

Building Regulation News Update

Building Regulation News Update 12/09

Issued 6 July 2009

UPDATE

WATER AND SEWERAGE INDUSTRY REFORMS

Building and Plumbing Permit processes

PURPOSE

The purpose of this Building Regulation News Update is to provide updated information to Permit Authorities, local government, industry and stakeholders about changed building and plumbing permit processes in relation to the water and sewerage industry reforms that commenced on 1 July 2009.

BACKGROUND

The *Water and Sewerage Industry Act 2008* commenced on 1 July 2009. A previous Building Regulation News Update No. 11 of 2009 (issued 1 July 2009) gave information regarding the revised permit processes as a result of the new legislation. Workplace Standards Tasmania has been contacted by stakeholders who have expressed their concerns about the administration of building and plumbing permit applications by Permit Authorities since 1 July 2009. This News Update is to provide clarification and additional information about the changed permit processes.

CLARIFICATION OF PERMIT PROCESSES

A Certificate of Certifiable Work (Building) or (Plumbing) from one of the new water corporations is a new requirement that applicants for a building or plumbing permit need to be aware of. Even if the possible effect of the proposed building or plumbing work on the water corporation's infrastructure had been considered at the planning stage, the owner or their agent may also have to provide a Certificate of Certifiable Work under the *Water and Sewerage Industry Act 2008* when applying for a building permit or a plumbing permit.

As there is a 14 day time period for the water corporation to process applications for a Certificate of Certifiable Work, owners who intend to lodge applications for building or plumbing permits should apply to the water corporation well in advance of submitting applications to the Permit Authority (PA). For building work the owner should apply to the water corporation at the Certificate of Likely Compliance stage.

SHOULD PERMIT AUTHORITIES BE REJECTING NEW APPLICATIONS FOR BUILDING OR PLUMBING PERMITS?

No. Permit Authorities have an obligation under the *Building Act 2000* to accept applications for building or plumbing permits. On receipt of the application the PA under section 70(2)(a) of the *Building Act 2000* can require the applicant (within 7 days or such other time as agreed) to provide any additional documents specified in the Directors Specified List that were not provided at the time the application was lodged.

If any specified documents that are required to accompany an application (such as a Certificate of Certifiable Work) cannot be produced by the applicant at the time of application, the PA should still accept and consider the application and may issue a staged permit, a conditional permit, or the PA may decide to refuse the application for a permit.

FOR WHAT TYPES OF BUILDING WORK OR PLUMBING WORK WILL THE RELEVANT WATER CORPORATION NEED TO ISSUE A CERTIFICATE FOR CERTIFIABLE WORKS?

Not all proposed building and plumbing work will require a Certificate for Certifiable Works from the relevant water corporation. The Policy of the Water Corporations (the 'regulated entities') for Building and Plumbing Application Exemptions provides guidance on when a Certificate of Certifiable Work is likely to be required. The Policy (June 2009 version) is attached to this News Update. The Policy poses a number of questions about the proposed work for applicants to consider, for example whether the work will require a new connection to the corporation's infrastructure. If the applicant answers YES to any question, a Certificate of Certifiable Work is required from the water corporation. If the answer is NO to all questions, no Certificate is required and the water corporation does not need to be consulted about the proposed works.

FORMS AND HELP SHEETS AVAILABLE FOR APPLICANTS AND PERMIT AUTHORITIES

Southern Water Corporation has published Help Sheets and Forms about building and plumbing permit processes to assist applicants and provide guidance to Permit Authorities. They are available at this web address:

<http://www.southernwatertas.com.au/SouthernWater/Customers/Our+forms>

FOR FURTHER INFORMATION ON WATER REFORMS:

Phone the Water Corporations: 13MYWATER (13 6992).

Web: <http://www.mywatertas.com.au/>

For more details about building legislation contact the Workplace Standards Tasmanian Helpline:

Phone: (in Tasmania) 1300 366 322 | Phone: (outside Tasmania) (03) 6233 7657 | Fax: (03) 6233 8338

Email: wstinfo@justice.tas.gov.au | Website: www.wst.tas.gov.au/building

Address: PO Box 56, Rosny Park TAS 7018

Building Regulation News Updates are issued to assist in the interpretation of Tasmanian building legislation and to provide advice on technical issues within the plumbing industry.

If you would like to subscribe to free Building and Plumbing Advisory Notes and News Updates please send an email to buildingcontrol@justice.tas.gov.au with 'subscribe' in the subject line or call the Helpline on 1300 366 322.

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Water and Sewerage Corporations

Building and Plumbing Application Exemptions Policy

Policy exemptions for documents requiring a Certificate of Certifiable Work in accordance with the *Water and Sewerage Industry Amendment Act 2008* Section 56TF (1) Building and Plumbing works to be approved by the relevant regulated entity.

A referral to a Regulated Entity (RE) is not required or RE authorisation is not required in the following instances.

- If **yes** to any question then a Certificate of Certifiable Work is required from the “Regulated Entity”
- If **no** to all then no certificate is required.

No.		Yes	No
1.	Does the development shown on plan, involve new structures 2m or less from the Regulated Entities underground services? (If unsure then refer client to Regulated Entity for on site confirmation of location, detail to be provided to Council)		
2.	Does the development involve non-residential, commercial, industrial, or other processes that generate trade waste for discharge to sewer?		
3.	Does the development involve non-residential, commercial, industrial, or other processes that has or will require a connection to the reticulated potable water supply? (ie back flow prevention issues)		
4.	Does the development increase the demand for water or sewerage service or require an increase in the connection size? Note: single or double tenement residential development, is not considered to increase demand. However a three or more tenement development is considered to increase demand.		
5.	Does the development involve work in a water supply catchment which may have an effect on water quantity or quality? (ie dams, quarries, subdivisions with onsite wastewater system, dairies, plantations etc)?		
6.	Does the development involve work in an area of land the Regulated Entity has declared by notice to be a buffer zone of a facility or infrastructure of a Regulated Entity?		
7.	Does the development involve any infrastructure that intersects (crosses) infrastructure owned by the Regulated Entity?		
8.	Does the application involve a subdivision or application of Strata title for more than 2 lots / tenements or consolidates 2 or more lots or strata titles into 1?		
9.	Does the development involve rezoning or other planning scheme amendments?		
10.	Do the Building or Plumbing works require a new connection to the Regulated Entities infrastructure?		
11.	Does the development involve demolition of a structure or works currently connected to the Regulated Entities water or sewerage services?		