

Policy Name	Building and Swimming Pool Notification
Policy Number	CD36
Responsible Section	Development Services - Building
Responsible Department	Community Development
Date Last Adopted	9 April 2024
Date of Next Review	April 2027
Applicable Legislation	Planning, Development and Infrastructure Act 2016 Planning, Development and Infrastructure (General) Regulations 2017 Planning, Development and Infrastructure (Swimming Pool Safety) Regulations 2019
Related Governance Documents	Nil
City Plan Theme	Placemaking – A City where people love to be

1. PURPOSE/OBJECTIVE

This policy specifies the mandatory building and swimming pool notifications for the City of Port Adelaide Enfield. It enables inspections to be carried out so as to:

- (a) provide for occupant and public safety; and
- (b) maintain confidence and integrity in the development control system.

The policy supports a safe, healthy and prosperous community.

2. STATUTORY FRAMEWORK

Section 144 of the Planning, Development and Infrastructure Act 2016 requires the State Planning Commission to issue a practice direction requiring council to carry out inspections of development within its respective area.

Under section 42 of the Act for the purposes of Section 144 and 156(5) Practice Direction 9 “Council Inspections 2020” and Practice Direction 8 “Swimming Pool Inspections 2019” are issued.

Council must comply with the requirements of these practice directions as they relate to the council.

Section 93 of the Planning, Development and Infrastructure (General) Regulations 2017 prescribe for the purposes of Section 146(1) of the Act the periods and stages of notifications during building work. Section 93 (1) (b) and (c) enable Council to specify its notification requirements for the commencement or completion of any stage of building work.

This policy specifies the required building and swimming pool notifications mandated under the Act in addition to those set by Council.

This policy does not apply to the appropriate authority constituted under Section 157 (16) known as the City of Port Adelaide Enfield Building Fire Safety Committee, nor does it apply to an inspection under Section 157 (1) of the Planning, Development and Infrastructure Act 2016.

3. SCOPE

This policy applies to Development Approvals issued within the City Port of Adelaide Enfield area.

Council must comply with the requirements of a practice direction as they relate to the council. In issuing of the practice directions, the Commission has taken into account the following matters:

- (a) the financial and other resources of Councils;
- (b) the impact that a failure to inspect a certain number of developments over a period of time may have on local communities;
- (c) the various sizes of the areas of councils and differences in population;
- (d) the amount of development undertaken in the various areas of the State;
- (e) the type of development that predominates in the various areas of the State;
- (f) in relation to building work, building conditions in the various areas of the State;
- (g) the public interest in ensuring that development is undertaken in accordance with the requirements of this Act.

4. MANDATORY NOTIFICATIONS

Pursuant to Section 146 of the Planning, Development and Infrastructure Act 2016 and Regulation 93(1) of the Planning, Development and Infrastructure (General) Regulations 2017, a licensed building work contractor who is proposing to undertake the work or who is in charge of carrying out the work, or if there is no such licensed building work contractor, the building owner must give the Council, one business day's notice for:

For Class 1 Buildings

- (a) Commencement of building work on the site;
- (b) Completion of structural steel reinforcement for footings;
- (c) Completion of framing – wall, floor and roof prior to insulation and linings;
- (d) Completion of party wall prior to concealment;
- (e) Completion of waterproofing to wet areas;
- (f) Any stage specified by a relevant authority when giving a building consent in respect of the building work under regulation 57(7);
- (g) Completion of the building work.



For Class 2 to 9 Buildings

- (a) Commencement of building work on the site;
- (b) Completion of structural steel reinforcement for footings;
- (c) Completion of framing – wall, floor and roof prior to insulation and linings;
- (d) Completion of internal fire wall prior to concealment;
- (e) Completion of waterproofing to wet areas;
- (f) Any stage specified by a relevant authority when giving a building consent in respect of the building work under regulation 57(7);
- (g) Commencement of the installation of the designated building product;
- (h) Completion of the building work.

For Class 10 Buildings

- (a) Commencement of building work on the site;
- (b) Completion of the building work.

For any Swimming Pool or Spa

- (a) Commencement of building work on the site;
- (b) Commencement of filling the swimming/spa pool with water;
- (c) Completion of a permanent swimming/spa pool safety barrier or fence;
- (d) Completion of the building work.

In relation to some other form of building work where the swimming pool safety features are relevant:

- (a) The completion of construction of a swimming pool safety feature.

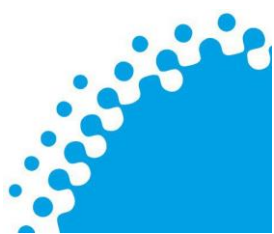
5. NOTIFICATION PROCEDURE

Building and swimming pool notifications shall be prescribed and processed in accordance with the procedures developed by Development Services. Procedures will enable a consistent approach when undertaking regular tasks associated with building and swimming pool notifications.

6. LIABILITY

The Council mandates building and swimming pool notifications in accordance with the objectives of this policy and for public good.

Section 233 of the Planning, Development and Infrastructure Act 2016 provides that no act or omission in good faith in relation to a particular development by a council or an authorised officer after the development has been approved subjects that person or body to any liability.



7. DEFINITIONS

The terminology used in this policy is consistent with the definitions in Section (3) of the Planning, Development and Infrastructure Act 2016 and those defined in the National Construction Code.

Classes of Buildings

Class 1a	New dwellings, dwelling additions/alterations, transportable dwellings, rumpus rooms
Class 1b	Boarding houses, guest houses, hostels
Class 2	Flats or buildings containing 2 or more units, residential apartments
Class 3	Accommodation for aged care, residence part of hotel, lodging houses
Class 4	Residence in a class 5, 6, 7, 8 and 9
Class 5	Offices, professional rooms - dentist, physiotherapy, medical rooms
Class 6	Shops includes café, restaurant, pharmacy, post office and gymnasium
Class 7a	Car park
Class 7b	Storage, or display of goods or produce for sale by wholesale
Class 8	Factories, workshops or laboratories
Class 9a	Health care building, nursing homes, hospitals, day care surgery part of medical rooms
Class 9b	Assembly hall including community centre, club rooms function centre, school
Class 9c	Aged care and independent living buildings
Class 10a	Non-habitable out buildings (e.g. sheds, carports, garages, verandahs, pergolas, shade structures, etc.)
Class 10b	Fences, masts, retaining walls, swimming pools, solar panels, etc.

