21 sampled projects in all 7 LGAs complied with approved architectural designs. This has led to a number of buildings built in LGAs to be utilized contrary to the use approved in the issued building permits. This was also attributed to lack of skilled technical staff and follow-up of the approved building works within the LGAs. Mostly this consequence is due to the fact that there were no formal staff trainings for technical staff in the LGAs to handle such issues. Most of the trainings were organised at national level on policy issues whilst neglecting technical aspects regarding monitoring of building works.

### iii) Ineffective Inspections Conducted

Although, there were few inspections conducted, the audit noted that the inspections were conducted prior and after issuance of building permits and they were not effective.

The reason for their ineffectiveness was that most of the important items were not covered during such inspections. Failure of LGAs to capture all necessary information was associated with lack of effective inspection and monitoring tools. Through the review of the currently used tools, it was noted that these tools missed information such as types of buildings, nature of materials used for construction, commencement and completion dates and use of the constructed building. Such missing data are viewed as crucial to ensure the building constructed will meet the required quality.

A number of instances were noted during site visit verifications conducted in Arusha, Dodoma and Kinondoni whereas it was noted that developers were constructing buildings without approved designs or materials. For instance audit team carried out a site visit to an SDA church under construction located at Njiro in Arusha and noted that foundation construction executed without structural Designs. Also, the structural designs and details were not attached with building permit files. This indicates the likely inadequate inspection during review of building permit files and it is clearly that the building permit was approved without structural designs to verify on loading condition of the building as indicated in **Photo 1.5**.



**Photo 1.5:** Building Permit # 514/2018, SDA Church in Arusha Region in Arusha Municipal Council under construction without structural design and drawings

On the other hand, the same scenario was noted in Kinondoni Municipal Council (KMC) whereas the developer had applied for a building permit on 08<sup>th</sup> March 2016. However, until the time of this audit KMC did not approve Building permit nor carry out site visit inspection despite the fact that the building is a multi-storeys. KMC neither conducted follow up regarding the progress of work nor did it issue a stop orders or penalties to developer during construction for non-compliance to building standards. See **Photo 1.5**.

The same situation was noted in Tandahimba TC whereas construction of the Council's commercial and offices complex building was undertaken without building permits and without being inspected by respective Council. See **Photo 1.6**.

This altogether implies that there were ineffective monitoring mechanisms for monitoring on-going buildings. The main factor contributed to such situations was due to lack of no monitoring plans for monitoring of building works.



**Photo 1.6:** Multi-storeys building under construction but not inspected or monitored in Kinondoni MC



**Photo 1.7:** Sections of a single Storey Commercial and Office building owned by Tandahimba DC/TC which was built without building permits Tandahimba TC (Photo taken on 07<sup>th</sup> March 2019 at Tandahimba DC area near Council's Offices)

#### iv) Inadequate Monitoring by Regulatory Boards

Building works involves a number of stakeholders some of these are professional boards which regulate the conduct and professional standards of Architects, Quantity Surveyors, Engineers and Contractors. By doing so they are responsible in ensuring that all building projects are being managed by professionals who are qualified and have valid practicing certificates.

The audit noted that, there were no reports that were seen during the audit from AQRB, ERB and CRB to LGAs highlighting the weaknesses of the Architects, Quantity Surveyors, Engineers or Contractors who were executing the building



works in particular LGAs. However, LGAs also did not demand such information during inspections which is one of the components to inspect.

The reason for this is because there is no coordination between LGAs and regulatory boards which would enable sharing of information among them so as to inform LGAs of whether those professionals were suitable to undertake such building works projects.

As a result, most buildings visited for verification were being supervised by technicians and *local fundis*. There were no posters in all 9 building works projects to indicate the name of contractors or architects hence monitoring of building works was not effective as there was no close follow-up of the works undertaken by contractors or developers.

### **3.6. Inadequate Monitoring and Evaluation of the Performance of RSs and LGAs by PO-RALG**

Through the review of monitoring reports and interview with officials from PO-RALG, the audit noted that, the Ministry has not effectively monitored and evaluated the performance of LGAs in the monitoring of building works.

The ineffectiveness of PO-RALG was caused/ indicated by the followings:

#### **3.6.1 Inadequate Planning by PO-RALG for Monitoring and Evaluation of the Activities Performed by RSs and LGAs**

##### ***Lack of Buildings Monitoring and Evaluation Plans in the Country***

It was expected that, PO-RALG to have M&E plans for monitoring the performance of LGAs in relation with the monitoring of building work. The audit noted that, PO-RALG had no monitoring plan to monitor the performance of LGAs. This is contrary to the provision of its Strategic Plan of 2013-2018 which requires PO-RALG to prepare monitoring plans for monitoring activities conducted by Divisions responsible for urban and infrastructure development including monitoring and evaluating PO-RALG's Annual Plans and Medium Term Strategic Plan<sup>37</sup>.

Through interviews with PO-RALG officials and review of the availed monitoring plans for years 2013/2014 to 2017/2018, it was noted that the Ministry had a general monitoring and evaluation plans. The interviewed officials acknowledged the absence of specific monitoring plans for division of urban development and housing infrastructure on the on-going building works and Division of infrastructure specifically for building works.

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<sup>37</sup>The Functions and Organisation Structure of The Prime Minister's Office, Regional Administration and Local Government (PO-RALG) (Approved by the President On 12<sup>th</sup> February, 2015) President's Office-Public Service Management)

The officials declared that, the division treated monitoring of building as part of land development control activities which included urban development as well as buildings. However, buildings were not considered during conducting monitoring and evaluation. Concurrently, reviews of M&E plans indicated that, Private owned buildings were not included in PO-RALG's M&E plans for monitoring of RA; RS and LGAs infrastructure. Also, it was noted from the interview held with the PO-RALG official that PO-RALG M&E plans had not taken into account risk indicators during planning. As the results, PO-RALG had no information concerning completed and on-going building works at urban areas as well as their status.

### ***Lack of performance Agreements***

The audit team noted that, PO-RALG did not have performance agreement with LGAs regarding monitoring of building work as among its required functions.

Interviewed PO-RALG officials mention revealed that lack of priority, budget and absence of the performance agreement guideline as the reasons for lack of performance agreement. This affected the performance of PORALG to enforce and evaluate the performance of LGAs regarding monitoring of building work.

Interviewed officials further pointed out that, monitoring and evaluation of LGAs' performance was done for development control and resolution of land conflict issues regarding land and urban development only. The audit team further noted that buildings activities had been treated as part of urban development controls during monitoring and evaluation thus inspections were not conducted to building works. This implies that, monitoring and evaluation of building works was inadequately conducted by PO-RALG.

### ***Absence of Key Performance Indicators***

Audit team noted that, PO-RALG had no key performance indicators for measuring the performance of RS' and LGAs regarding monitoring of buildings. While PO-RALG was expected to facilitate the development, review, implementation and monitoring of performance reporting frameworks in RSs, LGAs and Affiliated Institutions, it did not develop indicators to facilitate monitoring of performance of RSs LGAs and affiliated Institutions<sup>38</sup> responsible for monitoring building works in the country.

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<sup>38</sup>PO-RALG's Strategic Plan 2013-2018; The Functions and Organisation Structure of The Prime Minister's Office, Regional Administration and Local Government (PORALG) (Approved by the President On 12<sup>th</sup> February, 2015) President's Office-Public Service Management)

Reasons for this absence were lack of priority, lack of budget to facilitate monitoring activities as well as inadequate number of staff within PO-RALG, RSs and LGAs.

Failure of PO-RALG to develop monitoring and evaluation plan with defined key performance indicators, is associated with lack of accountability and priority from PO-RALG on its role for ensuring LGAs do monitor building works to ensure constructed building meet the quality and safe for human settlement.

### **3.6.2 PO-RALG do not regularly Monitor the Performance of LGAs and RSs on Monitoring of Building works**

Through reviews of the availed Progress and M&E reports of 2016/2017 and 2017/2018 revealed that, PO-RALG did not report any issues related to performance of RS in the monitoring of building works. Although they have not developed key performance indicators, PORALG was expected to report on performance of related to building works, using the available indicators which were related to building works.

Through the review of the availed PO-RALG's M&E plans of 2013/14-2017/18 and Strategic plan of 2016/17-2020/21 it was noted that, most of assessment of RS and LGAs key performance indicators had been done on their capability on collection of revenue/taxes whereas building work also form part of the revenue source.

This implies that, PO-RALG had not yet realised the potential monitoring of buildings that could contribute on taxes and revenue collection just by upgrading and (or) installation M&E systems for building works that could have captured information of building and their status from acquiring land to occupant.

Further, it was noted from interviews held with the PO-RALG official that, even reporting mechanism for monitoring of building works was not yet established. Meanwhile, Government/public buildings progress report had been reported by DLGA it was inadequately reported as did not include other private buildings. This was acknowledged by the interviewed PO-RALG Officials. However, there was no M&E installed system in order to assess the efficiency on implementation of PO-RALG's, RS's and LGAs' planned activities regarding monitoring of building works.

This led to reluctance of RS and LGAs to perform monitoring of building activities. Assessment of RS and LGAs by using the key performance indicators for monitoring of building works could have minimized the incidence of building constructed with poor quality under their areas of jurisdiction.

### **3.6.3 Monitoring and Evaluations did not Address Existing Challenges on Monitoring of Building Works**

Monitoring conducted by PO-RALG was expected to address the current challenges related to monitoring of building works. These could have included but not limited to the issuance of permit, quality of building works as well as the adherence to building standards.

The audit noted that, for the period under audit, PO-RALG has not reported on the matters concerning the existing challenges of monitoring of building works. The interview with the PO-RALG officials and the review of the availed M&E reports from the PO-RALG indicated that, challenges addressed focused on the public buildings especially for health and education sector whereby building project had been frequently monitored by Division of infrastructure development these challenges included: dilapidation of buildings, maintenance issues and getting spaces to construct such social projects like schools and dispensaries. Other challenges included funding of rehabilitation and construction of additional buildings as well as supply of materials.

Additionally, the M&E reports focused on the public buildings, Government leaders' buildings and RSs and LGAs staff houses while the private owned buildings despite their rapid construction in the urban areas were not covered. Consequently, PO-RALG did not have clearly challenges on the private sector regarding monitoring of building work. This was because, private owned buildings are known to PO-RALG as being monitored by other professional boards like (AQRB, ERB and CRB).

This was because of low priorities given by PO-RALG on monitoring of private owned buildings. As result, private owned buildings were inadequately monitored by PO-RALG, RSs and LGAs.

### **3.6.4 Non Reporting and Sharing of Monitoring Results with Key Stakeholders**

PO-RALG was expected to coordinate building permits and building works statistical information from other sector Ministries and government departments (in particular from AQRB, ERB and CRB) and provide guidelines on how enforcement on adhering to building permits requirements and building standards could be handled. This information was supposed to include number of building permits, number of number of building constructed without building permits, types of buildings according to categories e.g. non-storey, less than four storeys and above four storeys, number of buildings inspected per annum, details of sanctions as a result of enforcement activities, annual performance records from developers etc.

The audit further found out that PO-RALG and LGAs did not have mechanism that could facilitate their staff to make use of information from other government institutions for monitoring and enforcement purposes.

Through the interviews, the officers responsible with monitoring of building works from PO-RALG and LGAs appreciated the fact that, failure to utilize such information affects the whole process of planning for monitoring and enforcement purposes and thus makes enforcement to be ad-hoc and incident-based.

### **3.6.5 Inadequate Follow-up of the Recommendations, Non Reporting and Sharing the Results of M&E to Key Stakeholders**

A number of other government departments were also conducting inspections and enforcement in various building works. Some of key stakeholders include AQRB, ERB, CRB OSHA and Fire rescue force include.

The audit noted that there was such kind of inspection activities being conducted by other government departments as mentioned above, the audit checked with PO-RALG and LGAs to establish whether they had access to these reports issued by such stakeholders on monitoring of building works. It was found out that, both PO-RALG and LGAs had no access to these reports as they were not submitted nor availed to them. However, even PO-RALG and LGAs did not request for them either.

Through the interview with the PO-RALG AND LGAs officials responsible with monitoring of building works it was quite clear that unclear reporting of enforcement activities is attributed to improper defined reporting mechanism of the results of enforcement activities.

The failure to have such information sharing of such reports will lead to failure of getting the real picture or situation of the status of building works, difficulty in preparation and execution of appropriate monitoring of building works and enforcement programmes due to limited information; and application of double-standards<sup>39</sup> during enforcement and monitoring activities.

### **3.6.6 Non Application of Sanctions to Defaulters by LGAs**

Through the review of sanctions records and interview with the LGAs officials responsible with monitoring of building works, it was noted that LGAs were not issuing sanctions to the developers who failed to comply with required standards. This was contrary to the requirement of Section 52 of the Urban Planning Act No. 8 of 2007, Section 152 of the Local Government (District

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<sup>39</sup>This is because a number of government departments are involved in monitoring of building works and enforcement roles but their reports are not shared with LGAs for references or further analysis and actions. Therefore at some points a developer may be sanctioned four times by different government entities for the same offences.

Authorities) Act of 1982 and Section 61 of the Land Use Planning Act No. 10 of 2007.

These sections require LGAs to ensure that any person who contravenes or fails to comply with any condition imposed by the planning authority, to pay such penalty as prescribed by the Minister and the recovery of such penalty to be ordered by the District Land and Housing Tribunal. The extent to which LGAs were applying sanction to defaulters is as indicated in **Table 3.23**.

**Table 3.23: Sanctions Issued to Non-Compliant Developers**

Name of the LGA	Total No. of Defaulters noted/ identified	No. of defaulters who were sanctioned	Common mistakes/ defaults observed	Common Suction applied
Kinondoni MC	No details	No details	No details	No details
Dodoma CC <sup>40</sup>	844	508	No details	Stop orders, demolition, warning
Arusha CC	No details	No details	No details	No details
Kasulu TC	No details	No details	No details	No details
Misungwi DC	No details	No details	No details	No details
Tandahimba TC	No details	No details	No details	No details
Mbeya CC	No details	No details	No details	No details

*Source: Building Permits & site inspection, 2019*

**Table 3.23** indicates that with the exception of Dodoma CC, the rest 6 visited LGAs did not keep any records of sanctions which were issued to non-compliant developers throughout the duration of five years under audit.

### **3.7 Inadequate Reporting by LGAs on Inspection Results on Monitoring for the On-going Building Works**

It was expected LGAs to report their inspection reports at regular intervals of twelve months; submit to Regional Secretariat and Director of respective council progress and evaluation reports of the operation and implementation of the detailed planning scheme in prescribed format<sup>41</sup>.

Through interview and review of reports indicated weaknesses in the reporting of the inspection activities due to weak performance reporting and enforcement systems on monitoring of building works. It was also noted that there were no reports which were prepared by RSs or LGAs with regards to monitoring of building works activities.

<sup>40</sup> The presented data were for 2018 after CDA was transferred to the LGAs

<sup>41</sup> The Urban Planning Act No 8 of 2007 Section 14 (3) pg 1

The audit team carried out a review of monitoring reports and progress reports in all 7 RSs and LGAs visited for the period of 2012/2013 to 2017/2018 with the purpose of ascertaining whether monitoring of building works activities were included in the reports. The audit noted that there were no any details with regards to building works in the respective reports from all selected RSs and LGAs.

### **3.8 Absence of Effective Coordination Mechanisms for Monitoring of Building Works**

It was expected PO-RALG to oversee plans and coordinate at national level resource allocation for urban infrastructures development and maintenance, and also to oversee and coordinate preparation of plans and budgets which are prepared by LGAs and assess their implementation status<sup>42</sup>. However, audit team noted the existence of the weak coordination in the following levels:

#### **i. Weak Coordination within PO-RALG Divisions and Departments**

It was expected PO-RALG to strengthen M&E coordination within Divisions and Units which could incorporate approval and implementation of M&E Framework and strengthen the roles of M&E Section within Policy and Planning Division in collaboration with other divisions<sup>43</sup>.

However, through the interview held with the PO-RALG officials, the audit team noted that weak coordination of building activities was due to unstipulated roles of divisions (Division of Regional Administration (DRA), Division of Local Government Authority (DLGA), Division of Urban Development (DUD) and Division of Infrastructure Development (DID). These divisions were found dealing with monitoring and evaluation buildings works.

This led to stagnated unmonitored and unevaluated building works in the country. As the result each Division had own plans and targets in monitoring of building works. For instance, the progress reports prepared by DLGA focused on buildings of Government Leaders, Government Servants, education infrastructure and health facilities. While Division of infrastructure development focused on building and road developed by LGAs and in the same situation DUD dealing with urban development i.e. land and buildings (Development control). Whereby, DID before establishment of TARURA, was dealing with road infrastructure. Meanwhile, the DID had lack of eight (8) professional staff to have capacity in monitoring of building work.

This implies that, buildings were inadequately monitored by PO-RALG due to unstipulated roles and responsibilities of division within PO-RALG which could

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<sup>42</sup>The Functions and Organisation Structure of The Prime Minister's Office, Regional Administration and Local Government (PO-RALG) (Approved by the President On 12<sup>th</sup> February, 2015) President's Office-Public Service Management).

<sup>43</sup>SP 2016/2017-2020/2021

specifically deal with building works. This led to low priorities set by the respective divisions on planning and budgeting for M&E of building works. As result, no M&E for building works conducted by PO-RALG.

## **ii. Weak Coordination between PO-RALG and other Regulatory Authorities**

Strategic plan of 2016/17-2020/21 integrated from a National Five Year Development Plan II 2016/17-2020/21 requires PO-RALG to coordinate and supervise Regional Administration and Local Government Authorities and its stakeholders.

Nevertheless, PO-RALG had no mechanism for coordinating LGAs regarding building works. This was noted through the interview held with the PO-RALG official. Meanwhile, PO-RALG received information through RS office whereby RS can be requested to submit information.

Interviewed officials further acknowledged that, yet there were no mechanisms on coordinating building activities. However PO-RALG structure is under review and the coordination unit might be included in RSs' office to specifically coordinate building works. This was noted from the interview held with the PO-RALG official. However, there was no reports showing sharing of information among stakeholders which were availed to the auditors for scrutiny.

## **iii. Inadequate Coordination of PO-RALG activities with other Stakeholders**

PO-RALG had no coordination mechanism with other stakeholders regarding monitoring of building works. It was expected PO-RALG to coordinate MDAs, Donors, NSAs interface<sup>44</sup>. However, audit team noted that, no coordination mechanism with Network-Attached-Storage interface for monitoring of building works as required by SP 2016/17-2020/21. Network-attached storage (NAS) is a dedicated file storage that enables multiple users and heterogeneous client devices to retrieve data from centralized disk capacity. Users on a local area network (LAN) access the shared storage via a standard Ethernet connection.

Also, National Construction Industry Policy of 2003 paragraph 8.1.1 requires PO-RALG to ensure appropriate organizational framework, upon which the roles and responsibilities of all institutions supporting the development and performance of the construction industry are clearly defined and their activities are effectively co-ordinated and implemented.

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<sup>44</sup> Strategic Plan 2016/2017-2020/2021



However, through the interview held with the PO-RALG officials, audit team noted that there is no coordination steered to MDAs, NSAs and key building actors (like AQRB, ERB and CRB) regarding to the building works.

Further, interviewed officials acknowledged on absence of coordination with other stakeholders. However, there were no coordination reports or information sharing system for NSA's availed to auditors for scrutiny. This implies that, PO-RALG did not conduct coordination with MDAs, Donors and NSAs regarding monitoring of building works. This led to weak coordination of building works by PO-RALG. As the result PO-RALG had no overall statistics of the on-going and completed building works in the country. The audit team noted the existing weakness regarding the coordination at following different levels.

### **3.8.1 Coordination as Done by LGAs**

LGAs were expected to coordinate monitoring activities among various stakeholders to ease issuance of building permits and monitoring of building works. The review of various correspondences at LGAs indicated that despite the fact there are various stakeholders such as NEMC, Fire rescue, Ministry of Health, Community Development, Gender, Elderly and Children; Ministry of Lands, Housing and Human Settlements Development; Professional Boards like AQRB, ERB and CRB and other interested public organisations like NGOs, however, there is lack of coordination among them.

Despite the fact that all of these stakeholders carry out same monitoring of building works activities, LGAs have failed to coordinate monitoring activities so that to enable them to get necessary findings from other stakeholders. If coordination was there, then these institutions could be able to plan for inspection to building works which were reported by other stakeholders to have weaknesses and also prioritize monitoring activities.

## **CHAPTER FOUR**

### **AUDIT CONCLUSION**

#### **4.1 Introduction**

This chapter draws the audit conclusion based on the findings presented in the previous chapter.

#### **4.2 General Conclusion**

The general conclusion of the audit is that PO-RALG did not effectively monitor building works carried out by the respective planning authorities (LGAs). The inadequate monitoring of building works was due to the prevailed weaknesses in issuance of building permits in LGAs. The scope of the observed weaknesses in the issuance of the building permits covered the following: delays in managing building permits applications in the planning authorities; lack of strategies and plans by PO-RALG to ensure that LGAs register all building works in their jurisdiction; inspections and supervision of buildings under construction not being done as required and Lack of proper actions to control and monitor building works which finally acted as the trigger for people carrying out construction without having building permits.

Likewise, since sanctions were not deterrent, unplanned settlement continued to emerge as the buildings proponents did not worry about any serious action against them. On the other hand, there is lack of coordination including sharing information among the key actors who are responsible for monitoring of building works namely PO-RALG, RSs, LGAs, professional boards and regulatory authorities.

#### **4.3 Specific Conclusion**

##### **4.3.1 Inefficiency in the Issuance of Building Permits to Developers**

PO-RALG has failed to ensure LGAs are capacitated in terms of technical staff, equipment and funds for managing building works activities namely issuance of building permits. Further, PO-RALG has failed to monitor the effectiveness of LGAs in issuance of building permits including providing technical support, dissemination of guidelines and advocacy to the communities. As a result, there were delays in the issuance of building permits and consequently buildings are constructed without having building permits.

#### **4.3.2 LGAs Lack adequate plans for Monitoring of Building Works Activities**

PO-RALG and LGAs lack adequate plans for monitoring of building works. There are no strategies and plans in place set by PO-RALG to ensure that LGAs plan and budget for monitoring of building works carried out in their areas. Extremely low priority was given to monitoring of building works as compared to other activities in LGAs such as monitoring of road works during the allocation of the funds. The preparation of strategic plans without considering strategies and plans for monitoring of building works is the main cause for the inadequate planning for monitoring of building works for PO-RALG, Rs and LGAs.

#### **4.3.3 Ineffective Inspection and Monitoring of Building Works**

PO-RALG did not ensure that both RSs and LGAs effectively implement their plans for monitoring of building works as required. PO-RALG also did not ensure that Regional Secretariats and LGAs were conducting regular inspections and supervision of both the on-going and completed buildings in their areas. This lack of inspection and supervision by LGAs has contributed to the increased construction of illegal buildings, buildings being erected in unplanned areas, non-adherence to building permits and even buildings works being undertaken without building permits or even the knowledge of the LGAs.

Significant number of buildings especially government owned buildings are not monitored by RSs and their respective LGAs. Poor coordination among stakeholders and sector departments within PO-RALG, RSs and LGAs is the main cause for inadequate monitoring of government owned buildings. Furthermore, lack of demarcation of the roles of building works by the government institutions responsible for managing building works affects the performance of LGAs in monitoring the building works.

LGAs do not take proper actions to control building works by imposing sanctions set by the law to ensure building works adhere to standards and quality as per approved designs, standards and quality provided for in the building permits. On the other hand, some of the sanctions imposed by LGAs are not deterrent as they are mostly verbal and not documented. As a result, LGAs are not able to resolve the problem of illegal building works and unplanned construction of buildings. Lack of proper actions to control and monitor building works facilitated the continuation of people carrying out building works without having building permits. Since the sanctions were not deterrent, unplanned settlement continued to emerge as buildings proponents were not worried of any serious action being taken against them.

#### **4.3.4 PO-RALG does not Adequately Measure LGAs Performance in Monitoring Building Works**

PO-RALG is not effectively assessing the performance of LGAs and RS in monitoring of building works activities to ensure constructed buildings meet the required standards. This is because the Divisions of Infrastructure and Urban Development have weak capacity in terms of human and financial resources for monitoring the performance of LGAs in monitoring building works activities. PO-RALG also lacks mechanism for monitoring LGAs performance related to building works including database. Consequently, PO-RALG does not have sufficient information and clear picture with regard to the performance of building works constructed in the country.

Despite issuing the guideline for monitoring of building works and issuance of building permits in April 2018, PO-RALG has not effectively disseminated the guideline to all key implementers including LGAs and RS for its effective implementation. Similarly, the communities have little awareness regarding the roles for monitoring of building works among the key implementers.

The coordination between PO-RALG, Regional Secretariats, LGAs and other stakeholder is weak. Sharing of information between other regulatory and professional boards is not smooth. There are other stakeholders such as NEMC, Fire Rescue, CRB, ERB, EQRB and Ministry of Lands, Housing and Human Settlements Development through Land Use Councils which play a significant role in the use and development of land, and in particular building works.

PO-RALG has not established permanent linkage and information sharing systems to ensure that results of every stakeholder are communicated to PO-RALG, RSs or LGAs for enforcement and proper monitoring of building works. Ineffective coordination has resulted into poor monitoring of building works by PO-RALG, RSs and LGAs as they lacked full support from other stakeholders who are also significant in making sure that buildings are constructed in accordance with the standard, quality and as per the approved building permits issued by LGAs.

## **CHAPTER FIVE**

### **AUDIT RECOMMENDATIONS**

#### **5.1 Introduction**

The audit findings and conclusion indicated that there were weaknesses in monitoring of building works in urban areas. The weaknesses were noted on four main areas, namely: Issuance of building permits; Planning of monitoring of building works, Implementation of monitoring plans; monitoring and evaluation of LGAs' performance by PO-RALG. The audit office is of the view that, these recommendations need to be implemented so that there is improvement in the quality, standard and adherence to approved plans and building permits for building works in the country.

Most importantly, these measures have to be taken sooner than later in order to ensure safety and well-being of people/users of the many buildings being erected in urban areas, enhance revenues and the contribution of the construction sector buildings in the GDP, as well as achieve value for money.

The National Audit Office believes that based on principles of 3Es of Economy, Efficiency and Effectiveness, these recommendations need to be fully implemented so as to ensure monitoring of the building works is enhanced in the country.

#### **5.2 Specific Recommendations to the President's Office - Regional Administration and Local Government**

##### **5.2.1 Strategies to ensure Building Permits are well managed**

The President's Office - Regional Administration and Local Government should:

- a) Establish strategies and mechanisms that will ensure LGAs effectively manage the issuance of building permits as per the established standard processing time;
- b) Institute controls such as dedicated section or unit for building works and set-up information systems for issuing building permits which link all key-players involved in monitoring building works to revoke or sanction applications and applicants who do not comply to standards; and
- c) Ensure that LGAs develop effective mechanism for community sensitization on the processes for acquiring building permits. The mechanism should enable LGAs to cover a large number of communities in their areas of jurisdiction.

### **5.2.2 Improving Plans for Monitoring of Building Works**

The President's Office - Regional Administration and Local Government should:

- a) Prepare and integrate its strategies, plans and budgets for monitoring of building works and those plans should allow considerations of all types of building works to be monitored;
- b) Ensure that the guideline for monitoring of building works and issuance of building permits of 2018 is effectively disseminated to all LGAs and that all LGAs effectively utilize the guideline;
- c) In collaboration with the Ministry of Lands, Housing and Human Settlement Development and Ministry of Works, Transport and Communications, develop the National Building Policy and fast track the establishment of the Building Standard Codes for different types of buildings and building materials; and
- d) Ensure there is proper coordination and collaboration with other stakeholders such as Ministry of Health, Community Development, Gender, Elderly and Children; Ministry of Lands, Housing and Human Settlements Development; NEMC; ERB; CRB; AQRB and Fire and Rescue in monitoring building works.

### **5.2.3 Effective Implementation of Plans for Monitoring of Building Works**

The President's Office - Regional Administration and Local Government should ensure that LGAs:

- a) Prepare inspection and supervision plans for monitoring of building works and those plans should consider all risk factors associated with buildings works; and
- b) Provide for equitable allocation of resources both financial and human resources for effective monitoring of building works under their jurisdictions.

### **5.2.4 Monitoring and Evaluation of LGAs Performance**

The President's Office - Regional Administration and Local Government should ensure that:

- (a) Monitoring and evaluation plans which capture performance of Regional Secretariats and LGAs regarding monitoring of building works are developed and used in their routine monitoring activities;

- (b) Reporting mechanism from LGAs to PO-RALG is developed and building works being monitored by LGAs are effectively reported and there is proper follow-up on the implementation of issued recommendations to LGAs; and
- (c) Database for building works is established and effectively used by LGAs for managing building works. The database should be updated regularly.

## REFERENCES

1. BBC News: Tanzania: Dar es Salaam building collapse 'kills 17' (<http://www.bbc.com/news/world-africa-21980028>)
2. Daily News, 23 September 2017: “[Put in place indicative construction costs - Mbarawa](http://dailynews.co.tz/index.php/home-news/53142-put-in-place-indicative-construction-costs-mbarawa)” (<http://dailynews.co.tz/index.php/home-news/53142-put-in-place-indicative-construction-costs-mbarawa>)
3. International Journal of Engineering Research and Technology (IJERT) of 2013 Vol. 2 pg. 820-827 Issue 12 December 2013: “Challenges of the Quality of Reinforced Concrete Buildings in Dar es Salaam” By Prof. Eng. Igans Aloyce Rubaratuka
4. Local Government Authorities Annual Plans 2013/2014 - 2017/2018
5. Ministry of Works, Transport and Communication: Strategic Plans of 2016-2010
6. President’s Office - Regional Administration and Local Government: Strategic Plan of 2012-2017
7. Raia Mwema Newspaper, 2016: “Mkurugenzi Jiji la Mwanza Matatani” (<https://www.raiamwema.co.tz/mkurugezi-jiji-la-mwanza-matatani/>)
8. Regional Secretariat Annual Plans 2013/2014-2017/2018
9. UNDP 2009: Handbook on Planning, Monitoring and Evaluating For Development Results.
10. UNESCO National Commission of the United Republic of Tanzania, 2013: “Construction: A vibrant industry”. Pg. 205 (<http://www.natcomreport.com/Tanzania/pdf-new/construction.pdf>)
11. United Republic of Tanzania: “Engineers Registration (The Engineering Works, Services and Projects Monitoring Regulations)” 2015
12. United Republic of Tanzania: “Engineers Registration Act”, 1997 as amended in 2007
13. URT:2003 “The National Construction Policy” 2003
14. URT: 1982: The Local Government (District Authorities) Act, 1982



15. URT: 1997: The Engineers (Registration) Board Act, 1997 (As amended in 2007)
16. URT: 2003: The Construction Industry Policy 2003
17. URT: 2007: Land Use Planning Act, No. 10 of 2007
18. URT: 2007: The Local Government (Urban Authorities) Act, No. 8 of 2007
19. URT: 2009: The Public Health Act, 2009
20. URT: 2010: The Architects and Quantity Surveyors (Registration) Act, 2010
21. XINHUA NEWS, 23 October 2017 “Tanzania to demolish houses built in unplanned areas”[http://www.xinhuanet.com/english/2017-10/23/c\\_136698673.htm](http://www.xinhuanet.com/english/2017-10/23/c_136698673.htm)

## APPENDICES

## Appendix 1: Responses from the President's Office - Regional Administration and Local Government

This part covers the responses from the audited entity namely the President's Office - Regional Administration and Local Government. The responses are divided into two i.e. general comments and specific comments for each of the issued audit recommendations. This is detailed in **Appendices 1** below:

### A: Overall response

PO-RALG is committed to control building works in urban and rural areas by making necessary reforms to cope up with high speed of building works country wide, including taking proper actions to address all Audit queries raised hereon and the proposed recommendations.

### B: Specific Responses

No	Recommendation	PO-RALG Comment (s)	Action(s) to be taken	Time line
<b>Strategies to Ensure Building Permits are Well Managed</b>				
1	PO-RALG should establish strategies and mechanisms that will ensure LGAs effectively manage the issuance of building permits as per the established standard processing time	Agreed	Main strategy is to ensure the dissemination and implementation of Issued Guideline in all LGAs	Continues
2	PO-RALG should institute controls such as dedicated section or unit for building works	Agreed	Establish/strengthen available section or unit within PO-RALG, RS's and LGA's for a dedicated supervision of building works.	FY, 2019/20
3	PO-RALG should set-up information systems for issuing building permits which link all key-players involved in monitoring building works to revoke or sanction applications and applicants who do not comply to standards	Agreed	Stakeholders consultation;  Developing electronic system;  Testing and launching	FY, 2019/20

No	Recommendation	PO-RALG Comment (s)	Action(s) to be taken	Time line
4	PO-RALG should ensure that LGAs develop effective mechanism for community sensitization on the processes for acquiring building permits. The mechanism should enable LGAs to cover a large number of communities in their areas of jurisdiction	Agreed	Issue directive to LGA'S;  <i>Ensures that the given directive are reflected in LGAs Budget;</i>  <i>M&amp;E of given directives</i>	FY, 2019/20
<b>Improving Plans for Monitoring of Building Works</b>				
1.	PO-RALG should prepare and integrate its strategies, plans and budgets for monitoring of building works and those plans should allow considerations of all types of building works to be monitored	Agreed	Prepare budget for monitoring of building works;  <i>Prepare and implement monitoring plan for building works</i>	FY, 2019/20
2.	PO-RALG should ensure that the guideline for monitoring of building works and issuance of building permits of 2018 is effectively disseminated to all LGAs and that all LGAs effectively utilize the guideline	Agreed	<i>To Continue Issuing directive to LGAs;</i>  <i>M&amp;E of given directives</i>	FY, 2019/20
3.	PO-RALG should in collaboration with the Ministry of Lands, Housing and Human Settlement Development and Ministry of Works, Transport and Communications, develop the National Building Policy and fast track the establishment of the	Agreed	Stakeholders meeting; Policy reviews; coding, Finalization and launching	FY, 2019/20

No	Recommendation	PO-RALG Comment (s)	Action(s) to be taken	Time line
	Building Standard Codes for different types of buildings and building materials			
4.	PO-RALG should ensure ensure there is proper coordination and collaboration with other stakeholders such as Ministry of Health, Community Development, Gender, Elderly and Children; Ministry of Lands, Housing and Human Settlements Development; NEMC; ERB; CRB; AQRB and Fire and Rescue in monitoring building works	Agreed	<i>Issue directive to LGAs; M&amp;E of given directives</i>	FY, 2019/20
<b>Effective Implementation of Plans for Monitoring of Building Works</b>				
1.	PO-RALG should ensure prepare inspection and supervision plans for monitoring of building works and those plans should consider all risk factors associated with buildings works	Agreed	<i>Issue directive in LGAs; M&amp;E of given directives</i>	FY, 2019/20
2.	PO-RALG should ensure provide for equitable allocation of resources both financial and human resources for effective monitoring of building works under their jurisdictions	Agreed	<i>Issue directive in LGAs; M&amp;E of given directives</i>	FY, 2019/20
<b>Monitoring and Evaluation of LGAs Performance</b>				
1.	PO-RALG should ensure that monitoring and evaluation plans which capture performance of Regional Secretariats and LGAs regarding monitoring of building works are developed	Agreed	<i>Issue directive in LGAs; M&amp;E of given directives</i>	FY, 2019/20

<b>No</b>	<b>Recommendation</b>	<b>PO-RALG Comment (s)</b>	<b>Action(s) to be taken</b>	<b>Time line</b>
	and used in their routine monitoring activities			
2.	PO-RALG should ensure that reporting mechanism from LGAs to PO-RALG is developed and building works being monitored by LGAs are effectively reported and there is proper follow-up on the implementation of issued recommendations to LGAs	<b>Agreed</b>	<i>PO-RALG will strengthen the reporting mechanism for improved monitoring of Building works</i>	Continues
3.	PO-RALG should establish building works database for building works is established and effectively used by LGAs for managing building works. The database should be updated regularly	Agreed	<i>Stakeholders consultation;</i>  <i>Developing electronic data base and permit system;</i>  <i>Testing and launching</i>	FY, 2019/20

## Appendix 2: Detailed Audit questions and Sub-questions

This part provides the list of five main audit questions and their respective sub-questions:

<b>Audit Question 1</b>	<b>To what extent does the problem of monitoring of building works exist in Urban Areas in Tanzania?</b>
Sub-question 1.1:	<i>Are there existing building works that are not monitored by the respective Planning Authorities?</i>
Sub-question 1.2:	<i>Are there completed building works that do not meet the required building standards?</i>
Sub-question 1.3:	<i>To what extent are buildings constructed in unplanned areas?</i>
<b>Audit Question 2</b>	<b>Does PO-RALG ensure LGAs are efficiently providing building permits to developers?</b>
Sub-question 2.1:	<i>Do LGAs adequately conduct advocacy to the community for the process for acquiring building permits?</i>
Sub-question 2.2:	<i>Do LGAs have functioning mechanism to ensure applied building permits are issued to the developers as per the prescribed time?</i>
Sub-question 2.3:	<i>Do LGAs conduct effective inspection before issuance of building permits to the developers in order to ensure constructed building meets the standards?</i>
Sub-question 2.4	<i>Do LGAs have functioning system for registration of building works constructed in their areas?</i>
Sub-question 2.5	<i>Are there functioning mechanisms for issuance of building permit to the developers?</i>
<b>Audit Question 3</b>	<b>Are plans for monitoring of building works activities in LGAs adequately done?</b>
Sub-question 3.1:	<i>Do LGAs have updated Database and Registers for the Building Works carried-out in their respective areas?</i>
Sub-question 3.2:	<i>Do LGAs have risk based plans for monitoring building works in their respective jurisdictions?</i>
Sub-question 3.3:	<i>Are plans for monitoring building works address key risk factors and risky building projects?</i>
Sub-question 3.4:	<i>Do LGAs set budgets for the planned Monitoring of Building work activities?</i>
Sub-question 3.5:	<i>Do LGAs have a working mechanism to ensure all on going building works constructed in their areas are monitored?</i>
<b>Audit Question 4</b>	<b>Are plans for monitoring building works activities effectively implemented?</b>
Sub-question 4.1:	<i>Are inspections of building works adequately conducted as per their plans?</i>
Sub-question 4.2:	<i>Do LGAs have effective tools (guidelines, checklists, etc) for monitoring building works?</i>
Sub-question 4.3:	<i>Do LGAs have adequate resources (human resource, tools (guideline, checklist) and equipment) that are necessary for effective monitoring of building works in their respective areas?</i>

Sub-question 4.4:	<i>Are inspection results (monitoring report) for on-going building works timely communicated to the concerned parties and corrective measures taken?</i>
Sub-question 4.5:	<i>Are Inspection activities for building works with other Inspection Authorities effectively coordinated by PORALG through LGAs?</i>
Sub-question 4.6:	<i>Does the PO-RALG have effective coordination with other stakeholders responsible for monitoring of building works?</i>
Sub-question 4.7:	<i>Are sanctions and corrective measures to contractors/ Developers who default to building standards timely and adequately issued?</i>
<b>Audit Question 5</b>	<b>Does PO-RALG measure the performance of LGAs in monitoring building works activities to ensure constructed buildings meet the required standards?</b>
Sub-question 5.1:	<i>Does PO-RALG plan for monitoring and evaluation of the activities performed by RSs and LGAs on on-going building works?</i>
Sub-question 5.2:	<i>Does PO-RALG effectively use Key Performance Indicators to assess performance of RSs and LGAs in monitoring of building works in Urban Areas?</i>
Sub-question 5.3:	<i>Are conducted monitoring and evaluations address existing challenges on the monitoring of building works?</i>
Sub-question 5.4:	<i>Do LGAs regularly ensure buildings developers, contractors and consultants perform their work on on-going Building Works?</i>
Sub-question 5.5:	<i>Are the monitoring and evaluation results effectively communicated or reported to relevant stakeholders for further actions?</i>
Sub-question 5.6:	<i>Does PO-RALG frequently conduct follow-ups on the implementation of recommendations issued to RS and LGAs?</i>



### Appendix 3: List of Documents Reviewed

This part provides the detailed methods for data collection and analysis. Three main methods for data collection namely, documentary reviews, interviews and observations have been described in this part. This Appendix therefore provides for list of Documents reviewed during the audit.

Document Category	Name of the Document	Reason for reviewing the document
Documented Research Papers, Articles with challenges facing monitoring of buildings works in the country	Research Papers and Articles on the construction sector	Understand various problems facing monitoring of building works  To establish the extent of problems facing monitoring of building works in the country.
Plans and Strategies	PO-RALG's (2013-2015 and 2016-2018)	To assess the adequacy of planning for monitoring of building works is envisaged in the strategic plans.
	Strategic Plans for selected Regional Secretariats and Local Government Authorities from financial year 2013/2014 to 2017/2018	To assess the extent and adequacy of planning for monitoring of building works is envisaged in the RS strategic plans, budgets as well as their development plans for monitoring of building works in the Region.
Performance Reports for Monitoring Plans and Reports on building Works	PO-RALG's Monitoring and Evaluation Reports (2013/2014 to 2017/2018)	To have an understanding on the activities carried out by PO-RALG in relation to Monitoring of building works for the past five years;  Also, to see how the Ministry evaluates their performance in terms of monitoring of LGAs performance in monitoring of building works activities.
	Supervision and Inspection Reports from RSs and LGAs for years 2013/2014-2017/2018	To analyse the effectiveness of RS and LGAs in conducting inspections and supervision for on-going building works in their respective areas.
	Monitoring Plans and Reports from RSs and LGAs for years 2013/2014-2017/2018	To assess the issues identified in the respective monitoring reports and whether monitoring activities are captured in respective monitoring plans including key performance indicators used during monitoring activities.

Document Category	Name of the Document	Reason for reviewing the document
	Quarterly and Annual Progress Reports from RSs and LGAs for years 2013/2014-2017/2018	To assess the level of performance as reported by relevant entities on monitoring of building works
	RSs and LGAs' performance monitoring plans for years 2013/2014-2017/2018 -LGAs performance/ progress reports for years 2013/2014-2017/2018	To assess how the two ministries play role in monitoring of LGAs performance in terms of monitoring of building works being carried by LGAs in their respective authorities; To understand recommendations and corrective actions issued to LGAs as a result of performance monitoring.
Building Permits	Building Permit Registers	To assess the number of building permits issued per each financial years; To assess a number of approved building permits as against those declined.
Other Documents (Best Practices)	Professional standards, standard procedures and best practice in monitoring of building works; completed academic studies/researches in the area of construction of buildings and their respective monitoring strategies; Published literature and newspapers related to monitoring of buildings works in Tanzania	To gain a general understanding on monitoring of building works as well as developing best practices approaches in monitoring of building works in Tanzania

#### Appendix 4: List of Officials who were interviewed

Institution to be Covered	Title of official to be Interviewed	Reasons for interviewing
President's Office - Regional Administration and Local Government	Director - Division of Infrastructure Development	To get information regarding available plans for monitoring of construction of buildings works and implemented building projects
	Director - Division of Urban Development	To know available plans and policies on urban development projects, roles of PORALG and challenges related to the building works field.
	Officials responsible for buildings works on Infrastructure Division	To understand the challenges faced by Local Government Authorities in monitoring of building works in their respective areas.
	Officials from the Division of Urban Development;	To understand the challenges faced by officials working on urban development especially on monitoring of building works.
Regional Secretariats (RSs)	7 Regional Secretaries (RASs) from seven selected Regions.	To understand their roles as technical advisors and overseers of LGAs performance; To understand the problems and challenges in monitoring building works especially on issues relating to designs, quality and strength of constructed buildings.
	Regional Engineer; Architect; Urban Planner and Planning and Budgeting Officer from each RS.	To understand the problems and challenges in monitoring building works especially on issues relating to designs, quality and strength of constructed buildings as performed by LGAs under their supervision.
Local Government Authorities	7 Executive Directors from seven selected LGAs.	To understand available challenges faced by Local Government in monitoring of building works in their LGAs
	City, Municipal, Town and Town Council Engineers.	To understand the problems in monitoring building works especially on issues relating to designs, quality and strength of constructed buildings.
	Land Officer, Surveyor, health Officer, Land Valuer "Mpima", Planning officer; and Human Resource Officers. from each LGA to be visited	To understand the problems in monitoring building works, especially on use of land, right of occupancy, whether buildings are on planned areas, sanitation, set-backs and compliance to environmental and safety standards.

