	Planning, Building and Wastewater Management Enforcement Policy	Version No:	2.4
		Issued:	19 May 2020 (Resolution 10.5.1)
		Review	September 2026
		Next Review	September 2030

Name of Council:	Wudinna District Council
File Reference:	9.63
Responsibility:	Governance
Policy Level	Discretionary
Minutes Reference:	11.4.1 – 20 October 2026
Next Review Date:	Council will endeavour to review this policy every 4 years or earlier where legislative changes, operational requirements or other circumstances indicate that a review is necessary
Applicable Legislation:	Local Government Act 1999 South Australian Public Health Act 2011 Planning, Development and Infrastructure Act 2016 Planning Development and Infrastructure (General) Regulations 2017 South Australian Public Health (Wastewater) Regulations 2013
Related Policies:	Enforcement Policy Wudinna Community Water Schemes Policy Water Industry Act 2012 Customer Charter – Sewerage Services

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1. POLICY OBJECTIVE

Council is committed to ensuring appropriate 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 their respective provisions.

2. POLICY STATEMENT

Council expects applicants, property owners, developers, builders, contractors and other relevant persons to comply with all applicable legislative requirements, approvals, conditions and statutory obligations relating to planning, development, building and wastewater management.

To this end:

- Council officers will assist community members, builders and tradespeople with procedural and other advice and assistance as far as is possible within the law and without creating any liability for Council.
- Council requires applicants, property owners, developers, builders, contractors and other relevant persons to comply with all applicable legislative, regulatory and statutory requirements, including

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relevant approvals and conditions, in relation to planning, development, building and wastewater management. This applies particularly to:

- Lodgement of timely and, as far as 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:
    - 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 set period, an order and/or expiation notice, pursuant to the appropriate legislation shall be issued after consultation with the Chief Executive Officer.
    - 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 Chief Executive Officer unless applicable legislation prescribes a standard procedure/process to follow. An authorised officer may exercise discretion within their delegated authority in consultation with the Chief Executive Officer.
    - 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 is available to be downloaded, free of charge, from Council's website at www.wudinna.sa.gov.au. This Policy is also available for inspection at Council's principal office during ordinary business hours. Printed copies may be provided to interested members of the community upon request, and may be subject to a fee in accordance with Council's Schedule of Fees and Charges.