



Buildings Services

Building Control Plan/Charter

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1 INTRODUCTION

The purpose of the Building Control Plan/Charter is to ensure that Council maintains a safe built environment within the municipality and meets its statutory obligations in the context of its statutory function to administer and enforce parts 3, 4, 5, 7 and 8 of the Building Act 1993 (the Act) and the Building Regulations 2006 (the Regulations), under Section 212 of the Act within appropriate resourcing.

This plan sets out inspection routines, service levels and response times for the statutory functions and responsibilities of the Building Services Unit relating to public safety.

2 BACKGROUND & DRIVERS

Over the past number of years there have been numerous incidents involving fatalities or injuries have occurred in Victoria due to the inadequate condition of the built environment.

In the State of Victoria the Act and the Regulations legislate building construction and safety standards for the built environment.

Council's building regulatory responsibility and the fundamental objective of the Building Services Unit is to oversee the proper observance of building construction and safety maintenance standards to safeguard the health, safety and amenity of occupiers and users of buildings within the Municipality, through the administration of the provisions of the Act and the Regulations. The Municipal Building Surveyor, by appointment, has delegated power to administer and enforce such provisions.

It is incumbent upon Council to determine the level of administration and enforcement of its community and public safety responsibilities. In determining the amount of resources to commit to satisfy their statutory responsibilities Council has to assume a level of risk that needs to be minimised by the implementation of an appropriate strategy.

To this effect, Council must ensure that its statutory functions are carried out in accordance with an appropriate plan, keeping in mind that in the event of any illness, injury or death occurring in or around an existing building as a result of a failure to act, Council may be drawn into legal proceedings which may find it liable if appropriate administrative and enforcement provisions had not been implemented.

A well-known legal case -*Shire of Pyrenees v Day*- highlights the need for a Council, once made aware of a breach of the Act or Regulations, to ensure that adequate measures are taken to exercise their statutory duty and enforcement measures under the Act.

Council's statutory responsibilities are ongoing. Appropriate policies, procedures and programs are put into action on a risk management basis with respect to the profile that a particular area may receive or seasonal considerations (ie: swimming pools in summer).

The implementation of statutory programs is seen to be indicative of Councils commitment to community and public safety. In an organisational context, the proposed statutory program forms the basis of Councils risk management strategy with respect to building control.

This policy document has been developed in the context of Councils current resource level for building control which implies that the individual policies set out in the document are to be supplemented by a robust ongoing educational campaign to be delivered to the relevant community sectors to seek awareness and cooperation.

This document is designed to establish a methodology which determines the manner in which Council intends to carry out its statutory functions under the Act and the Regulations in relation to four principal community/public safety responsibilities, to demonstrate, in general terms, that minimum building standards are being maintained within the municipal district.

3. COUNCIL PROFILE

The City of Darebin covers an area of 53 square kilometres with an estimated population of over 143,000, Darebin is home to one of the largest, most diverse communities anywhere in the State with over 33% of Darebin's residents were born in countries other than Australia.

The City of Darebin stretches from Melbourne's inner northern suburbs of Northcote and Fairfield out to the traditional middle ring suburbs of Reservoir and Bundoora. Darebin encompasses the suburbs of Alphington, Bundoora, Fairfield, Kingsbury, Northcote, Preston, Reservoir, Macleod and Thornbury

Darebin has close to 60,000 properties, including more than:

55,000 residences

4,500 commercial/industrial properties.

4. STRATEGIC PARTNERSHIPS

The Building Services Unit, on behalf of Council, aims at establishing key strategic partnerships with some organizations that can contribute to providing an efficient, informed, effective and strategically focused approach to statutory issues. Some of these bodies include:

- Metropolitan Fire and Emergency Services Board
- Neighbouring Councils in the Northern Metropolitan region
- Victorian Municipal Building Surveyors Group
- Department of Sustainability and Environment
- Victorian Building Authority
- Municipal Association Victoria

It is considered that this strategic approach, combined with an efficient public education platform and an optimised program of Essential Safety Measure inspections would best position the Building Services Unit to respond to issues of a statutory nature to minimise risk and maximise its use of its resources.

5. CURRENT RESOURCING

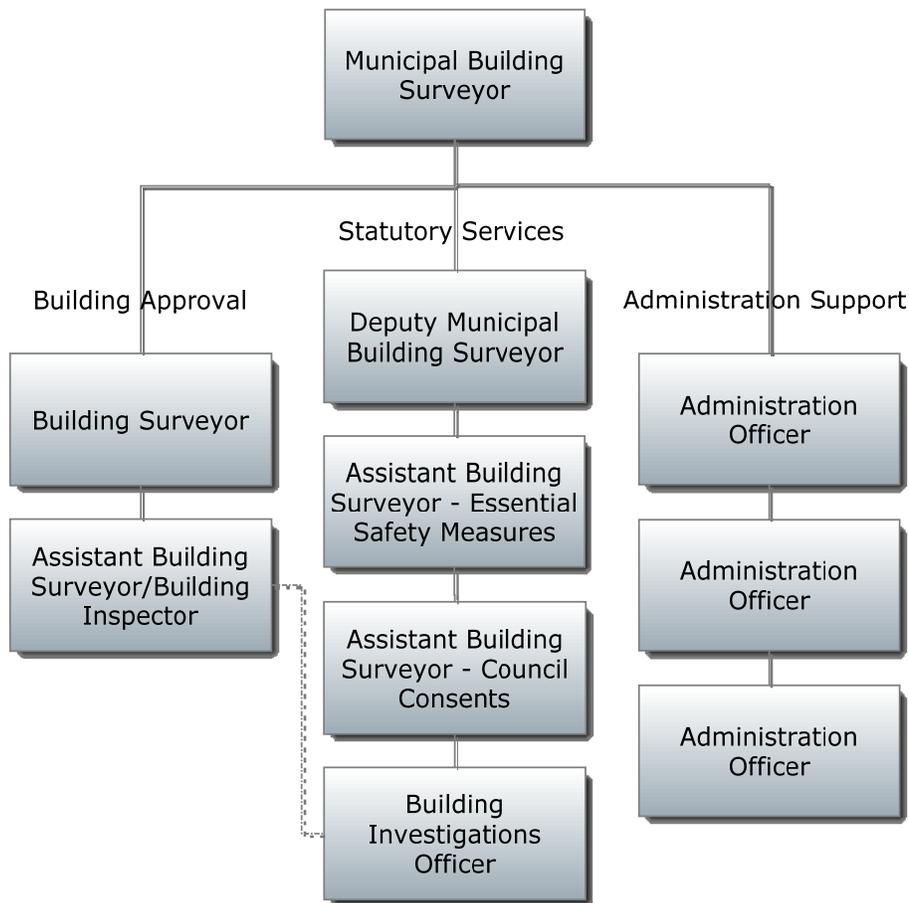


Diagram 1

6. SUNSET CLAUSE

Each policy is to be reviewed at least every three years and/or when there are changes to the Act or the Regulations.

7. DELEGATION / AUTHORITY

The Manager, Building Services/Municipal Building Surveyor will be responsible for the implementation and management of this Policy and the relevant procedures.

The Manager, Building Services/Municipal Building Surveyor has delegated authority in relation to the interpretation and implementation of the Building Act 1993 and Building Regulations 2006 in relation to the compliance of swimming pool and spa safety barriers enforcement.

8. APPENDICES

REFER ALL RELATED POLICIES AND PROCEDURES