{Contact}

{Contact Phone}

{File Reference}

{Date}

***Plumbing and Drainage Act 2018***

***Section 143(1) (Enforcement notices for plumbing and drainage)***

ENFORCEMENT NOTICE

{Name of licensee who performed the work}

{Address}

{Suburb}

Dear {insert name of licensee}

## Re: {insert description of structure to which the plumbing or drainage is associated}

## {insert address of premises}

**{insert real property description of the land on which the plumbing or drainage is installed}**

I refer to the Local Government’s Show Cause Notice dated {insert date shown on the show cause notice} inviting you to show cause why an Enforcement Notice should not be given to you, and to your written response received by Local Government on {insert date that Local Government received written response}/or oral representation heard by {insert the name of the person} on {insert date that the representation was heard}.

Your representations have been considered, however, I advise that Local Government remains of the view that the plumbing and drainage work you performed at the premises identified above, does not comply with the *Plumbing and Drainage Regulation 2019***,** namely {insert the facts and circumstances forming the basis for the Local Government’s belief that the work performed does not comply with a particular matter in the Act or Regulation}.

# Action to be taken by licensee

You are now required to {insert brief general description of the action required, eg.

* {do, or not do a stated thing to ensure plumbing or drainage work complies with the Act}
* {alter, repair, remove or replace plumbing or drainage}

{insert reasonable time period within which the requirements of the notice must be satisfied must be included, eg.

* {immediately}; or
* {by 5.00 pm on 1 July 2019}. (“the requirements”)

# Penalties for non-compliance

It is an offence against section 147 of the *Plumbing and Drainage Act 2018* to contravene or tamper with this Enforcement Notice. The maximum penalty is
250 penalty units ($33,362.50).

Under section 3 of the *Penalties and Sentences Regulation 2015*, the prescribed value of a penalty unit is $133.45 (current from 1 July 2019)

# Statutory rights to appeal

You have a statutory right to appeal to the Development Tribunals (the Tribunals) against the giving of this Enforcement Notice. Any appeal must be started {insert as appropriate:

* {“within twenty (20) business days after the day that this Enforcement Notice is given”}; or
* {if this Enforcement Notice is given in relation to plumbing or drainage on the premises that is in a condition, or functions in a way, that constitutes a danger or health risk to occupiers of the premises or the public, then such appeal must be started:

“within five (5) business days after this Enforcement Notice is given”}.

You can lodge an appeal by submitting a form 10 – application for appeal/declaration and providing the prescribed fee to the Registrar of the Tribunals. The appeal form and schedule of fees are available on the Department of Housing and Public Works website [www.hpw.qld.gov.au](http://www.hpw.qld.gov.au) under “Development Tribunals”. The Tribunals Registrar may be contacted on 1800 804 833 or Fax: (07) 3237 1248.

The lodging of a Notice of Appeal about an Enforcement Notice stays the operation of the Enforcement Notice until: {If the Local Government is satisfied that:

1. the work is not a danger to persons or a risk to public safety insert:

“stays the operation of this Enforcement Notice until:

* {the Tribunals, on the application of the Local Government, decides otherwise}; or
* {the appeal is withdrawn}; or
* {the appeal is dismissed}”.

However, the lodging of a Notice of Appeal about an Enforcement Notice does not stay the operation of the Enforcement Notice if:

* {the Local Government believes that the work on the premises is a danger to persons or a risk to public health};
* {the Local Government believes that the development is causing erosion or sedimentation or is causing an environmental nuisance}.

**Dated this** {insert the date} **day of** {insert the month and year}

{insert signature of the issuing officer}

**………………………………………**

**Issuing Officer**