



1 JULY 2019 is a significant date in the history of plumbing and drainage in Queensland.

1 JULY 2019 was the commencement date for the » Plumbing and Drainage Act 2018

» Plumbing and Drainage Regulation 2019

» Queensland Plumbing and Wastewater Code (Revised)

As literary works, none of the above will win any prizes, nor will they be made into blockbuster movies.

However significant changes have been made when revising plumbing legislation to better achieve the main purpose of the Act; "to regulate the carrying out of plumbing and drainage work in a way that reduces risks to – (a) public health and safety; and (b) the environment."

This edition of The Plumb Drum is the first of a 4 part series informing readers operating their business in Livingstone Shire Council area of changes in plumbing legislation including the associated standards and codes which may impact:

- when and how you provide information to Livingstone Shire Council and relevant Queensland government bodies ;
- when and how you carry out plumbing and drainage work in Livingstone Shire.

A synopsis of the changes has been provided on the Department of Housing and Public Works website (link below). <https://www.hpw.qld.gov.au/construction/BuildingPlumbing/Plumbing/Pages/PlumbingLegislationChanges.aspx>

From the outset, it is highly recommended that you obtain a copy of each of the new documents for your own reference.

PDF versions are easily accessed and/or downloadable from the Housing and Public Works website at <https://www.hpw.qld.gov.au/construction/BuildingPlumbing/Plumbing/Pages/PlumbingLawsCodes.aspx>

WHAT HAS NOT CHANGED?

Work which required a licence (and endorsement as applicable) under *Plumbing and Drainage Act 2002* to carry out, continues to require a licence (and endorsement as applicable) under the *Plumbing and Drainage Act 2018*.

- » Work that required a compliance permit prior to commencing work under the *Plumbing and Drainage Act 2002* (compliance assessable work) continues to require a permit prior to commencing work under the *Plumbing and Drainage Act 2018* (now known as **permit work**).
- » Former "notifiable work" remains **notifiable work**
- » Former minor work remains **minor work**
- » Former unregulated work remains **unregulated work**
- » The Inspection regime for work under a permit has not changed

FORMS

New approved forms have been developed and are available from:

<https://www.hpw.qld.gov.au/aboutus/ReportsPublications/FormsTemplates/Pages/ApprovedPlumbersDrainersForms.aspx>

Only these new forms must be used for all applications, reporting and/or notification as required for all activities addressed in the

OVERVIEW OF CHANGES

(See Part 5 of *Plumbing and Drainage Regulation 2019*)

Compliance assessable work is now "Permit work". A permit application may be lodged for permit work, notifiable work or a combination of permit work and notifiable work.

A permit application is required to be submitted Livingstone Shire Council for one of two possible categories of *Permit work*.

Fast-track permit work for work on only 1 new class 1 and/or 1 only new class 10a building where:

- water and sanitary drainage for both buildings is connected separately and

directly to Livingstone Shire Council's retail water system and sewerage system

Other conditions may apply.

Work which is **NOT fast track permit work:**

- work for building classes 2 to 9
- work involving installing a fixture relating to trade waste;
- work involving building, installing or altering
 - * a greywater use facility; or
 - * an on-site sewage facility
- work where a performance solution is proposed to to comply with (i) QPW code or (ii) Plumbing Code of Australia; or
- work where an alternative solution is proposed to comply with the Queensland Development Code.

Schedule 6 of the *Plumbing and Drainage Regulation 2019* specifies the documentation required to accompany a **fast-track application** and the additional documentation for that which is **NOT** a fast-track application.

A **fast-track amendment application** is lodged with Livingstone Shire Council to amend a **fast-track permit** when changes to the work occur after the **fast-track permit** is issued.

The responsible person must request an inspection of permit work:

Inspections of Permit Work

ALERT!

'Form 7 - Notification of responsible person' must be lodged with Council prior to first inspection request., if not lodged with permit application.

'New Form 1 - Permit work application for plumbing, drainage and on-site sewerage work' does not include responsible personal details.

- before any part of work to be covered is covered
- no later than 5 business days of:
 - installing greywater facility irrigation
 - all pipes for on-site sewage facility connected
 - reaching stage conditioned on a permit

- iv. plumbing or drainage resulting from work is operational

c) within the period stated in an action notice

INSPECTION CERTIFICATES

Three certificates (in the approved form) are defined for issue by Council pursuant to sections 80 and 81 of the *Plumbing and Drainage Regulation 2019*

- » **inspection certificate** (in the approved form as Form 18A) - issued when requested in writing for inspected permit work, certifying that:
 - (i) of which a particular part has been carried out; and
 - (ii) is compliant.
- » **inspection certificate** (in the approved form as Form 18B)
 - (i) a particular part has been carried out; and
 - (ii) is compliant; and
 - (iii) the plumbing and drainage is operational and fit for use.
- » **final inspection certificate** (in the approved form as Form 19) issued to certify that:
 - (i) all of the work authorised under a permit has carried out; and
 - (ii) the work is compliant; and
 - (iii) plumbing and drainage, resulting or affected by the work, is operational and fit for use.

A **final inspection certificate** is issued to the permit holder and the owner of the land (if not the permit holder) in relation to work carried out under a permit whether or not an inspection certificate has already been given for part of the work.

TIME FRAMES

Time frames involving applications have changed, generally:

- A fast track application is decided within 2 business days
- Another application is decided within 10 business days
- Where an information request is issued by Council, the application will lapse if information is not provided within 6 months of issue
- A permit is valid for 2 (two) years from date of issue
- At least 3 months prior to end of 2 year period Livingstone Shire Council is required to give notice that the permit is to end - amendment application to extend for up to (2) two years may be made
- An inspector must give an **action notice** to the responsible person within 2 business

days of completing inspection for non-compliant work or work substantially inconsistent with permit or approved plan

- The responsible person must comply with the **action notice** within a minimum of 2 business days (the **stated period**) after the notice is given (unless otherwise agreed to by inspector)
- If the **action notice** is not complied with, a copy of the action notice must be provided to the owner of the premises within 5 business days of end of the **stated period** by Livingstone Shire Council.

NEW OFFENCE ABOUT USE RESTRICTION (\$69 OF PDA 2018)

Using plumbing or drainage before inspection certificate or final inspection certificate issued for permit work

(1) A person must not use plumbing or drainage that is the result of permit work, unless an inspection certificate or final inspection certificate has been issued for the permit work stating—

- (a) the work the subject of the certificate is compliant; and
- (b) the plumbing or drainage resulting from work the subject of the certificate is operational and fit for use.

MAXIMUM PENALTY - 250 PENALTY UNITS

Example – (*Reproduced from the Plumbing and Drainage Act 2018*)

A permit is given to a plumber for permit work for a new house. After inspecting the permit work for the ensuite, an inspector gives the plumber an inspection certificate for the work stating the plumbing work and drainage work for the ensuite is compliant and the toilet, shower and basin are operational and fit for use. A person does not contravene this section if the person uses the toilet, shower or basin in the ensuite after the inspection certificate is given.

When the remainder of the permit work for the house is completed and after inspecting the work, an inspector gives the plumber a final inspection certificate for the work stating all the plumbing work and drainage work for the house is compliant and all the plumbing and drainage is operational and fit for use. A person does not contravene this section if the person uses a toilet, shower, basin, sink or any other plumbing or drainage that is the result of the permit work after the final inspection certificate is given.

NOTIFIABLE WORK

- Emergency work (formerly work category 1) has been deleted
- The remaining 15 categories have been condensed into 12 categories which cover the same types of plumbing and drainage work which qualified as notifiable work previously
- See Schedule 1 of Plumbing and Drainage Regulation 2019 for current list of 12 categories

Remember:

- » All categories of work carried out in the one project must be notified (Form 4) to Queensland Building and Construction Commission.
- » Within 10 business days of the work being **finished** (becoming operational or related invoice issued whichever occurs first), the Form 4 must be submitted; and
- » Within 20 business days of the work being **finished**, a copy of the Form 4 plus an **explanatory statement** document to an occupier of the premises or any other person who asked you to carry out the work.
- » **explanatory statement** accompanying a copy of the Form 4 means a document that states:
 - a) The notice was given to the QBCC commissioner; and
 - b) How a person may inspect the form 4; and
 - c) Livingstone Shire Council may contact an occupier to arrange to inspect the work

You may need to print your own explanatory statement until such time as a copy is available on a State government website.

- » After inspecting notifiable work, an inspector may issue an **action notice** (formerly *rectification notice*) to the responsible person where work or an aspect of the work does not comply requiring compliance within a **stated period** of not less than 2 business days after notice issue, unless the person has a reasonable excuse.

NEXT EDITION

PART 2 -

Determining Permit Work or Notifiable Work, and The Queensland Plumbing and Wastewater Code 2019



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(including after-hours for emergencies)



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