



DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES REPORT

14th August 2007

**DSDS1 SUBDIVISION REVIEW PROCESS - DRAFT GUIDE FOR
CERTIFICATION OF CIVIL ENGINEERING DESIGN WORK
FILE: 126 AJC {Folio No. *}**

SUMMARY:

Reporting to Council on a proposal to create a policy being a Guide for Certification of Civil Engineering Design Work associated with developments where civil work is required.

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Background

As part of an ongoing review of development assessment procedures, the opportunity to streamline the Subdivision Approvals Process by increasing opportunities for private certification was identified.

A detailed internal review has been completed and a policy which provides for a certification system is presented for Councils adoption.

Outline of Draft Policy

The proposal is to replace the existing Council practice of Certifying Civil Engineering Design Work associated with subdivision and development with a new streamlined policy providing for greater opportunities for private certification.

A flow chart showing the existing and proposed new policy document is attached to this report as [\(Appendix A – Page G1\)](#).

The present process results in significant time being lost in assessing construction plans and details and waiting for amended plans.

The Policy is expected to reduce delays by implementing the following actions: -

- Creating in the initial stages a Pre-Design meeting with the Design Consultant to raise any issues contained in the conditions of the development consent, including clarification of Engineering Design aspects.
- Providing for Certification of all Civil Engineering Plans, details and completion of the associated checklist contained in this new policy by a

suitably qualified person

- Providing for a pre-lodgement meeting to ensure the various applications (S68, Construction Certificate, Roads Act consent) are complete and ready for Council to accept and process
- Replacing the assessment process with an audit process

In order to encourage developers to utilise the Policy, it is intended to introduce a two tiered fee structure providing for a 20% reduction for Private Certification. Any loss in income is expected to be offset by reduced Council costs in checking and approving plans.

The existing system will remain unchanged to be used by qualified persons as an alternative option to the new policy.

The advantages of the new policy are time and costs savings to both Council and the local development industry, complete applications are lodged by qualified persons (sole responsibility of Consultants) and the see-soaring effect between Council and the qualified person is removed and replaced with an auditing system.

Audits

It is proposed to undertake periodic audits of certified plans to ensure compliance. Where a preliminary audit reveals any significant anomalies, an independent auditor may be appointed at the applicants cost and the Construction Certificate would not be issued. Such a provision should provide a sufficient deterrent, the costs of which would be far greater than the fee discount.

This new policy (including supporting documentation) is considered to be a living document. It is anticipated that as Council and or the local users of this document come up with ways to improve the process, that changes will be made and referred where appropriate to Council for adoption.

It is intended to review the effectiveness of the policy and report back to Council within 12 months.

Development Control Plan No. 36 Councils Engineering Guidelines for Subdivision and Development is due soon for review. At this time there are no plans to make any amendments to this document other than to ensure that current codes are stated and used for the on Certification of Civil Design Work. Further this policy is not intended to come in conflict with any State Legislation and or existing council policy documents.

Public Exhibition

Although Council is not obliged to exhibit the policy, a presentation was given to local engineering consultants on 5 July 2007 and comments were invited. Three (3) submissions were received which may be summarised as follows: [\(Appendix B – Page G3\)](#)

Submission

King and Campbell

Planning Comment

- | | |
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| <p>1 Addition of a pre–design meeting to examine conditions of approval and discuss issues related to civil design is suggested.</p> | <p>1 This idea has merit for the initial commencement of this alternative certification process & is proposed to be adopted. It would be anticipated that as the Consultants become more accustomed to the new process the need for the pre-design meeting will diminish.</p> |
| <p>2 Relevant Council Officers be available at preset times during working hours for general enquiries relating to Policy and DCP's.</p> | <p>2 Relevant Council staff will be made available for 3 days for an hour a day in the initial stages for either telephone calls or reply to emails.</p> <p>This option will be monitored with a view to lessening reliance on this type of access to one where the Consultant relies on the contents of Councils web page for policy and DCP's, over time.</p> |
| <p>3 As civil design and subdivisions tend to occur less often than other Council transactions customer first staff need to be fully trained in fee calculations for this work.</p> | <p>3 Council's Customer First Centre can easily calculate fees payable for this type of work now.</p> <p>Council can also make available a copy of its Fees and Charges booklet for the year so the Consultant can look up the applicable fees and charges.</p> <p>A fee calculator facility in CivicView has also been scheduled.</p> |
| <p>4 At Item 2.1 of the proposed policy <i>"Who is a Qualified person"</i> should be extended to permit registered Surveyors to undertake stormwater drainage design, excluding trunk stormwater design.</p> | <p>4 King and Campbell have a Qualified Engineer on staff that could check and endorse any stormwater design. Any person is entitled to submit designs for Councils approval under the existing system, however, there is no proposal to change this section of the Policy.</p> |
| <p>5 The existing customer first meeting rooms are small and not private enough for pre-design meetings.</p> <p>Suggest Council consider a larger meeting room and also permit Council staff to attend</p> | <p>5 The Council Upstairs meeting Room or Elbow Street Room would provide the necessary privacy and facilities to accommodate any meeting.</p> <p>Council's Fees and Charges for this type of work does not allow</p> |

Consultants offices.

- 6 The management of this policy should be properly resourced to ensure changes can be made as required.

Hadlow Design Services

- 1 Provision of an updated Codes and Policies section on the Council website to allow the consultants to operate with up to date Codes and Policies.

- 2 Review Development Application conditions and not be specific in relation to service extensions/connections to allow application of best engineering solution and reduce need for use of s96 Modifications.

- 3 There are other sources of delay associated with larger subdivisions such as telephone, electricity, obtaining quotes, financing etc. not associated with Council that take in excess of 10 days.

Prepared to pay Council upfront (20-30% of final fee) at pre lodgement meeting to allow Council staff to allocate significant time to discuss the design being presented.

- 4 Make relevant Council staff available to Consultants at

for a council officer to travel to attend the Consultants Rooms.

Council Officers attending the Consultants rooms might be warranted for special design presentations where specialised design hardware/software is not available at Council or able to be easily transported to Council offices.

- 6 The time savings expected to result from this Policy will allow for staff being available at preset times during the working week for Consultants, for Pre-Design meetings and the Lodgement meeting.

- 1 All the existing Council Policies are available on the Council website.

91% of the Development Control Plans are available on the Council website. Council to investigate increasing to 100%.

- 2 Development application conditions are currently being reviewed in conjunction with MIDGOC Councils.

- 3 Council has anticipated that a Pre-Lodgement (Pre-Design) meeting would require a significant time commitment from Council staff and this has been built into the Policy and will be ongoing.

It would be anticipated that as the Consultants become more accustomed to the new process the need for the pre-design meeting will diminish.

- 4 Relevant Council staff will be made available for 3 days per

specified times with larger subdivisions or developments.

- 5 The existing customer first meeting rooms are not private enough for pre-design meetings as commercially sensitive information is discussed.

Consider upgrading rooms with wall insulation and ceilings.

- 6 Responses to correspondence and time gap between verbal indication of approval and receipt of the written approval are at times poor.

- 7 Tracking of development applications made available to applicants needs to be kept up to date.

DEX Engineering

- 1 The proposed policy is strongly supported but does not go far enough

- 2 Council only needs to ensure the design plans reflect the general needs of Council at the site.

- 3 Council needs to ensure the work is carried out by suitably experienced and insured persons.

week for an hour a day in the initial stages on all subdivisions for either telephone calls or reply to emails.

- 5 The Council Upstairs meeting Room and Elbow Street Room would provide the necessary privacy and facilities to accommodate any meeting.

- 6 This Policy will improve the time taken to issue approvals for civil work associated with subdivision by freeing up of staff resources.

- 7 The responsible officer is responsible for keeping the information updated.

This system is new and old existing applications do not have the same level of workflow detail as the new applications.

The new Web-based tracking system should improve access.

- 1 The review of the subdivision approvals process is a continuing process.

Opportunities for increased private certification will be considered following a review of the Policy within 12 months

- 2 Under the new policy it is the responsibility of the Certifier to ensure that Council's requirements are reflected in the final design plans.

- 3 This is a construction issue and not a design issue which is the focus of this policy. Council will review the construction component of the subdivision process following a

		review of the success of the Policy within 12 months.
4	Council needs to ensure that when work is finished it complies with Council's standard requirements as judged by the final inspection.	4 See Point 3 above
5	Reservations about who is a qualified person clause 2.1 of the new policy.	5 Clause 2.6 of the new policy requires that the qualified person shall have Professional Indemnity Insurance commensurate with the degree of risk the design project might generate which will restrict designers on minor and major design projects to registered persons. However, it is agreed that there is no certification process for skilled technical officers who usually operate in conjunction with registered Engineers and reference to skilled Technical Officer has been removed from clause 2.1(a).
6	Suggests that structural, stormwater or Civil design be separated. Consider using the Building Professionals Board registration system.	6 This will be investigated for consideration with the review of the policy.
7	Council's Codes and policies should be available on the web page and kept up to date.	7 All the existing Council policies are available from the council website. 91% of the Development Control Plans are available on the council website. Council to investigate increasing to 100%.
8	Clause 2.4 plans need to be certified by the submitting designer.	8 The design Certification Report form attached to this policy allows for this.
9	Clause 2.5, Blind use of DCP 36 as the bible is undesirable. Use a Qualified and experienced Engineer or sound Engineering Practice.	9 Clause 2.5 does not rely on DCP36 alone but also refers to Industry Guidelines and accepted industry best practice. Where a design does not meet the relevant prescribed standard, the plans will need to be

10 Clause 2.7 Audit Process. If Certified Practicing Engineer used then only minimal auditing would be required.	assessed by Council under the current system as the Policy will not apply.
11 Council should consider using Accredited Certifiers to carry out some of Councils inspection and assessment work to ease burden on staff.	10 As the engineering works will become a Council asset that Council will be required to maintain, Council has a duty of care to ensure that designs meet relevant accepted standards. Under the Policy, Council reserves the right to audit and examine in detail the Engineering Design Plans for any project under this policy. 11 See Point 3 above

REPORT IMPLICATIONS:

- ***Environmental***

There are no adverse Environmental Implications being generated by this proposal as it is seeking to amend an existing Council practice.

- ***Social***

This policy will have a social benefit to the development community including the people in the local community who earn a living from such developments by assisting continuity of employment and by adding to the existing social infrastructure of local communities.

- ***Economic (Financial)***

At full implementation the policy will provide time and monetary savings to council.

- ***Policy or Statutory***

This Policy is proposed to replace the existing practice (not policy) for the Certification of Civil Design Work described in Development Control Plan 36 Engineering guidelines for Subdivision and Development.

RECOMMENDATION:

- A. That Council adopt as Policy the new Guide for Certification of Civil Engineering Design Work.**
- B. That the effectiveness of the Policy be reviewed and reported**

to Council within 12 months of coming into effect.

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R B Pitt
DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES