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|  | <h1>District Council of Cleve</h1> | <b>Version No:</b>  | 5         |
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Policy Name: **BUILDING INSPECTION POLICY**

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## 1. INTRODUCTION

Section 71A of the Development Act 1993 (“the Act”) requires that the District Council of Cleve (“the Council”) prepare and adopt an inspection policy for all building work undertaken within the Council area.

The Act requires Council to specify the level of audit inspections of building work to be undertaken on an annual basis for all classes of buildings. The inspection policy should also take into account the need to undertake inspections for other purposes such as authorised building work, dangerous structures or compliance with conditions of consent.

In accordance with Regulation 83AB of the Development Regulations 2008 (“the Regulations”), the policy must include;

1. target levels of inspections of development approvals by each classification with a recommended level for residential (Class 1 & 2) buildings of at least 20%, and
2. minimum level of inspection of building work which involves the construction of roof framing for all classes of buildings except Class 10 buildings.

“Roof framing” is defined in Regulation 74 to mean “timber roof framing or light steel framing, including coupled and non-coupled roof framing and roof trusses, but not including portal framing”.

## 2. NOTIFICATIONS

Pursuant to Section 59 of the Development Act and Regulation 74 of the Regulations, licensed building work contractors undertaking building work or, where there is no such contractor, the owner of the building, must provide the Council with the following notifications in respect of all classes of buildings (unless otherwise indicated):

- a. One business day's notice of the commencement of building work on site (Regulation 74(1)(a))
- b. One business day's notice of the completion of all roof framing forming part of the building work (including top and bottom chord restraints, bracing and tie-downs) (Regulation 74(1)(ca)) except where:
  - i. the building is a Class 10 building and not connected to the roof framing of another building; or
  - ii. the building is a transportable building as defined in Regulation 74;

- c. One business day's notice of the completion of the building work (Regulation 74(1)(d)); and
- d. Where notice is given pursuant to "b" above, the person who gave that notice must, within one business day after that notice is given, provide a completed supervisor's checklist to the Council relating to the roof framing, signed by a registered building work supervisor (Regulation 74(5)).

Council will require the following additional notifications pursuant to Regulation 74(1)(b) and 74(1)(c) of the Regulations for building work for all classes of buildings other than Class 10 buildings:

- a. One days notice of the commencement of pouring of footings
- b. One days notice of the completion of masonry walls
- c. One days notice of the completion of wall framing
- d. One days notice prior to the completion of fire or smoke separation measures
- e. One days notice of the completion of installation of safety barriers prior to a swimming pool being filled with water.

According to Regulation 74(8) of the Regulations, it is a **criminal offence** to fail to provide the above notifications to the Council within the required timeframe. This offence is punishable by a maximum fine of \$10,000 or an expiation fee of \$500.

According to Regulation 74(3) of the Regulations, each of the above notifications may be made by:

- Leaving a written notice with a duly authorised officer of the Council; or
- Posting it, faxing it or e-mailing it to the Council; or
- Telephone to the Council.

Further, pursuant to Regulation 74A of the Regulations, a person who is engaged to manufacture a roof truss must, before commencing the work, provide to:

- the Council; and
- the licensed building work contractor responsible for the relevant building work; or
- (where a licensed building work contractor is not responsible for the relevant building work) the person who is otherwise responsible for the building work,

the information which is required by the Minister's Checklist as specified in clause 1(1)(g) of Schedule 5 to the Regulations.

It is a **criminal offence**, punishable by a maximum fine of \$5,000 or an expiation fee of \$500 to fail to provide the Minister's Checklist in accordance with the above requirements.

These notifications must be sent to the Council by post, facsimile or e-mail.

### **3. BUILDING INSPECTIONS**

Pursuant to Section 71A(4a) of the Act and Regulation 83AB, the Council must, with respect to any building work involving the construction of any roof framing (except for Class 10 buildings which are not attached to a building or a different class) conduct the following levels of inspections:

- a. a number equivalent to 66% of all Building Rules consents issued over the course of a year in the Council's area where a licensed building work contractor is responsible for the relevant building work; and
- b. a number equivalent to 90% of all Building Rules consents issued over the course of a year in the Council's area where a licensed building work contractor is not responsible for the relevant building work

*Council, because of its geographical location and the limited amount of relevant development applications received each year that come within the parameters of this policy, will strive to inspect building work in accordance with the above requirements within two clear business days of receiving a completion of roof framing notice in accordance with Clause 2b of this Policy and Regulation 74 of the Regulations. It should be noted that the builder is required by law to give the required notice. The Council is only required to ensure the building work of the project has received some relevant inspections during the period of construction.*

Additionally, the Council will inspect all development approvals as per schedule 'A' to this policy.

In respect of building work which does not involve roof framing, the Council will carry out development inspections at one of the following stages and if the level of supervision by the builder appears satisfactory, follow up inspections are at the discretion of the contracted Development Services Officer:

- Prior to the pouring of footings;
- At completion of masonry walls;
- On completion of wall and roof framing ;
- On completion of building work;
- On completion of fire and smoke separation;
- On completion of safety barriers prior to a swimming pool being filled with water.

In addition to the above, Council will carry out random inspections for compliance with planning consent (including conditions), unauthorized development, hazardous and dangerous structures and compliance with building fire safety requirements.

### **4. CONCEALMENT OF ROOF FRAMING**

Completed roof framing must not be concealed, wholly or partially, until at least 2 clear business days after the Council has received a notification in accordance with clause 2b of this Policy (see Regulation 74(1)(ca) of the Regulations).

A "clear business day" means one **entire** business day. For instance, if the Council received a roof framing completion notice on a Monday, the roof framing cannot be concealed until the following Thursday.

Any person who conceals any completed roof framing within the above timeframe is liable to be prosecuted for a **criminal offence** pursuant to Regulation 74(8) of the Regulations, which is punishable by a maximum fine of \$10,000 or an expiation fee of \$500.

## 5. PUBLIC AVAILABILITY OF POLICY

The public may inspect a copy of this policy, without charge, at the offices of the Council during normal office hours, and may obtain a copy for a fee fixed by the Council, if any. Further enquiries in relation to the policy should be directed to the Chief Executive Officer, telephone 8628 2004.

## 6. REVIEW OF POLICY

The Council may review this policy from time to time, however it is anticipated that a review of the policy will be under taken in June of every second year. Council has the right to review this policy at any time, if considered desirable.

### BUILDING INSPECTION POLICY - SCHEDULE A

| <u>Category of Approved Work</u> | <u>Inspection %</u> | <u>Reason</u>               |
|----------------------------------|---------------------|-----------------------------|
| Commercial – small extension     | 50                  | Minor work with little risk |
| Commercial - extension           | 100                 | Occupant safety             |
| Commercial – new building        | 100                 | Occupant safety             |
| Dwelling - additions             | 50                  | Compliance with plans       |
| Dwelling - alterations           | 100                 | Compliance with plans       |
| Fire upgrade                     | 100                 | Occupant safety             |
| Sheds                            | 25                  | Compliance                  |
| Shop fronts                      | 50                  | Public risk                 |
| Signs                            | 10                  | Compliance with plans       |
| Swimming pools                   | 100                 | Child safety                |
| Verandahs/Carports               | 25                  | Compliance with plans       |