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29th
November 2019

State Planning Commission

DPTI.PlanningEngagement@sa.gov.au

Dear Sir / Madam

Re: Submission on the Draft Practice Direction for Council Inspection Policies

Thank you for the opportunity to make a submission on the Draft Practice Direction for Council Inspection Policies.

Council considered the practice direction at its meeting held on the 25th November 2019 and resolved that the State Planning Commission be advised that the draft Practice Direction is generally supported subject to the following considerations:

- The inspection of 66% of domestic dwellings is supported, noting that there is likely to be a future increase given the Commission proposes this draft of the Practice Direction is a transitional step to signal the beginning of reform in building compliance. Consideration should be given to increasing the percentage of inspections in a phased program to enable councils and industry to adapt to the change.
- Inspections for large and medium commercial buildings should be undertaken by Level 1 and Level 2 Accredited Professionals, respectively. This could be challenging given the current qualifications, skills, knowledge and experience available to carry out the inspection in the local government sector. This is likely to increase the requirement for more experienced staff to spend more time undertaking inspections of more complex buildings. It is recommended that a phased increase of inspections over time be adopted to enable councils and industry to adapt to the change.
- The background paper suggests that councils may engage the private certifier who approved the development to then inspect the development. This difficulty with this scenario is that the certifier will effectively have two clients on a development at the same time. This is considered a potential conflict for the certifier given the nature of each engagement under the statutory framework.

- The option for private certifiers independent of the relevant authority for the building to undertake inspections of complex commercial buildings should be considered within the new regime, and the number of inspections should be commensurate with the complexity of the building. The cost for this should be borne directly by the builder as they typically will have engaged on such buildings project teams with expertise in various disciplines. Councils may be nominated to undertake this type of inspection where they have the appropriately qualified professionals. This will be more efficient than assigning councils a largely administrative role in this process to undertake a potentially ineffective one-off inspection. The development application fees should account for this separate function so not to unreasonably increase the development costs to applicants.
- The suggestion to require 100% of pool inspections within two weeks of completion is generally supported.
- Salisbury Council's current inspection policy includes inspecting existing pools within the Council area where the property owner has voluntarily requested that Council undertakes the inspection. This policy is not explicitly included into the draft Practice Direction and it is recommended that the Commission consider a similar policy requirement in the Practice Direction to improve pool safety generally for communities.
- Fees and charges need to be included that cover the costs of inspections. A user pays principle is appropriate for this regime, noting also the above comments in relation to development application fees being adjusted so as to not unreasonably increase the overall development costs to applicants, and it is recommended that the Commission provides advice to the Minister as part of this Practice Direction.
- The use of the SA Planning Portal to provide a single place for all building notifications is a positive initiative and is welcomed. The Commission should consider the use of a phone app from which notifications can be sent directly from constructions sites, to provide an easy and consistent method of notification for contractors across the state. Furthermore, the portal should be expanded to encompass the full inspection business process as a high priority.

Council looks forward to the Commissions consideration of these matters, and should you have any queries, please contact Council's Manager Development Services, Mr Chris Zafiroopoulos on [REDACTED]

Yours faithfully



John Harry

Chief Executive Officer

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