

11.4 NEW PLUMBING LAWS - FAST TRACK APPLICATION PROCESS EXEMPTION

Author Director Engineering & Commercial Infrastructure

Purpose

To make a request for Council to opt out of the Fast-Track Plumbing Application process being introduced under the new Plumbing and Drainage Regulations 2019 which come into effect on 1 July 2019.

Related Parties

Nil

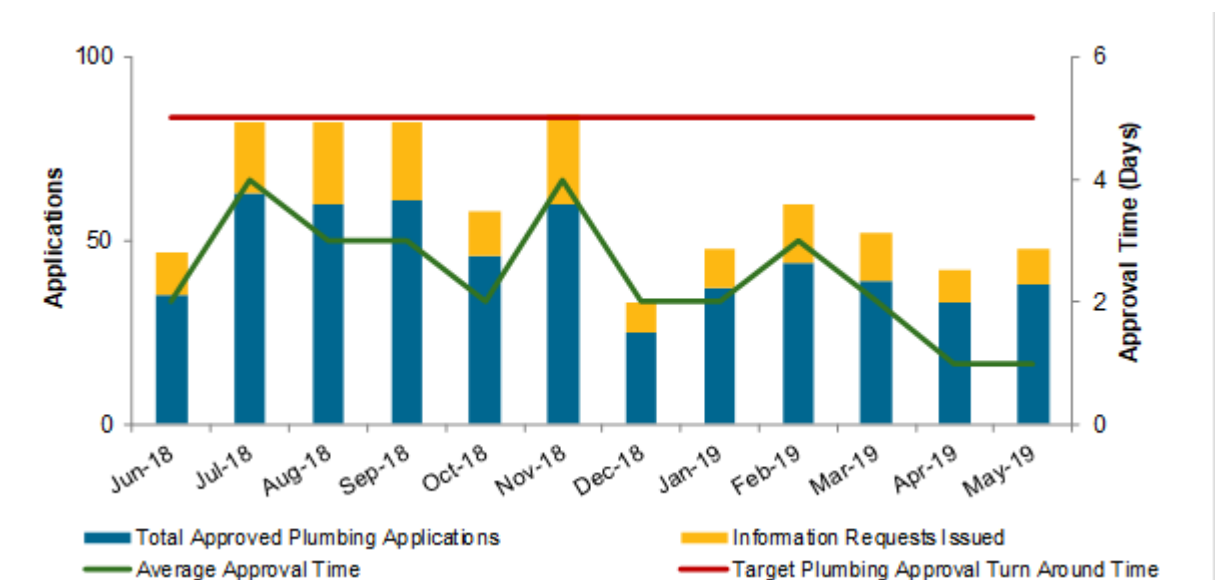
Background/Discussion

The State Government passed the new Plumbing & Drainage Act 2018 on 11 September 2018 which commenced from 1 July 2019. The resulting Plumbing & Drainage Regulation (PDR) 2019 was approved on 4 April 2019 and takes effect from 1 July 2019.

Current Legislation for the assessment of a Plumbing Application allows for 20 business days to issue a Plumbing and Drainage Permit. The proposed changes to the Plumbing Laws in accordance with the Plumbing & Drainage Regulation 2019, which come into effect from 1 July 2019, has seen this timeframe reduced with 2 options now being available which are a Fast-Track Application Option of 2 business days for new Class 1a or new Class 10a buildings and a Standard Application of 10 business days for all other types of buildings, including multi-unit residential and commercial buildings (Class 2 - 9 buildings) and for those applications excluded from the fast-track process.

The proposed changes saw a backlash from regional council's citing resources and problems at the first inspection stage especially for the fast-track option. This prompted the introduction of the "opt out" opportunity which provides Local Governments, particularly regional councils, with flexibility to choose the approval model that best suits their available resources. Local Governments may, later and 'by resolution', choose to opt back in to the fast-track model if they so wish.

Council's Plumbing Inspection Section currently has an internal target of 5 business days to issue a permit for a properly made application. The graph below shows the performance over the last 12 months where the average approval time frame sits at around 3 business days, however, it needs to be noted and recognised that this has been largely through a period of a much slower economy.



Consultation and Communication

Discussion has occurred with Shared Services and Plumbing Inspectors around the proposed changes and the resulting impacts on resources.

Consultation has occurred with Isaac Regional Council who have also decided to opt out of the Fast-Track Application Option.

Consultation with industry occurred at the Master Plumbers Forum on 16 May 2019 and the Department of Housing & Works held an Industry session on 27 May 2019 where the proposed changes were discussed.

Resource Implications

Shared Services staff would require further training to ensure Fast Track Applications meet the Legislative requirements and to subsequently issue a Permit and this would more than likely require additional resources to ensure the 2 business days is complied with. The Plumbing Inspection Program would also bear additional pressure especially if the amount of applications increased and in periods where staff are on leave.

Risk Management Implications

The shorter time of 2 business days in the Fast Track Application Process would place additional risk around insufficient Permit conditions being provided to enable the plumber to complete the work to standard and the risk of incorrect As Constructed infrastructure data which the plumber and drainer relies on to set out the house drainage.

This would see the Plumbing Inspector assessing the application whilst carrying out the first inspection which is generally the under-slab drainage inspection. This is a crucial inspection and very time sensitive considering the builder will have concrete and concrete pumps ordered and, on some occasions, will be on site and ready to pour the concrete. For the Plumbing Inspector to fail the job at this stage for an issue that would have been identified and resolved

during the normal assessment stage has the potential for significant costs to be incurred by the builder and or plumber. This also places undue stress on the Plumbing Inspector.

Currently the application is assessed and if the application does not meet the standards or the information as supplied is insufficient, then a request for further information (RFI) is issued. The timeframe then ceases until the information requested has been received.

For the period 1 May 2018 to 30 April 2019, 238 applications were received for new dwellings (Class 1a), of these, 54 required further information to be supplied. Under the new PDR 2019 requirements these applications could have been 'Fast Tracked' and this would have resulted in the inspectors failing the initial inspections 22% of the time.

The Fast Track Application Process also possesses some reputational risk if Council cannot meet the timeframes as adopted on a regular basis especially if the number of applications were to return to the previous numbers seen in the economic boom.

Conclusion

For the period 1 May 2018 to 30 April 2019, a total of 530 plumbing applications were approved for all classes of buildings at an average of 2.7 business days for the associated Permit to be issued.

We have not received any complaints from the industry regarding these current turnaround times (Council at fault) for plumbing applications for several years.

On this basis, it is recommended that Council seek to opt out of the Fast Track Application Process and adhere to the revised Legislative timeframe of 10 business days whilst still maintaining its internal service level target of 5 business days.

Officer's Recommendation

THAT Council resolve to opt out of the 'Fast Track Permit Application System' in accordance with Section 40(1) of the Plumbing & Drainage Regulations 2019 and stay with the new legislated timeframe of 10 business days with Council's internal service level target of 5 business days remaining in place.

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Mann

Seconded Cr Walker

CARRIED