

 City of Mount Gambier	<b>COUNCIL POLICY</b> <b>D150 - BUILDING &amp; SWIMMING POOL</b> <b>INSPECTION POLICY</b>	Version No:	7
		Issued:	August 2023
		Next Review:	August 2027

## 1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier (“Council”) for undertaking building inspections pursuant to Section 144 of the Planning, Development and Infrastructure Act 2016, Practice Direction 8 – Inspection Policy for Swimming Pools 2019 and Practice Direction 9 – Council Inspections 2020.

### Scope

- The policy applies to all Development Approvals issued for the Council area.
- The policy sets out inspection levels in accordance with mandated levels of inspection for particular Classes of building.

### Purpose

Council is required under Section 144 of the Planning, Development and Infrastructure Act 2016 to carry out inspections of development undertaken with the Council area in accordance with Practice Directions 8 and 9 for the inspection of building works including swimming pools.

## 2. OBJECTIVES

Council is committed to comply with mandated levels of inspections including buildings that have been Privately Certified for Building Consent.

Council aims to deter persons from undertaking Building Work except in accordance with a Development Approval (or exemption) under the Planning, Development and Infrastructure Act 2016.

The policy has taken into account:

- The financial and human resources of Council.
- The impact that failure to inspect a certain number of buildings over a period of time may have on the community.
- Whether particular parts of Council area are known to be subject to poor building conditions.
- The capacity of Council to inspect works finished to the receipt of notification under Section 146 of the Planning, Development and Infrastructure Act 2016 from Developers, the capacity of Council to inspect works will be measured against the number of instances in which Council receives the required notifications in a compliant and timely manner.

## 3. CRITERIA FOR SELECTION OF BUILDINGS TO BE INSPECTED

Buildings will be selected for inspection in accordance with the requirements of Practice Direction 9 – Council Inspections 2020 following:

- Distribution between Owner/Builders and Registered Builders.
- Local environmental factors (e.g. wind speed, flood prone, poor soil conditions).
- Specific condition of approval.
- Any other reason as determined by the authorised officer.

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Where a building is determined for inspection it may be inspected at any time and more than once.

Where a complaint is received about any new or existing building including any excavation, site works, retaining walls or the like, inspection may be undertaken taking into account the urgency of the situation and resources of Council.

Inspections will be undertaken evaluating the nature of works or complaint against:

- The approved documentation approved by Council or Private Certifier.
- The National Construction Code – Building Code of Australia where documentation is silent on the relevant matter.

#### 4. AUDIT LEVELS OF INSPECTION

Council will endeavour to undertake inspections in accord with Practice Direction 9 as follows:

- Dwellings (new and additions) & Dwelling Units – Class 1
  - Minimum 66% of building work commenced in the relevant reporting year with at least one inspection of each development
- Commercial – Class 2-9 Buildings
  - Minimum 90% of building work commenced in the relevant reporting year with at least one inspection of each development.
- Verandahs / carports / sheds / others
  - 10% of all approvals for Class 10A (verandahs etc.)
  - 10% of all approvals for Class 10B (retaining walls, fences etc.)
- Swimming Pools
  - 100% of pools and swimming pool safety features constructed over the course of the calendar year within ten business days of the council being notified
- Additional Inspections
  - Council may carry out additional inspections if it has information to indicate that the circumstances warrant it, including building work in relation to, but not limited to:
    - A building intended for use or occupation by large numbers of people, particularly simultaneously;
    - A building intended for use or occupation by vulnerable persons or persons with a disability;
    - A building in respect of which Council has been made aware of a complaint or regulatory issue, whether directly or indirectly, relating to the building or any person involved in the building work;
    - A building with energy efficiency requirements;
    - A building constructed by a person who is not a licensed building work contractor under the Building Work Contractors Act 1995;
    - A building subject to local environmental conditions in respect of which additional measures are required to protect the environment, the building and its occupants or users; or

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- A building incorporating construction properties or products, including but not limited to fire-rated construction, fire safety elements or designated building products.

## 5. MANDATORY NOTIFICATIONS

Pursuant to Section 146 of the Planning, Development and Infrastructure Act 2016 and Regulation 93(1) of the Planning, Development and Infrastructure Regulations, a person undertaking building work must give Council notification, as as prescribed by the Act and in accordance with this policy for the following stages of work:

For Class 1 – 9 Buildings

- One business day notice of the intended commencement of building work on the site
- One business day notice of the intended commencement of the pouring of the footings and other reinforcing steel works
- One business day notice of the completion of wall and all roof framing forming part of the building work (including top and bottom chord restraints, bracing and tie-downs)
- One business day notice of wet areas prior to tiling
- One business day notice of the completion of building work

In Addition for Class 2-9 Buildings

At the completion of the installation of the Essential Safety Provisions

For Class 10 buildings

- One business day notice of the intended commencement of the pouring of the footings and other reinforcing steel works

For sites where the building work involves the construction of a swimming pool (including safety fences and barriers associated with such swimming pools):

- One business day notice of intended commencement of building work on the site
- One business day notice of the completion of the construction of the swimming pool (before the pool is filled with water)
- One business day notice of completion of construction of the swimming pool safety features

All applicants will be advised of the relevant notifications required in writing at the time of issuing the Development Approval.

## 6. RECORD KEEPING

Council Officers will keep adequate records of inspections completed in accordance with the specified audit levels in the Act and the Practice Directions.

## 7. COUNCIL ENDORSEMENT

This Policy was first adopted by resolution of the Council on 18<sup>th</sup> February 1999.

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## 8. REVIEW & EVALUATION

This Policy is scheduled for review by Council in August 2027; however, will be reviewed as required by any legislative changes which may occur.

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## 9. AVAILABILITY OF POLICY

This Policy will be available for inspection at Council's principal office during ordinary business hours and on the Council's website [www.mountgambier.sa.gov.au](http://www.mountgambier.sa.gov.au). Copies will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council's Schedule of Fees and Charges.

File Reference:	AF18/48
Applicable Legislation:	Planning, Development and Infrastructure Act 2016 Planning, Development and Infrastructure Regulations 2017 Practice Direction 8 Practice Direction 9
Reference: Strategic Plan - Beyond 2015	Goal 3
Related Policies:	N/A
Related Procedures:	N/A
Related Documents:	N/A

## DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
Version:	7
Last revised date:	15 August 2023
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Minute reference:	Council Meeting 15 August 2023 , Item 19.3 Resolution 2023/177
Next review date:	August 2027
<u>Document History</u> First Adopted By Council: Reviewed/Amended:	18 <sup>th</sup> February 1999 15 <sup>th</sup> April 2003, 16 <sup>th</sup> September 2006, 17 <sup>th</sup> February 2009, 22 <sup>nd</sup> February 2018, 15 August 2023