	<h2 style="margin: 0;">Planning, Building and Wastewater Management Enforcement Policy</h2>	Version No:	2.3
		Issued:	19 May 2020 (Resolution 10.5.1)
		Review	October 2022
		Next Review	August 2026

Name of Council	Wudinna District Council
File reference	9.63
Responsibility:	Governance
Policy Level	Discretionary
Minutes reference:	10.4.6 - 18 October 2022
Next review date:	Council will endeavour to review this policy every 4 years or upon legislative review requiring policy review
Applicable Legislation:	Local Government Act 1999, South Australian Public Health Act 2011, Planning, Development and Infrastructure Act 2016
Related Policies:	Enforcement Policy

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1. POLICY OBJECTIVE

Council is committed to ensuring appropriate standards of public health, planning and building standards and safety through the effective administration of the Planning, Development and Infrastructure Act 2016 and the SA Public Health Act 2011 with its respective provisions.

2. POLICY STATEMENT

To this end:

- Council officers will assist community members, builders and tradesmen with procedural and other advice and assistance as far as is possible within the law and without creating any liability for Council.
- Council expects the specific requirements of the above legislation relating to planning, building and the installation or alteration of wastewater management systems to be complied with by applicants, property owners, builders and tradesmen. This applies particularly to:
 - Timely and, as far as is possible, complete applications;
 - Required notifications;
 - Compliance with application approval conditions; and
 - Compliance by builders and sub-contractors with their statutory obligations to clients. Notwithstanding particular legislative provision enabling authorised officers to take specific action, e.g. stopping building works where necessary, the following enforcement procedures will apply to breaches/contraventions identified:

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- A written warning may be issued with a request, if necessary, for the contravention(s) to be remedied within an appropriate period of time. Should a request for remediation not be complied with within the period set, an order and/or expiation notice pursuant to the appropriate legislation to be issued, after consultation with the CEO.
- Where a person has previously received a warning for a similar contravention then an expiation notice may be issued, without necessarily prior warning, after consultation with the CEO unless applicable legislation prescribes a standard procedure/process to follow. An authorised officer may exercise discretion within their delegated authority in consultation with the CEO.
- Where a contravention is of a major nature posing a risk to health or safety, or where expiation is not available, and/or where the prospects of prosecution are considered, a report may be submitted to Council for consideration of prosecution and/or referral to the relevant authority, agency or licensing/registration body.

3. AVAILABILITY OF POLICY

This Policy will be available for inspection at Council's principal office during ordinary business hours and on the Council's website www.wudinna.sa.gov.au Copies will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council's Schedule of Fees and Charges.