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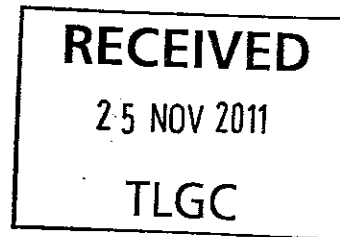
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The Research Director
Transport, Local Government and Infrastructure Committee
Parliament House
George Street
Brisbane QLD 4000

Dear Ms Bates,

In accordance with the Committee's invitation to make a submission on the Sustainable Planning Act and Other Legislation Amendment Bill 2011, I hereby enclose Redland City Council's authorised submission for your consideration.

Council wishes to thank the Committee for the opportunity to make this submission and we look forward to maintaining a cooperative relationship in the months ahead as the legislative reform process reaches a conclusion.

Should you have queries relating to any aspect of this submission, please contact our Manager Corporate Governance, Mr Luke Wallace, on 3829 8577.

Yours faithfully,


Gary Stevenson PSM
Chief Executive Officer

Redland City Council

**Submission on the Sustainable Planning and Other
Legislation Amendment Bill 2011**

To

**The Transport, Local Government and
Infrastructure Committee**

November 2011

1.01 Proposed Amendments to Plumbing and Drainage Act 2002

Issue: Council is concerned that proposed amendments to the Act reflecting changes from “minor work” to “notifiable work” have the serious potential to affect quality outcomes on works that would previously have been subject to compliance assessment.

Council bases its belief on the following concerns which we believe have been reliably established;

- Self certified work performed since the inception of the modified Form 4 process (Version 3 – published in the Gazette 27 November 2009) has resulted in an unacceptable failure rate. Council is continuing to see failures, even in respect to significantly over temperature water delivered to ablution fixtures, and we feel it is naive to think these problems will not continue given the evidence to date
- Removing renovation work from compliance assessment has the potential to create a dual standard. Under the current legislation, work involving the installation of fixtures is compliance assessable whether it is in a new building or an existing building being renovated. Under the proposed legislation, work carried out on the new structure will not be covered by conditions which are reasonably imposed by local government under Section 85(7) of the Act. An example of the dual standard is where local government requires discharge from hot water units to be directed to stormwater as a condition in the compliance permit. This is unenforceable in the case of retrofitted solar and heat pump installations

Council is also concerned about the likely loss of information on underground services. As-constructed drainage plans are currently received on site by local government and our records updated accordingly to maintain accurate records of buried work. This is important for identifying the location of underground work in the future. This process will be circumvented if no visual inspection is carried out by a third party (i.e. the plumbing inspector) and this will lead to little or no accurate information for future use unless the Plumbing Industry Council oversees the process and requires compliance. There is no evidence that such a process is going to be implemented.

Suggested Change: In summary, it seems to us that the industry bodies may have had too much influence on the agenda at the expense of necessary regulation for public benefit. Whilst we appreciate that the industry needs to continue to evolve, the removal of the scope of work in many instances does not represent a balanced approach and the consistent submissions from local government on these matters should not be ignored.

Council recommends further consultation between industry stakeholders before these changes are implemented and respectfully points out to the Committee that some of these self regulation measures have been attempted with very unsatisfactory outcomes in other States. At a time of increasing

population densities, Council can see significant risks to public health in some of the changes being proposed.

**1.02 Proposed Amendments to Sustainable Planning Act 2009
(Specifically Chapter 8, Division 5A - Trunk infrastructure funding and related matters—adopted infrastructure charges)**

Issue: The proposed changes to introduce discretion for local governments to apply escalation up to a rolling CPI indexation (Brisbane), is at odds with the head of power available to the Planning Minister to index up charges at the start of a financial year by a 3 year moving average of PPI (road and bridge construction) under s.648C. Council cannot fathom the rationale for maintaining two escalation frameworks.

The State's response to the Infrastructure Taskforce Report (March 2011) was to support annual escalation of charges by a consistent methodology, being PPI (road and bridge construction) on a 3 year moving average at the start of each financial year. However, rather than the final SPRP (Adopted Charges) specifying the rate and methodology as proposed, the Bill provides for local governments to index (including PPI) on a quarterly, semi-annual, annual or 'not-at-all' basis up to the relevant CPI amount.

Suggested Change: Given consistency doesn't seem to be the main driver, it is recommended that the local government be given the discretion to apply the greater of CPI or PPI on whatever fractional basis it chooses.