{Contact}

{Contact Phone}

{File Reference}

{Date}

*Plumbing and Drainage Regulation 2019*

Action notice – work under a permit

{Insert name of responsible person for work}

{Insert address of responsible person}

Dear {insert name of responsible person for work},

## Action notice about work performed at {insert address of premises} under Permit No. {insert number of permit}

This action notice was issued under section 66 or 78 of the *Plumbing and Drainage Regulation 2019* (‘the Regulation’) in relation to plumbing or drainage work (‘the relevant work’) carried out under Permit No. {insert number of permit} at the premises mentioned above.

**Reason(s) for deciding to issue action notice**

This action notice has been issued for the following reason(s):

* a Council inspector inspected the relevant work on {insert date} and the inspector is not satisfied the relevant work is compliant {insert description of reason why inspector is not satisfied work is compliant, including the facts and circumstances forming the basis for the reason}
* a Council inspector inspected the relevant work on {insert date} and the inspector believes there is a substantial inconsistency between the relevant work and the permit or an approved plan for the work {insert description of reason for this belief, including the facts and circumstances forming the basis for the reason}
* under section 76(1)(c) of the Regulation, a Council inspector required you to ensure a competent person tested or commissioned plumbing or drainage resulting from, or

affected by, the relevant work, and:

* the inspector believes you have contravened section 77(4) of the Regulation {insert description of reason for this belief, including the facts or circumstances forming the basis for the reason}; or
* the testing or commissioning report prepared by the competent person states that the work, or part of the work, does not comply with the code requirements for the work {insert description of facts and circumstances relevant to this reason}

**Action required to be taken**

You are required to take the following action:

* as there is a substantial inconsistency between the relevant work and the permit or an approved plan for the work, you must*—*
* do the following three things by {insert date\*}:
* stop carrying out {insert description of work}; and
* apply, under part 5, division 2, of the Regulation to amend the permit to authorise {insert description of work}; and
* ensure no further work of the following type is carried out unless the permit is amended as mentioned: {insert description of type of work};

OR

* give the Council an as-constructed drawing that correctly represents the work, by:
* {insert date\*}; or
* the end of {insert description of stage of work ending at least 2 business days after the notice is issued}
* carry out {insert description of work} (‘rectification work’)
* request a further inspection of the rectification work by {insert date\*}
* give the Council a declaration in the approved form that {insert description of work} is compliant
* give the Council {insert description of any information about the relevant work required}
* arrange for plumbing or drainage resulting from, or affected by, the relevant work to be tested or commissioned:
* in the way mentioned in section 76(1)(a), (b) or (c) of the Regulation; or
* {insert description of another way in which testing or commissioning is to be done}
* insert a camera into plumbing or drainage resulting from, or affected by, the relevant work to allow an inspector to inspect the work;
* uncover plumbing or drainage resulting from, or affected by, the relevant work to the extent necessary to enable an inspector to assess whether the relevant work is compliant
* {insert description of any other action required to be taken}

**When action must be taken**

You are required to take the action mentioned above by the following date:

* the date mentioned above\*; or
* {insert date\*}

\* The date stated for compliance with the notice must be at least 2 business days after the notice is given. A later date may be decided by the Council or the inspector **after** the notice is issued and **before** the date stated.

**Offence to fail to comply with this notice**

Under section 98 of the Regulation, it is an offence for you to fail to comply with the notice by the date stated in this notice, unless you have a reasonable excuse.

Note 1: The maximum penalty for failing to comply with the notice is 20 penalty units ($2669). 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)

Note 2: If the Council or inspector considers you have not complied with the notice, the Council will give the owner of the premises a copy of the notice.

**Appeal rights**

You may appeal the decision to issue this action notice to you. To appeal, you must do the following within 5 business days after the notice was issued:

* submit a *Form 10—Notice of Appeal/Application for Declaration* to the Registrar of the Development Tribunals; and
* pay the fee for starting the appeal (It is recommended that you speak to the Registrar of the Development Tribunals about the applicable fee).

For a list of the fees for appeals, see schedule 17 of the *Planning Regulation 2017.* Payment may be made online via a secure credit card payment facility or by cheque or money order.

Contact details for Development Tribunals

Registrar, Development Tribunals

Department of Housing and Public Works

GPO Box 2457 Brisbane QLD 4001

Phone: 1800 804 833

Email: registrar@hpw.qld.gov.au

Enquiries about this notice can be made to {insert the name and telephone number of the issuing officer}.

**DATED this** {insert the day of the month} **day of** {insert the month and year}

{insert signature of the issuing officer}

**……………………………………………**

**Issuing officer**