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**From:** DPTI:PD Building Branch  
**Sent:** Wednesday, 30 October 2019 5:42 PM  
**To:** Powell, Chris (DPTI)  
**Subject:** FW: State Planning Commission - Council Inspection Policies

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**From:** Paul Gates [mailto: ]  
**Sent:** Tuesday, 29 October 2019 4:35 PM  
**To:** DPTI:PD Building Branch <DPTI.PDBuildingBranch@sa.gov.au>  
**Subject:** State Planning Commission - Council Inspection Policies

Hello

Please find listed below response from the Copper Coast Council in relation to the proposed Practice Direction on Council Inspection Policies and Background Paper on Inspection Policies Practice Direction.

Our responses are in accordance with the questions as identified on Page 25 of the Background Paper on Inspection Policies Practice Direction.

#### Overall purpose

1. Is the proposed purpose of the inspection policy easily understood? i.e. a focus on occupant and life safety, and to maintain confidence and integrity in the development control system.

**Response:** We have read the Background Paper and come to the conclusion that the policy is reactive to issues eg ACP Cladding. A number of years ago a similar situation arose due to a truss collapse we then had to have truss checklists yet now they have been made redundant. We understand most of the direction with some points leaving us blank as to what you are trying to achieve? It seems that as per usual councils are made to wear the costs and responsibilities of conducting inspections. We agree with one point that Occupant and life safety should be at the top of the list.

#### Inspection levels and capacity

2. Are the proposed inspection requirements easily understood? 66% for Class 1a's and 100% for Class 1b-9?

**Response:** Our council area does not have a high level of commercial applications but would be more than surrounding country towns. As we don't have a Level 1 Building Surveyor on staff it would be too expensive and difficult for the council to organise inspections on larger scale buildings. Given that nearly all large commercial buildings are certified it should be the role of the certifier to inspect those buildings. We have no issue with the nominated percentage of 66 per cent for Class 1a dwellings. The inspection regime also requires the inspection of Farm Buildings and Farmsheds. We see no purpose to it given that any building under 2000m2 has no fire safety requirements. A farm building from a life safety perspective is low risk compared to a Class 9b building.

3. For the main, the inspection requirements for Class 1as are largely unchanged while Class 1b-9 buildings will require one inspection – do you think this is realistic and achievable for councils?

**Response:** For smaller type commercial applications yes, we think it is achievable but for larger buildings (Level 1 Approved) we will have an issue. For Council to engage a Level 1 BS it would cost about \$1000 given we are paying for their time and travel both ways. **Council cannot afford and is not prepared to be burdened with those level of costs given that we still need to service the community as a whole.**

4. If you answered no to question 3, what level would be achievable? If answering from the council, do you think this is static or could this be increased over time?

**Response:** The only answer to Question 3 is **that the Private Certifier be made responsible for the inspections** and he/she can recover their costs from the owner. This type of system has worked for many years where Footing Engineers provide a report to council on the inspections they have completed for the footing.

5. The practise direction provides a list of circumstances when councils may wish to undertake inspections in addition to the mandatory requirements. Would you suggest any change to this list?

**Response:** Council has always undertaken to inspect as many dwellings as possible within its resources. Council always attend to structural complaint based deficiencies from consumers. Council will also concentrate their efforts on builders who the perform.

6. While not in the s144 practice direction, is the potential removal of the 80/20 two weeks/two-month percentage split for pool inspections, to instead require that all pools be inspected within two weeks of completion supported?

**Response:** Yes you need to simplify the pool inspection requirements as the council don't get notified of pool completions.

#### Who may inspect

7. As long as an authorised officer is appointed under r 112 of the General Regulations, the draft policy allows the council to decide which officer to allocate to an inspection (from level 1 to 4) – do you support this approach?

**Response:** No we do not concur with this as many regional councils only have Level 3 BS yet have adequate experience to look at buildings greater than 500m<sup>2</sup>

8. Regulation 112 currently allows councils to potentially appoint an accredited professional who is not a council employee to undertake an inspection (e.g. a private building certifier) to enable recruitment of private sector expertise. Do you support this?

**Response:** No the costs associated with this are too excessive as the council would have to seek someone from Adelaide which is estimated to be \$1000 minimum.

#### Statements

9. While not a specific part of this consultation, would you support the reintroduction of a statement requirement for roof trusses, and for this to potentially be expanded to the entire frame?

**Response:** We do not support it as we receive these Reg 74 Statements now yet we attend site to still find issues with roof framing. To include wall framing doesn't make any difference other than transferring liability to the person who signed it.

10. Would you support the introduction of statements for other matters, for example, footings or wet areas?

**Response:** We already receive footing inspection certificates from most footing engineers as most footing engineers won't certify their footing design unless they inspect it prior to pouring. I don't see the need to extend it further as Council will be forever chasing paperwork from builders.

## Process

11. Having read the Background Paper, do you have a good understanding of how the inspection process will work, i.e. setting notifications via decision notice, receiving notifications, undertaking inspections, etc.? Are there any areas you are unsure of that could benefit from further explanatory material?

**Response:** We can see now that every Private Certifier will be advising of inspections at footings, wall and roof frame, wet areas etc to cover themselves. The main difference between certifiers and council is we will follow up on notifications that we issue as part of our consent.

## Other matters

12. Are there any other matters you would like to raise at this point?

**Response:** The other matter which we wish to raise is the requirement for a Certificate of Occupancy which is in our opinion a complete waste of time as it is just another piece of paper. We already have a Statement of Compliance Part A and Part B where councils have to chase them from builders so what difference does a Certificate of Occupancy make? Unless you are prepared to inspect at the end remove it from the process. We have council-owned buildings that have been certified and Certificate of Occupancy issued with major fire safety deficiencies. It is all too late once someone is killed or injured and then the blame game begins. The old saying the prevention is better than the cure.

Council also has concerns regarding the level of inspections required as stipulated by the State Planning Commission it was an understanding from previous correspondence that the Commission would consider the financial and other resources of each Council. It appears that this is a blanket approach to all councils. The statement as mentioned below in the Outline – Purpose and Limitations states that;

“Overall, the Commission is confident that the development of these policies has been rigorous and the proposed levels set forward will: meet the obligations of the Act, be clearly understood, set a reasonable starting point which does not impose any undue requirements on council and industry, and support overall positive outcomes for South Australian built environment.”

The council considers that it does impose undue requirements on Council and request that the State Commission considers Council response in relation to this proposed Practice Direction – Council Inspection Policies.

As a general comment it appears (as is the case with the Planning & Design Code) that the focus is again on metro councils, ignoring the difficulties experienced in rural South Australia. It is strongly suggested that more responsibilities are transferred to private Building Certifiers in relation to inspections (as is the case in other states).

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