

LATE ITEM 7.2 Plumbing and Drainage Register of Delegations Council to Chief Executive Officer

Executive Officer: Chief Executive Officer

Item Author: Manager Community and Culture

File Reference: 13/06/001

Attachments

1. Register of Delegations Council to Chief Executive Officer - *Plumbing and Drainage Act 2018*.
 2. Register of Delegations Council to Chief Executive Officer - Plumbing and Drainage Regulations 2019.
 3. For rescission: Register of Delegations Council to Chief Executive Officer - *Plumbing and Drainage Act 2002*.
 4. For rescission: Register of Delegations Council to Chief Executive Officer - Plumbing and Drainage Regulations 2003.
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Executive Summary

The *Plumbing and Drainage Act* and Regulations have recently been changed, which will come into effect on 1 July 2019 and therefore changes to the Register of Delegations Council to Chief Executive Officer ("CEO") will be required.

Chief Executive Officer's Recommendation

That:

1. Council approve the Register of Delegations to the Chief Executive Officer as set out in attachments 1 and 2 hereto, to coincide with the updated *Plumbing and Drainage Act 2018* and Plumbing and Drainage Regulations 2019 as of 1 July 2019; and
2. Council approve the rescission of all previous delegations relating to the *Plumbing and Drainage Act 2002* and Plumbing and Drainage Regulations 2003, as set out in attachments 3 and 4 hereto.

Previous Council Considerations / Resolutions

The Register of Delegations Council to CEO, which contained the old Act and Regulation, were approved at the Ordinary Meeting held on 26 November 2018.

Purpose of Report

This report is presented to update the Register of Delegations to reflect the changes that have taken place with the *Plumbing and Drainage Act* and Regulations that comes into effect on 1 July 2019.

The changes that are proposed are significant and cannot be matched back to the previous Act and Regulations. These are set out in attachments 1 and 2. The previous delegations to be rescinded are set out in attachments 3 and 4.

Budget/Financial Implications

Not applicable.

Strategic Implications

Operational Plan

Theme: 3. Open and Responsive Government

Key Area of Focus: 3.1.2 Provide streamlined and practical regulatory services that deliver improved access for the community

Legal / Statutory Implications

Required compliance with the *Plumbing and Drainage Act 2018* and Plumbing and Drainage Regulations 2019.

Risks

Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR46 Inadequate or lack of Governance (including procurement) Framework (systems, policies, procedures, delegations and controls) in place to ensure compliance by Council's Councillors and Officers with all relevant State and Federal legislation and regulations.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Legal Compliance and Liability Implementation of Acts and Regulations for regulatory functions	Moderate	Likely	High	That officers have the ability to implement the Act and Regulations to ensure compliance.	Medium

Conclusion

There have been changes to the *Plumbing and Drainage Act* and Regulations that will require changes to the Register of Delegations Council to CEO to reflect the updates.

Consultation

Manager Health Building and Environment
Coordinator Building and Plumbing

Attachment 1 - Plumbing and Drainage Act 2018 - Register of Delegations Council to CEO

REGISTER OF DELEGATIONS COUNCIL TO CEO

Plumbing and Drainage Act 2018

Document Reviewed:	11/03/2019
Reprint:	19/10/2018
Updated:	
New:	90(1)(d), 135(1), 135(4), 136,137, 139(1), 142(a), 142(b), 143(1), 143(2), 144, 149(2), 150
Removed:	
Note:	NOTE: this Act commences 1 July 2019.

PLUMBING AND DRAINAGE ACT 2018					
COUNCIL TO CEO					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to start a prosecution for an offence against the Act.	s. 90(1)(d) <i>Plumbing and Drainage Act 2018</i>	8 July 2019	
	Chief Executive Officer	Power to administer the Act within Council's area.	s. 135(1) <i>Plumbing and Drainage Act 2018</i>	8 July 2019	
	Chief Executive Officer	Power, in the circumstances set out in subsection (3), to, if asked by the entity that has control of the area, administer the act within the area.	s. 135(4) <i>Plumbing and Drainage Act 2018</i>	8 July 2019	
	Chief Executive Officer	Power to monitor grey water use facilities prescribed by regulation, in Council's area.	s. 136 <i>Plumbing and Drainage Act 2018</i>	8 July 2019	

REGISTER OF DELEGATIONS COUNCIL TO CEO

Plumbing and Drainage Act 2018

PLUMBING AND DRAINAGE ACT 2018					
COUNCIL TO CEO					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to monitor on-site sewage facilities prescribed by regulation in Council's area.	s. 137 <i>Plumbing and Drainage Act 2018</i>	8 July 2019	
	Chief Executive Officer	Power to appoint an authorised person as an inspector under the Act.	s. 139(1) <i>Plumbing and Drainage Act 2018</i> .	8 July 2019	
	Chief Executive Officer	Power to advise the commissioner of each appointment of an inspector made by Council.	s. 142(a) <i>Plumbing and Drainage Act 2018</i>	8 July 2019	
	Chief Executive Officer	Power to give the commissioner a list of Council's inspectors as at 1 July in each year.	s. 142(b) <i>Plumbing and Drainage Act 2018</i> .	8 July 2019	
	Chief Executive Officer	Power, in the circumstances set out in subsection (1) to give a person who carried out plumbing or drainage work an enforcement notice.	s. 143(1) <i>Plumbing and Drainage Act 2018</i>	8 July 2019	
	Chief Executive Officer	Power to, in the circumstances set out in subsection (2), give the owner of premises an enforcement notice.	s. 143(2) <i>Plumbing and Drainage Act 2018</i> .	8 July 2019	

REGISTER OF DELEGATIONS COUNCIL TO CEO

Plumbing and Drainage Act 2018

PLUMBING AND DRAINAGE ACT 2018					
COUNCIL TO CEO					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to give a show cause notice before giving an enforcement notice.	s. 144 <i>Plumbing and Drainage Act 2018</i>	8 July 2019	
	Chief Executive Officer	Power, in the circumstances set out in subsection (1), to:- (a) do anything reasonably necessary to ensure the enforcement notice is complied with; and (b) recover any reasonable costs and expenses incurred in doing so as a debt.	s. 149(2) <i>Plumbing and Drainage Act 2018</i> .	8 July 2019	
	Chief Executive Officer	Power to give the responsible person for plumbing or drainage work an action notice.	s. 150 <i>Plumbing and Drainage Act 2018</i> .	8 July 2019	

Attachment 2 - Plumbing and Drainage Regulation 2019 - Register of Delegations Council to CEO

REGISTER OF DELEGATIONS COUNCIL TO CEO

Plumbing and Drainage Regulation 2019

Document Reviewed:	29/4/19
Reprint:	05/04/2019
Updated:	
New:	
Removed:	
Note:	New Register commences 1 July 2019

PLUMBING AND DRAINAGE REGULATION 2019					
COUNCIL TO CEO					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power, where Council makes a fast-track work declaration or fast-track opt-out declaration, to:- (a) publish the declaration on Council's website; (b) give a copy of the declaration to the chief executive; (c) if Council is a participating local government for a distributor retailer – give a copy of the declaration to the distributor retailer; (d) ensure a copy of the declaration may be inspected, free of charge, at Council's public office.	Section 41 <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	

REGISTER OF DELEGATIONS COUNCIL TO CEO

Plumbing and Drainage Regulation 2019

PLUMBING AND DRAINAGE REGULATION 2019					
COUNCIL TO CEO					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power, in a circumstance listed in subsection (1), to give the applicant an information request.	Section 45(2) <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	
	Chief Executive Officer	Power to consider each properly made application and decide to:- (a) approve the application with or without conditions; or (b) refuse the application.	Section 46 <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	
	Chief Executive Officer	Power, where Council decides to approve an application, to:- (a) issue a permit, or an amended permit, to the applicant; and (b) give a copy of the permit, or amended permit, to each entity listed in subsection (b).	Section 48 <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	
	Chief Executive Officer	Power, in a circumstance listed in subsection (1), to give an information notice about the decision.	Section 50(2) <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	

**REGISTER OF DELEGATIONS
COUNCIL TO CEO**

Plumbing and Drainage Regulation 2019

PLUMBING AND DRAINAGE REGULATION 2019					
COUNCIL TO CEO					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power, where Council has issued a permit and has not given a final inspection certificate for the work carried out under the permit at least 3 months before the permit is to end, to give notice of the day the permit is to end to the entities listed in subsection (3).	Section 59(3) <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	
	Chief Executive Officer	Power in the circumstances listed in the subsection (1), to allow the responsible person to give a covered work declaration for the work.	Section 67(2) <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	
	Chief Executive Officer	Power to inspect the work if the public sector entity asks Council to inspect the work under subsection (2).	Section 68(3) <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	
	Chief Executive Officer	Power to, instead of inspecting on-site sewage work, allow an appropriate person to give Council an on-site sewage work declaration.	Section 69(2) <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	
	Chief Executive Officer	Power, in the circumstances identified in subsection (1), to amend the approved plan so that it correctly represents the work carried out under the permit.	Section 75(2) <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	

**REGISTER OF DELEGATIONS
COUNCIL TO CEO**

Plumbing and Drainage Regulation 2019

PLUMBING AND DRAINAGE REGULATION 2019					
COUNCIL TO CEO					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to give an inspection certificate for the work to the responsible person for the work.	Section 83(1) <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	
	Chief Executive Officer	Power to give a final inspection certificate for the work to the responsible person for the work.	Section 84(1) <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	
	Chief Executive Officer	Power to give a copy of the final inspection certificate to the entities listed in subsection (1).	Section 86(1) <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	
	Chief Executive Officer	Power, where Council receives a notice under subsection (2), to comply with the notice.	Section 86(3) <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	
	Chief Executive Officer	Power, where Council is taken under subsection (2) to have decided to refuse to give an inspection certificate or final inspection certified, to give an information notice about the decision.	Section 87(3) <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	

REGISTER OF DELEGATIONS COUNCIL TO CEO

Plumbing and Drainage Regulation 2019

PLUMBING AND DRAINAGE REGULATION 2019					
COUNCIL TO CEO					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power, where Council considers that a responsible person has not complied with the action notice, to give a copy of the notice to the owner of the premises.	Section 98(3) <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	
	Chief Executive Officer	Power to establish a program for:- (a) registering each testable backflow prevention device installed at premises in Council's area; (b) monitor the maintenance and testing of each device.	Section 101 <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	
	Chief Executive Officer	Power, in the circumstances listed in subsection (1), to:- (a) remove the obstruction or fix the damage; and (b) fairly apportion the reasonable cost of removing the obstruction or fixing the damage between the owners; and (c) recover as a debt from each owner, the owner's share of the cost.	Section 107(2) <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	

REGISTER OF DELEGATIONS COUNCIL TO CEO

Plumbing and Drainage Regulation 2019

PLUMBING AND DRAINAGE REGULATION 2019					
COUNCIL TO CEO					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power, in the circumstances listed in subsection (1), to require by notice to the owner of the old building and the owner of the new building:- (a) the owner of the old building to change the affected vents; and (b) the owner of the new building to pay the owner of the old building the reasonable cost of changing the affected vents.	Section 108(2) <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	
	Chief Executive Officer	Power to keep a register containing each document listed in subsection (1).	Section 112 <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	
	Chief Executive Officer	Power to keep a register containing each notice given to Council under section 102(2) or 103(3).	Section 113 <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	
	Chief Executive Officer	Power to keep a register containing each service report for a greywater use facility or on-site sewage facility given to Council under section 106.	Section 114 <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	

**REGISTER OF DELEGATIONS
COUNCIL TO CEO**

Plumbing and Drainage Regulation 2019

PLUMBING AND DRAINAGE REGULATION 2019					
COUNCIL TO CEO					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to keep a register containing a copy of each show cause notice and enforcement notice given by Council.	Section 115(1) <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	
	Chief Executive Officer	Power to remove a notice mentioned in subsection (1) from the register if the premises to which the notice relates are demolished or removed.	Section 115(2) <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	
	Chief Executive Officer	Power, in relation to each register kept under part 8, division 2, to allow a person to:- (a) inspect the register, free of charge, at Council's public office; or (b) buy a copy of an entry in the register for not more than the reasonable cost of producing the copy.	Section 116 <i>Plumbing and Drainage Regulation 2019</i>	8 July 2019	

Attachment 3 - For rescission: *Plumbing and Drainage Act 2002* - Register of Delegations Council to CEO

Register of Delegations - Council to Chief Executive Officer

Plumbing and Drainage Act 2002

Version information:

Date Reviewed:	13/9/2017
Reprint No:	3/7/2017
Updated Items:	Sections 85, 86, 86(10), 86A
New Items:	
Removed Items:	

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to give a copy of a resolution which decides work for which a compliance permit is not required to the chief executive and a distributor-retailer (if applicable) and to make it available for inspection at Council's public office.	Section 83 <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to carry out a compliance assessment of plans or work in relation to compliance assessable work by or for a public sector entity and, if satisfied, issue a compliance permit if it is a plan and a compliance certificate if it is for a work.	Section 84 <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power, as a relevant service provider, to give written consent before a compliance permit or certificate is issued.	Section 84(5) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to respond to a compliance request for compliance assessment of a plan for compliance assessable work, including requesting further information, deciding the request, imposing reasonable and relevant conditions and giving or refusing to give the compliance permit.	Section 85 <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to give a copy of a compliance permit to: (a) The owner of premises to which a permit relates; and (b) The water services provider, where Council is not the provider, and the work involves the installation of water meters.	Section 85(8) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power, upon refusal to give a compliance permit or the grant of a compliance permit on conditions, to give the person who made the request an information notice about the decision.	Section 85(10) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to assess and decide all requests for compliance assessment for compliance assessable work according to the provisions of the <i>Plumbing and Drainage Act 2002</i> and <i>Standard Plumbing and Drainage Regulation 2003</i> including giving or refusing to give the compliance certificate.	Section 86 <i>Plumbing and Drainage Act 2002</i>	26 November 2018	



Register of Delegations - Council to Chief Executive Officer

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to decide not to assess on-site sewerage work if an approved person for the assessment gives Council a notice in the approved form verifying that the work complies with the relevant compliance permit and the <i>Standard Plumbing and Drainage Regulation 2003</i> .	Section 86(6) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to ask, after assessing compliance assessable work or after a compliance notice is given for on-site sewerage work, for a plan of the assessed work.	Section 86(7) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to give a copy of a compliance certificate to: (a) The owner of premises to which the certificate relates; and (b) The water services provider, where Council is not the provider, and the work involves the installation of water meters.	Section 86(10) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power upon refusal to give a compliance certificate to give the person who made the request an information notice about the decision.	Section 86(12) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to ask a person who has completed compliance assessable work in a remote area to supply a plan of the completed work.	Section 86A(3)(b) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to decide a request for compliance assessment of compliance assessable work in a remote area to which a resolution under section 86A(1)(b) applies and to give the compliance certificate or refuse to give the compliance certificate and issue an information notice.	Section 86A(4), (5) and (8) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to give a copy of a compliance certificate for compliance assessable work in a remote area to which a resolution under section 86A(1)(b) to the owner of the premises.	Section 86A(6) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to give a copy of a resolution pursuant to section 86A(1)(b) to the chief executive and to make it available for inspection at Council's public office.	Section 86A(9) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to replace a compliance certificate with a certificate that has different conditions for the ongoing operation, maintenance or testing of a relevant greywater use facility or on-site sewerage facility.	Section 86D <i>Plumbing and Drainage Act 2002</i>	26 November 2018	

Register of Delegations - Council to Chief Executive Officer

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to issue a written notice requiring a former holder of a compliance certificate for testing purposes to remove all or a stated part of a greywater use facility or on-site sewerage facility.	Section 86E <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to amend any compliance certificate for work for testing purposes if it is necessary or desirable due to changes in a relevant chief executive's approval.	Section 86G <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power, as a relevant entity, to give the Plumbing Industry Council notice of the completion of notifiable work.	Section 87(3)(a) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to assess notifiable work that has been completed following the giving of a notice pursuant to section 87(3)(a).	Section 87(8) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power, as a relevant entity, to give a copy of the notice of completion of notifiable work to the owner of the premises where the work was carried out or, if another person asked the relevant entity to carry out the work, the other person.	Section 87(9) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to administer the <i>Standard Plumbing and Drainage Regulation</i> for Council's area, or those areas not under Council's control that it has been requested to administer by the entity that has control of the area.	Section 89 <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to appoint those individuals that have the qualifications and experience prescribed under the <i>Standard Plumbing and Drainage Regulation 2003</i> as an inspector for the purposes of the <i>Plumbing and Drainage Act 2002</i> .	Section 107(1) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to notify the QBCC commissioner of the appointment of an inspector and to give the commissioner a list of Council's inspectors.	Section 107(2) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to issue an inspector's instrument of appointment with or without conditions limiting the inspector's powers under the <i>Plumbing and Drainage Act 2002</i> .	Section 108 <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to issue an identity card to each inspector appointed under section 107 of the <i>Plumbing and Drainage Act 2002</i> .	Section 109 <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to issue show causes notices before a local government gives a person an enforcement notice under section 116(1)(a)(ii) to (iv) or (2) of the <i>Plumbing and Drainage Act 2002</i> .	Sections 115 <i>Plumbing and Drainage Act 2002</i>	26 November 2018	

Register of Delegations - Council to Chief Executive Officer

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to issue an enforcement notice to the owner of premises requiring the owner to do a stated thing.	Section 116(1) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to issue an enforcement notice to a person who has performed plumbing or drainage work requiring the person to do a stated thing.	Section 116(2) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to give an enforcement notice to the owner or occupier of the premises to install a backflow prevention device.	Section 117(2)(a) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to give an enforcement notice to the owner or occupier of the premises to register a backflow prevention device that is required to be registered under the <i>Standard Plumbing and Drainage Regulation 2003</i> .	Section 117(2)(b) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to give an enforcement notice to the owner or occupier of the premises to have a backflow prevention device inspected, tested and if necessary repaired or replaced by a licensee licenced to do the work.	Section 117(2)(c) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to authorise a person to dismantle or take away all or part of a grey-water treatment plant.	Section 127A <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to authorise a person to dismantle or take away all or part of an on-site sewerage facility.	Section 128 <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to approve the disposal of the contents of a greywater treatment plant into the infrastructure of the sewerage service provider for the area in which the plant is located.	Section 128OA <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to approve the disposal of the contents (other than effluent) of an on-site sewerage facility that has not been installed only for testing purposes.	Section 128P(2) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to approve the disposal of effluent from an on-site sewerage facility that has not been installed only for testing purposes.	Section 128P(4) <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to keep a copy of each compliance document and make compliance documents available for inspection and purchase.	Section 143 <i>Plumbing and Drainage Act 2002</i>	26 November 2018	

Register of Delegations - Council to Chief Executive Officer

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to keep a register of details of on site sewerage and greywater use facilities installed in the local government area for which Council has given a compliance certificate.	Section 143A <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to monitor greywater use facilities in Council's local government area.	Section 143B <i>Plumbing and Drainage Act 2002</i>	26 November 2018	
Chief Executive Officer	Power to monitor an on-site sewerage facility installed for testing purposes in sewered areas in Council's local government area.	Section 143C <i>Plumbing and Drainage Act 2002</i>	26 November 2018	

Attachment 4 - For rescission: Plumbing and Drainage Regulation 2003 - Register of Delegations Council to CEO

Register of Delegations - Council to Chief Executive Officer

Standard Plumbing and Drainage Regulation 2003

Version information:

Date Reviewed:	13/9/2017
Reprint No:	3/7/2017
Updated Items:	Section 29B
New Items:	
Removed Items:	

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to request a reasonable number of copies of a plan the subject of a compliance request.	Section 14(6) <i>Standard Plumbing and Drainage Regulation 2003</i>	26 November 2018	
Chief Executive Officer	Power to request other information that the local government requires in relation to the testing of a proposed greywater use facility.	Section 14B(c)(ii)	26 November 2018	
Chief Executive Officer	Power to request other information that the local government requires in relation to work for testing purposes on an on-site sewerage facility.	Section 14D(3)(c)(ii)	26 November 2018	
Chief Executive Officer	Power to accept a certification of a plan for compliance assessable work or on-site sewerage work from a competent person where the Chief Executive Officer has decided that part of the work is outside Council's expertise.	Section 15 <i>Standard Plumbing and Drainage Regulation 2003</i>	26 November 2018	
Chief Executive Officer	Power to request information or documents to assess compliance assessable work from a person who, because of section 83(2) of the <i>Plumbing and Drainage Act 2002</i> , does not require a compliance permit to perform regulated work.	Section 18 <i>Standard Plumbing and Drainage Regulation 2003</i>	26 November 2018	
Chief Executive Officer	Power to test or commission plumbing or drainage the subject of compliance assessable work carried out in a remote area.	Section 27 <i>Standard Plumbing and Drainage Regulation 2003</i>	26 November 2018	
Chief Executive Officer	Power to accept a notice of compliance under section 86A(3)(a) of the Act from a person other than the person who performed the work.	Section 29 <i>Standard Plumbing and Drainage Regulation 2003</i>	26 November 2018	

Register of Delegations - Council to Chief Executive Officer

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to agree to assess, and assess, notifiable work for compliance with the regulation.	Section 29A <i>Standard Plumbing and Drainage Regulation 2003</i>	26 November 2018	
Chief Executive Officer	Power to give a rectification notice and an information notice about the decision to give the rectification notice.	Section 29B(2) and 29B(6) <i>Standard Plumbing and Drainage Regulation 2003</i>	26 November 2018	
Chief Executive Officer	Power to approve the continued use of a plumbing or drainage item that is not certified and to require a person to have the item tested at the person's cost.	Section 30 <i>Standard Plumbing and Drainage Regulation 2003</i>	26 November 2018	
Chief Executive Officer	Power to determine whether an item (that an inspector is satisfied is unsuitable for a particular use) may: (a) not be installed or used; or (b) be approved for installation or use with either a protective coating, lining or wrapping or another plumbing or drainage item.	Section 32 <i>Standard Plumbing and Drainage Regulation 2003</i>	26 November 2018	
Chief Executive Officer	Power to decide that a supply pipe for premises or a premises group can not give an efficient water supply for the premises or premises group.	Section 34(1) <i>Standard Plumbing and Drainage Regulation 2003</i>	26 November 2018	
Chief Executive Officer	Power to require for a supply pipe for a premises: (a) part or all of the supply pipe (premises main) to be built to the standard of a water main; (b) the premises main to supply directly each separately occupied part of the premises; (c) the premises main to supply directly each fire service within the premises.	Section 34(2) <i>Standard Plumbing and Drainage Regulation 2003</i>	26 November 2018	

Register of Delegations - Council to Chief Executive Officer

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to require for a supply pipe for a premises group: (a) part of the supply pipe (premises group main) to be built to the standard of a water main; (b) each separately occupied part of the premises group to be served directly by a supply pipe connected to the premises group main; and (c) each separately occupied part of the premises group that is to have a fire service to be served directly by a fire service connected to the premises group main.	Section 34(3) <i>Standard Plumbing and Drainage Regulation 2003</i>	26 November 2018	
Chief Executive Officer	Power to require the sanitary drainage for premises or a group of premises to be of a standard of a sewer forming part of Council's or another service provider's sewerage system.	Section 35 <i>Standard Plumbing and Drainage Regulation 2003</i>	26 November 2018	
Chief Executive Officer	Power to implement and maintain a program for the registration, maintenance and testing of testable backflow prevention devices.	Section 38 <i>Standard Plumbing and Drainage Regulation 2003</i>	26 November 2018	
Chief Executive Officer	Power to approve the design and location of a grease arrestor.	Section 39 <i>Standard Plumbing and Drainage Regulation 2003</i>	26 November 2018	
Chief Executive Officer	Power to approve air-cooling equipment's connection to a supply pipe.	Section 41 <i>Standard Plumbing and Drainage Regulation 2003</i>	26 November 2018	
Chief Executive Officer	Power to approve hydraulic powered equipment's connection to a supply pipe.	Section 44 <i>Standard Plumbing and Drainage Regulation 2003</i>	26 November 2018	
Chief Executive Officer	Power to approve a pipe carrying water supplied by the local government or other service provider to be:- (a) connected to a water storage tank used to store water obtained from another source or; (b) discharged into a water storage tank used to store water obtained from another source.	Section 45 <i>Standard Plumbing and Drainage Regulation 2003</i>	26 November 2018	

Register of Delegations - Council to Chief Executive Officer

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to approve a water closet pan, urinal or another fixture below the level of the sewer or on-site sewerage facility.	Section 47 <i>Standard Plumbing and Drainage Regulation 2003</i>	26 November 2018	
Chief Executive Officer	Power to issue a notice to the owner of a new building and an old building, requiring:- (a) the owner of the new building to pay the reasonable costs of changing the vents of the old building; and (b) the owner of the old building to change the vents.	Section 52 <i>Standard Plumbing and Drainage Regulation 2003</i>	26 November 2018	
Chief Executive Officer	Power to determine the qualifications, skills and experience that an individual should have to be competent to assess plumbing and drainage work.	Section 53 <i>Standard Plumbing and Drainage Regulation 2003</i>	26 November 2018	
Chief Executive Officer	Power to perform maintenance work on existing combined sanitary drains, apportion the reasonable costs between or among the owners and recover from each owner, the owner's share of Council's costs.	Section 54 <i>Standard Plumbing and Drainage Regulation 2003</i>	26 November 2018	