

Building and Construction Industry Review:

Registration of Building Inspectors
Discussion Paper

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Executive Summary

The Registration of Building Inspectors Discussion Paper forms part of the State Government's wider Building Construction Industry Review (BCI Review) and is subsequent to the public consultation conducted between 23 October 2024 - 31 January 2025. Further information on the BCI Review can be found at <https://yoursay.sa.gov.au/building-industry-review>.

This paper has been prepared in response to submissions received in relation to questions posed under Part 3.1 of the BCI Review Discussion Paper, which are relevant to building inspections and ensuring that the state's building legislation and regulations remain fit for purpose.

The final section of the paper proposes a model for the registration or licensing of specific building inspectors, with direct comparison to similar reforms observed in Queensland.

Discussion Questions

Q1: Is the inspection of class 1 and some class 10 buildings, where they form part of a residential property, a suitable scope of work to be undertaken by a residential building inspector? Should this be extended to include, for example class 2 buildings?

Q2: Should there be any additional inclusions to the scope of work? e.g., to refer to the relevant Australian Standards?

Q3: Should the ability to conduct building inspections be incorporated into existing suitable licences and registrations?

Q4: Should additional alternate pathways exist to meet the registration criteria?

Q5: Would it be appropriate for employees to perform the role of a residential building inspector under a company licence?

Q7: Are the proposed minimum requirements for residential building inspectors suitable?

Q8: Should any of the proposed minimum requirements be removed or altered?

Q9: What specified building roles would be suitable for the experience requirement?

Q10: Should registered inspectors be subject to continuing professional development requirements?

Q11: Are there any other elements relevant to the scope of this paper that CBS should consider?

Reading and responding to this paper

This paper provides context and a summary of findings from submissions to questions posed under Part 3.1 of the BCI Review Discussion Paper, followed by a proposed model for registration of building inspectors. Relevant questions regarding the model are then posed for consideration and advice.

The model and the questions posed in this paper are a guide only. You do not need to respond to every question. You can make comment about any related topic where no question is provided. Where possible, submissions should provide reasoning for the position that is suggested and examples or evidence that supports this position. If responding to a particular question, please include the question or section reference.

Feedback can be provided via email to: CBSReforms@sa.gov.au

Or via YourSAy at: <https://yoursay.sa.gov.au/building-inspector-registration>

Submissions are due by **Friday, 12 December 2025**

Your submission or its contents may be made publicly available. Submissions may be subject to Freedom of Information and other laws. If you would like your submission to remain confidential, please clearly state this in the submission and provide your reasoning.

Terminology and References

Term	Definition
Accredited Professionals	Planning and building professionals who assess development applications, must maintain minimum standards of professional practice and produce evidence that they are sufficiently qualified to make key decisions at certain levels. Accredited professionals are registered under the Accredited Professionals Scheme, which is overseen by the Department for Housing and Urban Development.
Accredited Professionals Scheme	Established under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019. Under the scheme, planning and building professionals who assess development applications must maintain minimum standards of professional practice and produce evidence that they are sufficiently qualified to make key decisions at certain levels.
BCI Review	Building and Construction Industry Review
BWC Act	<i>Building Work Contractors Act 1995 (SA)</i>
CBS	Consumer and Business Services
Commissioner	The legislative role of the Commissioner for Consumer Affairs, also referred to as the Commissioner for Consumer and Business Services.
CPD	Continuing Professional Development
Mandatory inspection	Mandatory inspections of building work must be undertaken in accordance with the <i>Planning, Development and Infrastructure Act 2016 (SA)</i> .
NCC	National Construction Code
PDI Act	<i>Planning, Development and Infrastructure Act 2016 (SA)</i>
PlanSA	South Australia's online planning and development system, accessible via: plan.sa.gov.au
Practice Direction 9	Requirements for the mandatory inspection of developments by councils in their respective areas, prescribed via the <i>State Planning Commission Practice Direction (Council Inspections) 2020</i>
Private certifier/s	Accredited persons generally employed by the trader to assess and oversee certain aspects of a building development, including but not limited to ensuring compliance with legislation, issuing building rules consents and approving building plans. The equivalent role in South Australia is covered through the Accredited Professionals Scheme.
QBCC	Queensland Building and Construction Commission
QBCC Regulation	Queensland Building and Construction Commission Regulation 2018 (QLD)

Introduction

Current arrangements

Building inspections occur throughout South Australia (SA) and Australia for various reasons, both mandatorily as part of the planning and development process through the *Planning, Development and Infrastructure Act 2016 (SA)* (PDI Act), and through private arrangements, most commonly prior to purchasing a property. In SA, these inspections are regulated by separate governmental bodies.

Mandatory inspections are governed by the PDI Act and its regulations. Only officers authorised by councils (including private certifiers) are permitted to conduct this type of inspection, and councils must ensure persons with the appropriate qualifications, skills, knowledge and experience carry out an inspection for each of the mandatory inspection items.¹ The *State Planning Commission Practice Direction (Council Inspections) 2020* (Practice Direction 9) sets out the specific inspection requirements for building work within council areas with which each council must comply. Building certifiers and persons conducting inspections for the council process are governed and registered through the 'Accredited Professionals Scheme' under the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019 (SA)*, and are required to undertake Continuing Professional Development (CPD) to maintain accreditation.

Persons conducting pre-purchase or generic inspections are classed as building consultants within the *Building Work Contractors Act 1995 (SA)* (BWC Act), governed by the Commissioner for Consumer Affairs (Commissioner). This type of work currently does not require any form of registration, experience, qualifications or insurance. Persons conducting this work may still be subject to disciplinary action under the BWC Act if they act unlawfully, improperly, negligently, or unfairly in the course of their business, or if they breach an assurance under the *Fair Trading Act 1987 (SA)*.

Building upon the feedback received from the BCI Review Discussion Paper, the State Government is exploring opportunities to improve the regulation of building inspectors undertaking residential pre-purchase inspections and those that identify defects in residential developments prior to build completion and following handover.

¹ Practice Direction 9

Interstate arrangements

Building inspection reports enable consumers to identify and raise issues prior to a property purchase. Consumers can also request building inspections for other purposes, such as when renovating or as part of a building dispute. Whilst it is recommended that persons engage a qualified and independent surveyor, architect or other person for an inspection, there is no requirement for a person to be qualified when conducting building inspections in SA.

At this time, Queensland (QLD) is the only jurisdiction in Australia requiring licensing of persons conducting pre-purchase inspections. In all other states, no registration is required.

In QLD, both 'Building Certifiers' and 'Residential Building Inspectors' are licensed and regulated through the *Queensland Building and Construction Commission Act 1991 (QLD)* and the *Queensland Building and Construction Commission Regulations 2018 (QLD)* (QBCC Regulation). Both council and private certifiers are permitted to conduct mandatory inspections as part of development under the *Building Act 1995 (QLD)* and the *Building Regulations 2021 (QLD)*. All four pieces of legislation are governed by the Queensland Building and Construction Commission (QBCC), which has specifically been established to deal with the state's building matters.

'Completed Residential Building Inspectors' in QLD are only licensed to conduct an inspection and prepare a report in accordance with Australian Standard 4349.1-2007 '*Inspection of buildings-Pre purchase inspections-Residential buildings*.' They are required to possess five years of experience as a:

- Builder - low rise, medium rise or open licence; or
- Building surveyor, assistant building surveyor or building surveyor technician

alongside possessing relevant technical qualifications and specified financial requirements. In contrast with building certifiers, this class of licence does not include any CPD obligations.

Previous Stakeholder Feedback

Questions 18-20 posed under Part 3.1 of the BCI Review Discussion Paper predominantly explored the current effectiveness of mandatory council inspections and will not be addressed in this paper. Questions 21-23 related to residential building inspectors, particularly regarding pre-purchase inspections.

Q21: What evidence is there to indicate specific failures by residential building inspectors in SA?

Eleven responses were received from public and private stakeholders, who provided a range of anecdotal examples detailing observed failures. There was a general consensus that there was an insufficient level of experience or knowledge amongst inspectors in relation to both pre-purchase and the identification of defects. An excerpt from a relevant submission is provided below:

Fenwick Elliott Grace & Association of Building Consultants: *“[in relation to a consumer experience regarding an insufficient pre-purchase report]... This was a defect that was obvious to any experienced inspector. The defect indicated the previous owners of the home had carried out substantial renovation work without the requisite training or knowledge. An effective inspection report would have made the purchasers aware of this detail before they signed the contract.”*

Insufficient knowledge reflected in inspection reports presents a significant risk to consumers and may leave them uninformed about the true condition of their property. Further, those that commission a pre-purchase inspection may be unable to use the report to exercise their right to terminate a contract of sale with a vendor if any major structural defects are not adequately detected.

CBS expects that the registration of inspectors would increase public awareness of an appropriate regulatory body to raise complaints with and would likely result in an increase in complaints received.

Q22: Should the Government increase regulation of building inspectors? If so, how? And what would be the costs and benefits for consumers, building inspectors and other tradespeople in the construction industry?

Of the 21 responses received, the majority supported greater regulation, predominantly through residential building inspector registration or licensing. Whilst stakeholders acknowledged that regulation may increase costs to consumers and traders, it was thought that these burdens would be outweighed by the assurance and confidence in industry that it would provide:

Office of the Technical Regulator: *“If the Inspector was licensed, qualified and insured, this would provide a greater level of comfort for consumers should they need to pursue a builder or vendor via a prosecution process.”*

Support from stakeholders reflected the wider public opinion, with 46 out of 47 public responses (46/47) to the YourSAY survey supporting the licensing or registration of residential inspectors.

An individual building inspector is unlikely to be knowledgeable on every detail of a property. Some stakeholders proposed the inclusion of tiered or conditional licensing, limiting the scope of what a building inspector could report on, subject to any additional qualifications.

Some stakeholders further proposed CPD requirements for inspectors in addition to initial registration, including specific compliance and accountability training.

It is noted that QLD, the sole jurisdiction currently registering pre-purchase residential building inspectors, does not require CPD. The scope of CPD obligations remains a significant consideration within the wider BCI Review, future work in relation to CPD requirements for building practitioners is likely to inform whether these obligations should extend to residential building inspectors.

Q23: Who should be included in a registration scheme for building inspectors?

Of the 14 responses received, stakeholders such as the Housing Industry Association (HIA) noted that building inspectors could be considered as part broader licensing for building consultants under the BWC Act, including persons who carry on the business of giving advice or furnishing reports in respect of domestic building work, and that licensing would involve persons *“carrying out residential building inspections; preparing inspection, pre-completion, defect, or similar reports; and providing advice on remedial and rectification work, and costs.”*

Several industry stakeholders submitted that registration should extend beyond pre-purchase to include defect inspections, such as those arranged during the development process by a consumer as part of a dispute, rather than mandatorily conducted by councils:

Housing Industry Association: *“It would be appropriate to require registration of parties providing the following services, where they are engaged by the homeowner:*

- *carrying out residential building inspections;*
- *preparing inspection, pre-completion, defect, or similar reports; and*
- *providing advice on remedial and rectification work, and costs.”*

It is noted that QLD’s registration of inspectors does not cover these aspects.

Some industry stakeholders, such as the Australian Institute of Architects, proposed that certain specialists should be eligible for registration as an inspector, including surveyors, engineers and architects. It is noted that a building surveyor would generally possess higher qualifications than any registered pre-purchase inspector and holds existing obligations under the Accredited Professionals Scheme. Further comments as to the appropriate qualifications for registered building inspectors include:

Master Builders Association of South Australia: *“The minimum level of knowledge [that should be] required for a building inspector in a domestic building space is similar to that of a Class 1 & 10 building contractor and registered*

supervisor limited to three storeys with at least five years of practical site experience (or if tasked to inspect higher or more complex buildings, experience and knowledge commensurate with this)."

To improve consumer awareness, the National Fire Industry Association Australia submitted that "a comprehensive scheme should include all individuals or businesses that conduct pre-purchase building inspections of residential properties in SA. This list should be publicly available." As part of registration, CBS could include inspectors on the publicly available Occupational Licensing Register.² This would ensure that consumers are able to make an informed decision and provide them with assurance that the businesses they are engaging are suitably qualified.

² The Occupational Licensing Register can be accessed via: cbs.sa.gov.au/find-a-licence-holder

Proposed Model

A proposed model for building inspection reform in South Australia would support the registration of private residential building inspectors under the BWC Act. Two options are being considered for the model:

Option 1 – Individuals with certain approved building roles could have their existing licence expanded to include residential building inspections.

Option 2 – A new type of registration could be embedded in the BWC Act that specifically addresses residential building inspectors.

The questions posed in the remainder of this paper will help the State Government to determine the preferred regulatory approach, ensuring that it meets the needs of the SA building industry and consumers.

Scope of Work

At a minimum, the scope of work to be undertaken by a registered building inspector should include pre-purchase inspections of existing buildings, as well as pre-completion and post-completion inspections of residential buildings.

It is acknowledged that the most likely scenario for a consumer to engage an inspector would relate to inspections for:

- Class 1 Buildings (Houses, typically standalone single dwellings of a domestic or residential nature) and Class 2 Buildings
- Some Class 10 Buildings, where they form part of a residential property (non-habitable buildings or structures, including sheds, carports, garages and fences)

Building inspections of other classes under the National Construction Code (NCC) may not be appropriate to fall within the scope of registration or could require expertise equivalent to that of a higher qualified professional. It is noted that the majority of other classes are not residential buildings. However, class 2 buildings are buildings containing 2 or more sole-occupancy units each being a separate dwelling, and class 3 buildings include buildings other than class 1 or 2 buildings, which is a common place of long term or transient living of unrelated persons.

In addition, some non-standard aspects of buildings would not be appropriate to consider as part of the minimum inspection requirements. For example, swimming pools may require specialist expertise. The process and expectations of an inspection report could be outlined through regulation or by reference to existing documents, such as Australian Standard 4349.1 in the case of pre-purchase inspections.

Q1: Is the inspection of class 1 and some class 10 buildings, where they form part of a residential property, a suitable scope of work to be undertaken by a residential building inspector? Should this be extended to include, for example class 2 buildings?

Q2: Should there be any additional inclusions to the scope of work? e.g., to refer to the relevant Australian Standards

Suitable Qualifications and Requirements

Manner of registration

As previously mentioned, one option for the registration model could be to incorporate the scope of work for a registered building inspector into existing licences for certain approved building roles.

For example, persons holding a suitable licence or registration as a builder, or those with certain accredited professionals' qualifications, could be recognised as being permitted to conduct residential building inspections under their licence or through legislation. Persons lacking at least one of the approved building roles would not be permitted to conduct building inspections. Approved building roles would be at the discretion of the Commissioner, based on industry advice, and would not require an additional type of registration to be embedded in the BWC Act.

Alternatively, residential building inspectors could be separately licensed under the BWC Act and be required to demonstrate certain qualifications in an application for licensing.

Q3: Should the ability to conduct building inspections be incorporated into existing suitable licences and registrations?

Q4: Should additional alternate pathways exist to meet the registration criteria?

This paper has been written on the assumption that individual registration should be required for persons conducting building inspections. CBS considers it appropriate to have individuals registered under the model, rather than allowing a company to maintain a parent licence that extends to its employees, to ensure that individuals performing inspections are suitably experienced.

Q5: Would it be appropriate for employees to perform the role of a residential building inspector under a company licence?

Role title

Some stakeholders have suggested that, to avoid public confusion with accredited professionals conducting work as part of council developments, a different term from inspector should be used.

Q6: Is 'Registered Residential Building Inspector' a suitable title for this role?

Minimum requirements

It is proposed that at a minimum, a residential building inspector would be required to possess similar requirements to persons licensed under the BWC Act, and those found in the QBCC Regulation, that being:

- Five years of experience in certain specified building roles
- Proof of formal technical qualifications
- Financial solvency requirements
- Relevant insurance
- A National Police Clearance, in line with other registrations managed by CBS

It should be noted that the introduction of minimum requirements to perform this role would need to allow for transitional provisions to enable existing residential inspectors sufficient time to obtain the relevant prerequisites. Given the range of skills present, it may be appropriate for certain accredited professionals conducting building surveying and building certification to be permitted to also conduct inspections or be simultaneously eligible for recognition as a registered inspector.

Q7: Are the proposed minimum requirements for residential building inspectors suitable?

Q8: Should any of the proposed minimum requirements be removed or altered?

Q9: What specified building roles would be suitable for the experience requirement?

Ongoing requirements

CBS notes the submissions of some stakeholders supporting CPD requirements for residential building inspectors. The introduction of CPD obligations for building work contractors is currently being considered as part of the wider BCI Review. This component of the model may need to be assessed at a later date to insure cohesion with a broader CPD scheme.

Q10: Should registered inspectors be subject to continuing professional development requirements?

Any other elements

Q11: Are there any other elements relevant to the scope of this paper that CBS should consider?