

Building Inspection Policy

1. Preamble

The contents of and the commitments made in this policy are not intended to be, and should not be interpreted to be, any more than a statement of the organisation's general position in relation to those matters, and to facilitate our aspirations wherever it is reasonable to do so.

2. Purpose

The purpose of this policy is to provide guidance relating to audit building inspections required by Section 71A of the *Development Act 1993*, and complement the purpose of the *Local Government Act 1999* to provide appropriate services to meet the needs of the local community.

3. Policy Principles

The policy specifies the levels of audit inspections to be carried out on an annual basis with respect to building work in the area, and the criteria that are to apply with respect to selecting the buildings that are to be inspected under the policy.

The policy includes the prescribed requirements within:

- The *Development (Trusses) Variation Regulations 2011*, which by adoption and notified in the Government Gazette dated 29 September 2011, varies the *Development Regulations 2008* and regulates the date for operation as 1 July 2012.
- The *Development (Swimming Pool Safety) Variation Regulations 2013*, which by adaptation and notified in the Government Gazette dated 19 December 2013, varies the *Development Regulations 2008* and regulates the date of operation from 1 April 2014.

In general the policy recognises that inspections relating to building fire safety, life safety, dangerous structures and complaints will take priority over other inspections.

4. Definitions

The terminology used in this policy is consistent with the definitions in Section 4 of the *Development Act 1993*, Schedule 1 of the *Development Regulations 2008*, and within Regulation 74 of the *Development Regulations 2008*.

5. Role statement

5.1 Regulator

The policy sets the level of inspections of building work to satisfy the legislative requirements within Section 71A of the *Development Act 1993* and Regulation 80AB of the *Development Regulations 2008* as amended by the *Development (Trusses) Variation*

Regulations 2011 and the Development (Swimming Pool Safety) Variation Regulations 2013.

The policy has regard to the functions of a council as set down in Section 7 of the *Local Government Act 1999*, in particular:

- (c) to provide for the welfare, well-being and interests of individuals and groups within its community
- (d) to take measures to protect its area from natural and other hazards and to mitigate the effects of such hazards.

The policy also has regard to the principles to be observed by a council as set down in Section 8 of the *Local Government Act 1999*, in particular that council will:

- (g) manage its operations and affairs in a manner that emphasises the importance of service to the community
- (h) seek to ensure that council resources are used fairly, effectively and efficiently
- (i) seek to provide services, facilities and programs that are adequate and appropriate and seek to ensure equitable access to its services, facilities and programs.

5.2 Service provision

The inspection of building work shall be undertaken with regard to the minimum levels prescribed in the legislation and having regard to available human, financial and physical resources.

5.2.1 Priorities.

Authorised officers who undertake inspections of building work shall hold prescribed qualifications and shall inspect all complaints relating to building work, subject to available resources at the time.

Inspections relating to building fire safety, life safety, dangerous structures and complaints will take priority over all inspections. Inspections of building work prescribed by the *Development Regulations 2008*, including roof framing, will take priority over other inspections.

When prioritising the inspection of building work, priority shall be given to buildings containing large numbers of people such as shopping centres, community buildings and assembly buildings, reflecting a risk-based approach.

5.2.2 Building inspection policy for prescribed classes of buildings (including swimming pool safety barriers)

(a) Stages of notification by builder/owner

For the purposes of this policy, the following mandatory notifications under Regulation 74 are required where applicable:-

- Commencement of building work on site
- Commencement of pouring of footings

- Completion of cavity masonry walls
- Completion of wall and roof framing
- Completion of the building work
- Completion of installation of safety barriers (prior to a swimming pool being filled with water)

(Notes: This clause does not apply to: -

Class 10 buildings other than Class 10 buildings attached to any part of the roof framing of another class, for the purpose of inspecting *roof framing*, and

when the building is a transportable building, the inspection of the wall and roof framing.)

(b) Levels of inspection

(i) Inspections relating to the completion of *roof framing*

Pursuant to section 71A (4a) of the *Development Act 1993*, council will, in respect to any building work involving the construction of any *roof framing*, undertake the following minimum levels of inspection:

- equal to 66% of building rules consents issued where the construction of the *roof framing* is the responsibility of a licensed building work contractor, including Class 10 buildings attached to any part of the *roof framing* of a building of another class
- in the case of Class 1 and 2 buildings equal to 90% of building rules consents issued where the construction of the *roof framing* is not the responsibility of a licensed building work contractor.
- in all other cases where the construction of the *roof framing* is not the responsibility of a licensed building work contractor, including Class 10 buildings attached to any part of the *roof framing* of a building of another class, the number of inspections required to ensure 90% of building rules consents issued for all classes of building where there is no licensed building work contractor.

With respect to inspections relating to the completion of *roof framing*, including Class 1 and Class 2 buildings, the audit inspections can be at any one of the following stages, although the intent is to inspect *roof framing* in preference to other stages of building work. If the level of supervision by the builder appears satisfactory upon inspections at one or more of the following stages, council may determine that no further inspections will be carried out. The stages are:-

- At pouring of footings with the proviso that if the footings are designed by an engineer, council may accept a certificate from the design engineer confirming compliance.
- At completion of wall and roof framing with the proviso that where the inspection of *roof framing* is undertaken as part of the mandatory inspections, the inspection also satisfies the requirement of this part.
- At completion of masonry walls.
- On completion of building work
 - (ii) Inspections relating to the completion of installation of (swimming pool) safety barriers.

Pursuant to Regulation 76D of the *Development Regulations 2008*, the following minimum levels of inspection of swimming pools (including safety fences and barriers associated with such swimming pools) shall be undertaken:

- (a) at least 80% of swimming pools constructed over the course of the year must be inspected within 2 weeks of council being notified of the completion of –
 - (i) in the case of a swimming pool the construction of which required the construction of a safety fence or barrier;- the construction of the safety fence or barrier; or
 - (ii) in any other case – the construction of the swimming pool;
- (b) the remaining 20% of swimming pools constructed over the course of the year must be inspected within 2 months of council being notified of the completion of –
 - (i) in the case of a swimming pool the construction of which required the construction of a safety fence or barrier – the construction of the safety fence or barrier; or
 - (ii) in any other case – the construction of the swimming pool.

5.2.3 Other inspections

- (a) Council will carry out enforcement responsibilities in the event of breaches of the *Development Act 1993* including when breaches are brought to the attention of council by way of a complaint or by other mechanisms which alert council to an alleged breach, such as audit inspections.
- (b) For the purpose of determining the percentage of development approvals inspected in accordance with Clause 5.2.2 (b) (i) of this policy, complaint-related inspections of Class 1 and 2 buildings under construction shall be aggregated with inspections undertaken under Clause 5.2.2 of this policy.



- (c) For Class 1b and 2 to 9 buildings, random fire safety inspections of any building identified by council's Building Fire Safety Committee as constituting a high fire risk priority will be made. Such buildings will include those providing overnight accommodation, education, or are for the congregation of large crowds adopting a risk-based approach. These inspections shall be in addition to any of the enforcement responsibilities set out in Clause 5.2.3 (a).

6. References

Development Act 1993

Development Regulations 2008

Local Government Act 1999

Building Code of Australia

Planning SA Guide to Council Building Inspection Policies Draft February 2001

7. Attachments

Attachment A : *Development (Trusses) Variation Regulations 2011*

Attachment B : *Development (Swimming Pool Safety) Variation Regulations 2013*

COUNCIL



Responsible officer(s)/department(s):	Ian Randell, Team Leader Building, People, Governance and Regulatory Services
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