

BUILDING INSPECTION

POLICY OBJECTIVE:

This Policy is prepared and adopted in accordance with Section 71A of the Development Act 1993. It provides primarily for the inspection of approved buildings and structures under construction in the Wakefield Regional Council area to ensure compliance with legal requirements and in line with available human resources.

POLICY:

1. Principles

This policy seeks to ensure that Council's finite building inspection resources are used fairly, effectively and efficiently.

The policy recognises that *Building Fire Safety* and *other building inspections* relating to life safety, dangerous structures and complaints may (according to risk) take priority over audit inspections required by regulation.

The policy presumes that in regard to Section 71, buildings selected for building fire safety inspections will primarily involve accommodation type buildings and those containing large numbers of people (e.g. shopping centres, post-disaster buildings, aged care, assembly buildings and the like).

The policy recognises that in regard to Section 71A, development selected for building audit inspections will primarily involve buildings involving roof framing (as defined in the legislation) at the percentage required by Regulation 80AB. These selections will prioritise residential (or public) buildings with wide span trusses and/or located in "High" bushfire prone areas.

The policy recognises that inspection of roof framing should be given high priority; however Regulation 80AB does not mandate that all of the minimum prescribed inspection levels occur only at the roof framing stage. Therefore inspections of buildings (involving roof framing) at other stages during the construction process are to be taken into account when calculating the prescribed inspection percentages.

This policy recognises that Council's ability to achieve the prescribed inspection percentages will be dependent on a satisfactory level of notifications during building work from builders and/or building owners. Consequently staff will actively pursue notifications for inspections; however coercion or enforcement may be required to ensure compliance (by all parties – including Council) with the notification, inspection and auditing requirements of the Development Act.

The policy recognises that in regard to Section 71AA development selected for building audit inspections will primarily involve prescribed safety requirements around new limited access swimming pools at a percentage as specified in the Development (Swimming Pool Safety) Variation Regulations 2013.

This policy recognises that in regard to the safety of its officers, the requirements of the Workplace Health and Safety legislation may take precedent over the requirements of the Development Act.

2. Definitions:

2.1 Authorised Officer

Persons holding relevant Building Surveying qualifications and appointed by the council with delegated authority (including powers to enter and inspect) as set out in the Development Act 1993

2.2 Building Classifications (As defined in the Building Code of Australia)

Class 1a	Detached, Semi-detached and row dwellings
Class 1b	Boarding Houses, Guest Houses and Hostels
Class 2	Flats or buildings containing 2 or more sole occupancy units
Class 3	Other residential buildings (e.g. residential part of a Hotel)
Class 4	A single dwelling in a building which is that is Class 5,6,7,8, or 9
Class 5	Office buildings
Class 6	Shops
Class 7a	Car Parks
Class 7b	Storage or Warehouse building (includes haysheds)
Class 8	Factory, Workshop or Laboratory
Class 9a	Health-care building
Class 9b	Assembly buildings (e.g. Halls, Churches)
Class 9c	Aged Care Facility
Class 10a	Non-Habitable outbuilding (e.g. Sheds, Carports, Verandas)
Class 10b	Structures including Fences, Masts, Retaining Walls, Limited Access Swimming Pools
Class 10c	A Private Bushfire Shelter

2.3 Notifications during building work (mandatory notification stages)

Means that at prescribed stages during the building work process the building owner, or licensed building work contractor who is carrying out the work (or who is in charge of carrying out the work), must notify the Council that the prescribed stage has been reached (or is about to be reached). The method of notification must be in accordance with Regulation 74 (3). Refer 2.4 *Business Days Notice*.

2.4 Business Days Notice (for mandatory notification stages)

Means that the building owner, or licensed building work contractor who is carrying out the work (or who is in charge of carrying out the work), must provide **one business days notice** to the Council at the mandatory notification stage(s) in accordance with the Development Act 1993, Section 59 and Regulation 74. A 'business day' is deemed to be Monday to Friday excluding Public Holidays.

In regard to notification at the *roof framing* stage the notification must be accompanied by a completed *supervisors checklist* and the work not concealed for **two business days**.

2.5 Roof Framing

Means timber roof framing or light steel framing, including couples and non coupled roof framing and roof trusses, but not including portal framing in accordance with Regulation 74.

2.6 Supervisor's Checklist

Means a checklist published by the Minister in the gazette for the purposes of Regulation 74.

2.7 Building Audit Inspections

In regard to *roof framing* means an inspection to establish the veracity of the *supervisors checklist* (more detailed inspection of the roof framing may be warranted where there appears to be discrepancies)

In regard to other stages of construction means an inspection to establish compliance of the structure with the approved plans (or Building Code of Australia or industry standard where approved plans are deficient).

In regard to limited access swimming pools means an inspection to determine compliance with the approved plans and completion of the prescribed safety requirements.

2.8 Building Fire Safety Inspections

Means an inspection undertaken by an *authorised officer* (as appointed by the Council under Section 71 of the Development Act) to assist the Building Fire Safety Committee to carry out its functions as required, or to carry out initial assessment on receipt of a complaint or report (with later referral to the Building Fire Safety Committee).

2.9 Other building inspections

Includes any other inspection as required (not being a *building audit inspection* or *building fire safety inspection*) for the purposes of administering the legislative requirements of this policy or the Development Act and Regulations and includes:

- Council Buildings
- Dangerous Structures
- Complaints and Customer Service Inspections

2.10 Transportable Buildings

System built buildings constructed off site. Audit inspections of transportable buildings are not required by this policy as they are excluded by the Development [Trusses] Variation Regulations 2011.

2.11 Limited Access Pools

Means private swimming pools (and spas) as defined in the Building Code of Australia (Vol 2, Part 1.1).

2.12 Private Bushfire Shelter

Means a private bushfire shelter as defined in the Building Code of Australia (Vol 2, Part 1.1).

2.13 Dams and similar structures

These structures are considered to be of a specialist nature (and outside the qualifications of Council's Building Control Staff) and are therefore not assessed or inspected.

3. Policy Statement:

To clarify the legislation and for the purposes of this policy the following table specifies;

- The **building classification**, and
- The **mandatory notification stages**, and
- The **business days notice** required to be given to council by the owner and/or building work contractor, and
- The required **building audit inspection level** required.

Building Class	Notification During Building work at the following stages	Business days notice required	Required building audit inspection level %	Comments and criteria
1a 1b	<ul style="list-style-type: none"> • Commencement of site work • Completion of footing preparation prior to pour*. • Completion of wall and <i>roof framing</i>. • Completion of wet area (prior to tiling). • Completion of building work for the purposes of Schedule 19A (S83AB) Statement of Compliance 	1 1 1**** 1 1	66% 90%	66% of these building classifications if the building work involves <i>roof framing</i> where a licensed builder work contractor is responsible for the building work. 90% of these building classifications if the building work involves <i>roof framing</i> where a licensed building work contractor is NOT responsible for the building work
2 3 4 5 6 7a 7b 8 9a 9b 9c	<ul style="list-style-type: none"> • Commencement of site work. • Completion of footing preparation prior to pour*. • Completion of wall and <i>roof framing</i>. • Completion of fire walls, fire rated separation or smoke barriers etc included in the ESP's. • Completion of building work for the purposes of Schedule 19A (S83AB) Statement of Compliance and the S67 (R83) Certificate of Occupancy 	1 1 1**** 1 1	As above	As above
10a**	<ul style="list-style-type: none"> • Completion of <i>roof framing</i> where connected to the roof of a building of another classification. 	1****	As above	As above
10b***	<ul style="list-style-type: none"> • Commencement of site work • Completion of safety barriers prior to filling with water 	1 1*****	N/A 80% 100%	N/A Inspections within 2 weeks Inspections within 2 months
10c	<ul style="list-style-type: none"> • Completion of work 	1	20%	N/A

Notes

* to avoid duplication – an inspection certificate from the designing engineer confirming compliance with their footing design will be (requested and) accepted in lieu of footing inspections by Council.

** applies to (10a) attached verandas/carports only

*** applies to (10b) pools and spas only.

**** one days notification required but *roof framing* work cannot be concealed for two days.
Transportable buildings are excluded from this policy.

***** the inspection process will be restricted to field testing to ensure compliance with Aust Standard 1926-2012 as referenced in the National construction Code. Design & construction of the swimming pool safety barriers will be inspected visually to ensure compliance with the Standards in dimensions and

layout. Strength & rigidity testing of the barrier will be carried out by the Authorised Officer, using their body weight or similar to determine any weakness of the structure, but will exclude the use of specialised testing equipment on site.

4. Resolution of minor and major discrepancies

- 4.1 Where an inspection identifies a minor discrepancy (e.g. bracing not adequately fixed at one location) it should be possible to resolve the issue by normal communication without holding up the job.
- 4.2 In some instances it may be necessary to issue a written direction (e.g. Section 84) to stop and rectify significant or serious discrepancies. The builder (building work supervisor or owner) is then responsible to inform the *authorised officer* once the problem is fixed. A follow up inspection may then be necessary as determined by the *authorised officer*.
- 4.3 Where the *roof framing* is significantly at variance with the approved documents and/or *supervisors checklist*, the discrepancy must be approved by the relevant authority that issued the building rules consent. If the building rules consent was issued by a private certifier, a copy of the amended, approved truss documentation must be forwarded to the Council. The builder must then rectify any discrepancies (if applicable), re-notify the Council and send in a new, completed (Regulation 74) checklist.
- 4.4 In the event of a dispute between an authorised officer and a builder (building work supervisor or owner), each has recourse to the Environment, Resources and Development Court. Alternatively Council's *authorised officer* may make alternative arrangements for dispute resolution including:
- Referring the matter to the (building rules) assessor to ascertain what was understood when issuing the consent;
 - Consulting with Council's contract Building Surveyor;
 - Consulting an independent technical expert.

RESPONSIBILITIES:

The Community & Development Services Manager is accountable for ensuring the proper operation of this policy.

LEGISLATION:

Development Act 1993

Development Regulations 2008

Development (Trusses) Variation Regulations 2011

REFERENCES:

Building Code of Australia

Guide to Safer Roof Framing – March 2012 – Department of Planning, Transport and Infrastructure

REVIEW:

This Policy shall be reviewed at least every 24 months or more frequently if legislation or Council needs changes to the content.

Document History;

Version	Adopted	Description of Change
1.0	Jun 2001 - Min 432	New Document
2.0	Oct 2002 - Min 140	Increase \$ value from 5,000 to 10,000 & remove class 10.
3.0	Mar 2010 - Min 211	Change values to reflect HIA & CIT levels.
4.0	Dec 2011 - Min 126	Clarify legal requirements of building inspection process.
5.0	Jun 2012 - Min 270	Major re-wording & re-formatting to meeting legislative changes.
6.0	Mar 2014 - Min 213	Major changes for new swimming pool inspection regime.
	November 2014	Policy Numbering System Changed and inclusion of this Document History Table.
7.0	Mar 2016 - Min 203	Policy Objective heading added