

South Australia

Development (Building Cladding) Variation Regulations 2018

under the *Development Act 1993*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Development (Building Cladding) Variation Regulations 2018*.

2—Commencement

These regulations will come into operation on 12 March 2018.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Development Regulations 2008*

4—Variation of regulation 3—Interpretation

Regulation 3(6)—before the definition of *diplomatic mission development* insert:

designated building means a building, or class of building, designated by the Minister in a notice under Schedule 5, clause 1(1)(h);

designated building product means a building product, or kind of building product, designated by the Minister in a notice under Schedule 5, clause 1(1)(h);

5—Variation of regulation 74—Notifications during building work

- (1) Regulation 74(1)—after paragraph (cb) insert:
 - (cc) without limiting a preceding paragraph—in relation to building work involving the use of a designated building product on a designated building, 1 business day's notice of the intended commencement of the installation of the designated building product;
- (2) Regulation 74—after subregulation (7) insert:
 - (7a) If a notice is given under subregulation (1)(cc), the person who gives the notice must, within 1 business day after the notice is given, provide to the council a duly completed prescribed supervisor's checklist relating to the installation of the designated building product, signed by a registered building work supervisor (within the meaning of the *Building Work Contractors Act 1995*).
- (3) Regulation 74(8)—delete "or (6)" and substitute:

, (6) or (7a)
- (4) Regulation 74(9)—before the definition of *roof framing* insert:

prescribed supervisor's checklist means a checklist published by the Minister by notice in the Gazette for the purposes of subregulation (7a);

6—Variation of regulation 83—Certificates of occupancy

Regulation 83(3)—after "may" insert:

, other than in relation to a designated building on which building work involving the use of a designated building product is carried out after the commencement of the *Development (Building Cladding) Variation Regulations 2018*,

7—Variation of Schedule 5—Application to relevant authority

Schedule 5, clause 1(1)—after paragraph (g) insert:

- ; and
- (h) if the building work—
 - (i) relates to a building, or class of building, designated by the Minister by notice published in the Gazette; and
 - (ii) involves the use of a building product, or kind of building product, designated by the Minister in the notice in circumstances specified in that notice,
- the details relating to the building product required by the Minister in that same notice.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 13 February 2018

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