



Minutes of Meeting

Meeting No. 6

Date	6 March 2019 at 1.30 pm
Venue	Dr Alice Rigney Room, Level 5, 50 Flinders Street
Members	Gavin Leydon, Chair Debbie Frisby, Deputy Chair Peter Harmer Nageswary (Nages) Karuppiah Jeffrey Shillabeer Dini Soulio
In Attendance	Jodie Evans, Chris Powell, Anita Allen, Patrick O'Mallon, Jessie Surace (all Department of Planning, Transport and Infrastructure – DPTI)
Apologies	Joanne Payne
Presenters	Chris Powell (Item 4.1, 4.2, 4.3) Peter Harmer (Item 4.1.1, 5.3) Mary Andruchowycz (Item 4.2) Jodie Evans (Item 5.1) Pat O'Mallon (Item 5.2)

1. GENERAL BUSINESS

1.1 Welcome and Apologies

The Chair opened the meeting at 1:31pm.

The Chair noted Joanne Payne as an apology.

1.2 Confirmation of Minutes from previous meeting and Action items

The Committee endorsed the minutes of 30 January 2019.

1.3 Declaration of any conflicts of interests / gifts & benefits

Nil.

2. CONCURRENCE

Nil.

3. STRATEGIC MATTERS

Nil.

4. OPERATIONAL MATTERS

4.1 Development Assessment Regulations

The Committee noted the update provided on the status of the Development Assessment Regulations, necessary to support the implementation of the PDI Act and that the Regulations are due to come into effect on 1 July 2019.

The Committee considered the development of a submission by the Committee as part of the consultation on these regulations but thought it best to focus on specific advice to the Commission given that the consultation period had closed and some broader strategic concerns.

4.1.1. Draft Regulations – Accredited Building Professionals

The Committee resolved to advise the SA Planning Commission of the following:

- An objective of the Commission Building Committee is to advise on the adequacy and application of the building rules and regulation in South Australia.
- The draft *Planning, Development and Infrastructure (General) (Development Assessment) Variation Regulations 2019* propose to markedly reduce the qualifications and experience required for an Accredited Professional – Building to act as the relevant authority (building) in the private sector, and that this proposal has the potential to:
 - Be contrary to the outcomes of interstate reviews into building safety and associated building control issues, including associated private certification matters.
 - Be contrary to the recommendations of the Shergold Weir – Building Confidence Report.
 - Have the potential to negatively impact on the standard of the built environment and the safety and welfare of persons who live in it and use it, and may result in a reduction in the community's confidence in the building regulatory system.
- The Committee recommends that the current regulation's qualifications and experience criteria for accredited professionals – building acting as the relevant authority in the private sector should remain and be reflected in the PDI general regulations until:
 - Interstate reviews into building safety and associated building control issues, including associated private certification matters, are completed and the outcomes reviewed.
 - The Shergold Weir – Building Confidence Report recommendations are reviewed and proposals for implementation are formulated.
 - A building reform program is undertaken and completed.

4.2 Ministerial Building Standards

The Committee noted the update provided on the status of the five draft Ministerial Building Standards (Standard) required to support the phase one rollout of the PDI Act.

The Committee provided comment to the Department on the content of the Building Standards, to be considered prior to the Standards being released for public consultation, and:

- agreed that SA001, SA002 and SA005 should go out for comment, and recommended that:
- SA003, section 3.6.2c be reviewed.
- SA004 undergo further work prior to release for public consultation.

The Department took on notice whether bushfire related Standard (SA004) is required for phase one. [Note this Standard will be now be released for phase two].

4.3 Inspection Policies Update

The Committee noted the update provided on the Inspection Policies Project, noting receipt of the final draft report on 28 February 2019.

The Committee expressed concern regarding the suggestion that its feedback would be provided on a draft practice direction as early as May 2019 in the absence of first properly considering and providing feedback to the Department on the recommendations in the Botten Levinson Report.

The Committee viewed this to be an essential first step prior to the Department preparing a draft practice direction for its consideration. It was also noted that the practice direction is in respect of a future council inspection policy which will not become operational until 2020.

To enable Committee members time to meaningfully consider the report, the Committee resolved to hold a separate meeting specifically on the Inspection Policies Report within which they will provide feedback to the Department on the report.

ACTION

1. DPTI to arrange a meeting with Building Committee and the Department within the next three weeks for the purpose of considering the Report's findings and recommendations, and to invite interested members of the State Planning Commission to attend.

5. ANY OTHER BUSINESS

5.1 National Building Reform and Compliance

The Committee noted the update on the Building Minister's Forum held on 8 February 2019, the subsequent meetings of the Senior Officers Group and future workload for the Australian Building Codes Board (ABCB).

The Committee noted the circulated agenda for the ABCB meeting scheduled for 7 March 2019 and was briefed on the content and outcomes of a summit on cladding held in Sydney from 27 to 1 March 2019.

The Committee noted the Building Confidence Report Implementation Plan and highlighted the need for this to be dealt with at a strategic level as per item 5.3.

Debbie Frisby left the meeting at the conclusion of this item.

5.2 Accredited Professionals Update

The Committee noted the report on the progress of the implementation of the new accreditation system under the *Planning, Development and Infrastructure Act 2016* and provided comments including its concerns regarding the inappropriate lowering of qualifications and experience for accredited building professionals.

Dini Soulio left the meeting at the conclusion of this item.

5.3 Strategic Direction

The Committee resolved to advise the State Planning Commission of the following:

- The Commission approved Building Committee Work Program requires responsibility for the oversight of the implementation of the recommendations of the Shergold Weir – Building Confidence Report, and broad oversight and advisory role of DPTI building reform program.
- The draft *Planning, Development and Infrastructure (General) (Development Assessment) Variation Regulations 2019* do not address many of the recommendations of the Building Confidence Report and the DPTI Building Reform Working Group recommendations.

- Legislative, time and resource implications do not enable meaningful building reform work (including addressing the Building Confidence Report recommendations) to be undertaken prior to the implementation of the regulations.
- Recommend to the State Planning Commission that the Building Committee oversight the development of a proposal in association with DPTI and the Building Reform Working Group to facilitate a building reform program (including the recommendations of the Shergold Weir - Building Confidence Report) and that the proposal and an associated work program be presented to the Commission for endorsement as soon as reasonably practical.

6. MEETING FINALISATION

6.1 Next Meeting/Schedule

The next meeting will be held within 3 weeks to be confirmed by DPTI.

6.2 Meeting Close

The Chair thanked all in attendance and closed the meeting at 3:42pm.