



Queensland

Plumbing and Drainage Legislation Amendment Regulation (No. 1) 2005

Subordinate Legislation 2005 No. 323

made under the

Plumbing and Drainage Act 2002

Contents

		Page
Part 1	Preliminary	
1	Short title	4
2	Commencement	4
Part 2	Amendment of Plumbing and Drainage Regulation 2003	
3	Regulation amended in pt 2	4
4	Amendment of sch 1 (Qualifications, practical experience and scope of work for plumbers and drainers licences)	4
5	Amendment of sch 4 (Fees)	5
6	Amendment of sch 5 (Dictionary)	5
Part 3	Amendment of Standard Plumbing and Drainage Regulation 2003	
7	Regulation amended in pt 3	6
8	Amendment of s 3 (Status)	6
9	Insertion of new s 4A	6
	4A What is the Queensland Plumbing and Wastewater Code (or QPW code)	6
10	Replacement of s 5 (Meaning of applied provisions, glossary, part 1.2 and part 4.2)	7
	5 What are the applied provisions and glossary	7
11	Insertion of new pt 1A, hdg, and ss 6A and 6B	7
	Part 1A Prescribed matters for Act	

*Plumbing and Drainage Legislation Amendment No. 323, 2005
Regulation (No. 1) 2005*

	6A	Criteria local government must consider in declaring area to be unsuitable for greywater use	7
	6B	Criteria for deciding application for compliance permit for greywater use facility in a sewerred area . .	8
12		Amendment of s 7 (Minor work—Act, sch, definition minor work)	9
13		Replacement of pt 2, hdg (Compliance with applied provisions) .	9
14		Insertion of new s 8A	9
	8A	Compliance with Plumbing Code of Australia.	9
15		Insertion of new ss 8B and 8C	10
	8B	Compliance with QPW code.	10
	8C	Relationship between PCA and QPW code	10
16		Amendment of s 9 (Regulated work)	11
17		Amendment of s 10 (Minor work and unregulated work)	11
18		Amendment of s 11 (Limited application of part 1.2)	11
19		Amendment of s 12 (Limited application of part 4.2)	11
20		Amendment of s 13 (Application of pt 3)	12
21		Amendment of s 14 (Request for compliance assessment of plans)	12
22		Insertion of new ss 14A–14D	13
	14A	Additional requirements for plans for regulated work .	14
	14B	Additional requirements for plans for greywater use facilities in a sewerred area	15
	14C	Additional requirements for plans for greywater use facilities not in a sewerred area	16
	14D	Additional requirements for plans for on-site sewerage facilities	18
23		Amendment of s 15 (Certificate for plans given by competent person)	19
24		Amendment of s 16 (Additional documents may be required) . .	19
25		Amendment of pt 3, div 3, hdg (Assessing plumbing and drainage work)	20
26		Amendment of s 17 (Definitions for div 3)	20
27		Amendment of s 18 (Request for compliance assessment of regulated work).	21
28		Amendment of s 19 (Stages for assessment of work)	22
29		Insertion of new s 19A and 19B	22
	19A	Stages for assessment of on-site sewerage work . . .	22
	19B	Obligations of responsible person for on-site sewerage work	23

*Plumbing and Drainage Legislation Amendment No. 323, 2005
Regulation (No. 1) 2005*

30	Amendment of s 20 (Assessment of stages of work by local government)	24
31	Amendment of s 21 (Covering plumbing and drainage)	24
32	Amendment of s 22 (Testing and commissioning plumbing and drainage)	25
33	Replacement of s 23 (Plan of assessed work)	25
	23 General requirements for plans for assessed work	26
	23A Additional requirements for plans for assessed regulated work	26
	23B Additional requirements for plans for assessed greywater use facilities in a sewerred area	27
	23C Additional requirements for plans for assessed greywater use facilities not in a sewerred area	28
	23D Additional requirements for plans for assessed on-site sewerage work	28
34	Amendment of pt 3, div 4, hdg (Assessing regulated work in remote areas)	29
35	Amendment of s 24 (Application of div 4)	29
36	Amendment of s 25 (Meaning of remote area)	29
37	Amendment of s 26 (Request for compliance assessment of regulated work)	30
38	Amendment of s 28 (Plan of completed work)	30
39	Amendment of s 38 (Testable backflow prevention devices)	30
40	Insertion of new pts 7 and 8	31
	54 Maintenance of existing combined sanitary drains	31
	55 Evidentiary aids	31
	56 Definition for pt 8	32
	57 Existing requests for compliance assessment of plans for regulated work	33
	58 Existing requests for compliance assessment of regulated work	33
	59 Plumbing and drainage work	33
41	Replacement of sch 1 (Applied provisions)	34
42	Insertion of new sch 1A	34
	Schedule 1A References to parts of QPW code	
43	Amendment of sch 2 (Minor work)	35
44	Replacement of sch 4 (Work for compliance reports)	35
45	Amendment of sch 6 (Dictionary)	37

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Plumbing and Drainage Legislation Amendment Regulation (No. 1) 2005*.

2 Commencement

This regulation, other than the following provisions, commences on 1 March 2006—

- (a) part 2;
- (b) part 3, heading;
- (c) sections 7, 10, 12 to 14, 17 to 19, 32, 41, 44 and 45(3);
- (d) section 45(1), to the extent it omits the *Standard Plumbing and Drainage Regulation 2003*, schedule 6, definitions *part 1.2* and *part 4.2*;
- (e) section 45(2), to the extent it inserts the *Standard Plumbing and Drainage Regulation 2003*, schedule 6, definitions *AS/NZS*, *PCA* and *Plumbing Code of Australia*.

Part 2 Amendment of Plumbing and Drainage Regulation 2003

3 Regulation amended in pt 2

This part amends the *Plumbing and Drainage Regulation 2003*.

4 Amendment of sch 1 (Qualifications, practical experience and scope of work for plumbers and drainers licences)

Schedule 1, items 1 and 2, column 2, paragraph (a), after 'licence'—

insert—

‘and relevant post-trade courses approved by the board’.

5 Amendment of sch 4 (Fees)

- (1) Schedule 4, items (h) to (j)—

renumber as schedule 4, items (i) to (k).

- (2) Schedule 4—

insert—

‘(h) review of licence conditions (Act, s 55(3)(b)). 43.00’.

6 Amendment of sch 5 (Dictionary)

- (1) Schedule 5, definition *council*—

omit.

- (2) Schedule 5—

insert—

‘***council*** means the Training and Employment Recognition Council established under the *Vocational Education, Training and Employment Act 2000*.

- (3) Schedule 5, definition *apprenticeship*, ‘*Training and Employment Act 2000*, section 7.’—

omit, insert—

‘*Vocational Education, Training and Employment Act 2000*.’.

- (4) Schedule 5, definition *plumbing and draining apprenticeship*, ‘*Training and Employment Act 2000*, section 183.’—

omit, insert—

‘*Vocational Education, Training and Employment Act 2000*.’.

- (5) Schedule 5, definition *registered training organisation*, ‘*Training and Employment Act 2000*, section 14.’—

omit, insert—

‘*Vocational Education, Training and Employment Act 2000*.’.

Part 3 **Amendment of Standard Plumbing and Drainage Regulation 2003**

7 **Regulation amended in pt 3**

This part amends the *Standard Plumbing and Drainage Regulation 2003*.

8 **Amendment of s 3 (Status)**

Section 3(3), from ‘plumbing or drainage work’—
omit, insert—

‘matters outside the scope of this regulation that are related to plumbing and drainage work or on-site sewerage work.’.

9 **Insertion of new s 4A**

After section 4—
insert—

‘4A **What is the *Queensland Plumbing and Wastewater Code* (or *QPW code*)**

- ‘(1) The *Queensland Plumbing and Wastewater Code* (or *QPW code*) is the document called the Queensland Plumbing and Wastewater Code,¹ published by the department.
- ‘(2) In this regulation, a reference to a part of the QPW code is a reference to the part as at the date mentioned for the part in schedule 1A, column 2.’.

¹ A copy of the QPW code is available for inspection at the department’s office at 41 George Street, Brisbane, and on the department’s website at <www.dlgpsr.qld.gov.au>.

10 Replacement of s 5 (Meaning of *applied provisions*, *glossary*, part 1.2 and part 4.2)

Section 5—

omit, insert—

‘5 What are the *applied provisions* and *glossary*

‘(1) The *applied provisions* are the documents listed in schedule 1.

‘(2) The *glossary* is the document mentioned in schedule 1, item 1.’.

11 Insertion of new pt 1A, hdg, and ss 6A and 6B

After section 6—

insert—

‘Part 1A Prescribed matters for Act

‘6A Criteria local government must consider in declaring area to be unsuitable for greywater use

‘The criteria the local government must, under section 85B(3)² of the Act, consider in declaring an area to be unsuitable for greywater use are—

(a) that the area is unsuitable for greywater use because of any of the following—

(i) the likely impacts on the amenity of the area;

(ii) the risk of the use causing environmental harm within the meaning of the *Environmental Protection Act 1994*;³

Examples of environmental harm—

- greywater polluting groundwater
- greywater run-off polluting a nearby watercourse

2 Section 85B (Restrictions on giving compliance permit for greywater use facility in a sewered area) of the Act

3 See the *Environmental Protection Act 1994*, section 14 (Environmental harm)

- (iii) the risk of ponding or run-off of greywater discharged causing a danger or health risk to any one; and

Example of a thing that may cause a health risk—

insufficient irrigation area to ensure long-term performance of a greywater use facility

- (b) the density of allotments within the area; and
- (c) the area of land available for dispersal of greywater, after allowing for setbacks from the boundary of premises and for any impervious surfaces; and
- (d) characteristics of the terrain or soil of or near the area; and

Example—

- shape of the surface of the land, gradient, nature and condition of soil, likely surface run-off and lateral and vertical drainage and seepage
- a soil type that is unlikely to be able to assimilate biodegradable organic compounds and pathogenic bacteria

- (e) relevant hydrological and seasonal factors.

Example—

exposure to sun and wind, rainfall patterns and evapotranspiration from vegetation

‘6B Criteria for deciding application for compliance permit for greywater use facility in a sewered area

‘The criteria the local government must, under section 85B(3) of the Act, consider in deciding an application for a compliance permit for regulated work for, or that includes, a greywater use facility in a sewered area are—

- (a) the matters mentioned in section 6A(b) to (e); and
- (b) whether the application includes the information and documents mentioned in section 14B(3).⁴’

⁴ Section 14B (Additional requirements for plan for greywater use facilities in a sewered area)

12 Amendment of s 7 (Minor work—Act, sch, definition *minor work*)

Section 7(2)—

omit, insert—

- ‘(2) For section 87(1) of the Act, notifiable minor work is plumbing or drainage work listed in schedule 2, part 1.’.

13 Replacement of pt 2, hdg (Compliance with applied provisions)

Part 2, heading—

omit, insert—

‘Part 2 Compliance with particular codes and standards’.

14 Insertion of new s 8A

Part 2—

insert—

‘8A Compliance with Plumbing Code of Australia

- ‘(1) Plumbing and drainage work must comply with the PCA, sections A, B, C and G.⁵
- ‘(2) However, plumbing and drainage work is not required to comply with AS/NZS 3500.5:2000 (National plumbing and drainage—domestic installations).
- ‘(3) Plumbing and drainage work complies with the PCA only if the work satisfies the relevant performance requirements under the PCA.
- ‘(4) Compliance with the relevant performance requirements under the PCA can be achieved only by—

⁵ Plumbing Code of Australia, sections A (General provisions), B (Water services), C (Sanitary plumbing and drainage systems) and G (Materials and products certification and authorisation)

- (a) complying with the relevant deemed-to-satisfy provisions under the PCA; or
- (b) formulating an alternative solution under the PCA that—
 - (i) complies with the performance requirements; and
 - (ii) is shown to be at least equivalent to the relevant deemed-to-satisfy provisions under the PCA; or
- (c) a combination of paragraphs (a) and (b).’.

15 Insertion of new ss 8B and 8C

After section 8A—

insert—

‘8B Compliance with QPW code

- ‘(1) Plumbing and drainage work and on-site sewerage work must comply with the QPW code.
- ‘(2) Plumbing and drainage work or on-site sewerage work complies with the QPW code only if the work satisfies the relevant performance criteria under the QPW code.
- ‘(3) Compliance with the relevant performance criteria can be achieved only by—
 - (a) complying with the relevant acceptable solution under the QPW code; or
 - (b) formulating an alternative solution that—
 - (i) satisfies the performance criteria; and
 - (ii) is shown to be at least equivalent to the relevant acceptable solution under the QPW code; or
 - (c) a combination of paragraphs (a) and (b).

‘8C Relationship between PCA and QPW code

‘If the PCA is inconsistent with the QPW code, the QPW code prevails to the extent of the inconsistency.’.

16 Amendment of s 9 (Regulated work)

- (1) Section 9, heading, after ‘work’—

insert—

‘and on-site sewerage work’.

- (2) Section 9(1)—

omit, insert—

- ‘(1) Subject to sections 11 and 12, regulated work and on-site sewerage work must comply with the applied provisions.’.

17 Amendment of s 10 (Minor work and unregulated work)

Section 10(2)—

omit, insert—

- ‘(2) Subject to section 11, the installation of the item must comply with the applied provisions.’.

18 Amendment of s 11 (Limited application of part 1.2)

- (1) Section 11, heading, ‘part 1.2’—

omit, insert—

‘AS/NZS 3500.1:2003’.

- (2) Section 11(2), ‘part 1.2, section 6,’—

omit, insert—

‘AS/NZS 3500.1:2003, section 6,⁶’.

19 Amendment of s 12 (Limited application of part 4.2)

- (1) Section 12, heading, ‘part 4.2’—

omit, insert—

‘AS/NZS 3500.4:2003’.

6 AS/NZS 3500.1:2003 (Water services), section 6 (Fire services)

- (2) Section 12, ‘applying part 4.2’—
omit, insert—
‘applying AS/NZS 3500.4:2003’.
- (3) Section 12, ‘part 4.2, clause 1.6.2(b)’—
omit, insert—
‘clause 1.9.2(b) of the standard’.

20 Amendment of s 13 (Application of pt 3)

Section 13, from ‘plans’—
omit, insert—
‘regulated work, on-site sewerage work, and plans for the work.’.

21 Amendment of s 14 (Request for compliance assessment of plans)

- (1) Section 14, words before subsection (2)—
omit, insert—

‘14 General requirements for plans the subject of a compliance request

- ‘(1) This section imposes requirements for a plan the subject of a compliance request.’.
- (2) Section 14(2), after ‘plumbing and drainage’—
insert—
‘or on-site sewerage facility’.
- (3) Section 14(3), after ‘include’—
omit, insert—
‘, or be accompanied by, the documents or information mentioned in—
- (a) any of the following—
- (i) for regulated work—section 14A;

- (ii) for regulated work for, or that includes, a greywater use facility in a sewered area—sections 14A and 14B;
- (iii) for regulated work for, or that includes, a greywater use facility not in a sewered area—sections 14A and 14C;
- (iv) for on-site sewerage work—section 14D; and
- (b) if section 16(1)(b) applies—section 16(2).’.
- (4) Section 14(4)(a), after ‘plumbing and drainage’—
insert—
‘or on-site sewerage facility’.
- (5) Section 14(4)(b)—
omit, insert—
‘(b) for the person mentioned in paragraph (a)—
 - (i) if the person is registered or licensed under a law applying in the State to practise in the aspect of the work—the person’s registration or licence number;
or
 - (ii) if the work is on-site sewerage work and subparagraph (i) does not apply—sufficient information about the person’s qualifications and experience to enable the local government to decide whether the person is qualified to design the on-site sewerage facility.’.
- (6) Section 14(6), after ‘person’—
insert—
‘making the request’.

22 Insertion of new ss 14A–14D

After section 14—

insert—

‘14A Additional requirements for plans for regulated work

- ‘(1) This section applies, as well as section 14, to a compliance request for regulated work.
- ‘(2) There must be a site plan of the premises on which the regulated work is to be performed showing each of the following—
 - (a) the location of proposed or existing buildings or structures on the premises;
 - (b) the ground levels and drainage invert levels, referenced to AHD or appropriately reduced levels, to indicate whether sanitary drains can gravity feed to the connection point for the sewer or on-site sewage treatment plant;
 - (c) the location of each connection point to—
 - (i) a service provider’s water supply or sewerage system; or
 - (ii) an on-site sewage treatment plant; or
 - (iii) a greywater treatment plant;
 - (d) if the work is to be performed on any of the following—the approximate location on the premises of the below ground water supply pipes and sanitary drainage pipes for any plumbing and drainage for the work—
 - (i) a building classified under BCA as a class 1 building, on a lot that is not part of a community titles scheme;
 - (ii) a building classified under BCA as a class 10 building;
 - (e) if the work is to be performed on a building other than a building mentioned in paragraph (d)—the proposed location and details of installation for any plumbing and drainage for the work.
- ‘(3) If the regulated work is work to be performed on a building mentioned in subsection (1)(d)—
 - (a) there must be—

- (i) a floor plan of the building; and
- (ii) a plan showing the elevations of the building; and
- (b) the location and details of the building's fixtures must be shown on each of the plans mentioned in paragraph (a).

'14B Additional requirements for plans for greywater use facilities in a sewerred area

- '(1) This section applies, as well as sections 14 and 14A, to a compliance request for regulated work for, or that includes, a greywater use facility in a sewerred area.
- '(2) There must be a site plan of the premises on which the work is to be performed showing each of the following—
 - (a) the location of the greywater application area;
 - (b) the distances from the greywater application area to the following—
 - (i) the boundary of the premises;
 - (ii) proposed or existing buildings or structures on the premises;
 - (iii) any impervious surfaces on the premises, including, for example, paths for pedestrians and paved areas;
 - (c) the connection from the greywater treatment plant or greywater diversion device to sanitary drainage.
- '(3) Each of the following must be included—
 - (a) a document showing that—
 - (i) the facility's greywater treatment plant has a chief executive approval; or
 - (ii) the facility's greywater diversion device has plumbing code authorisation and certification;
 - (b) sufficient information to enable the local government to decide whether any ponding or run-off of the greywater discharged could cause—
 - (i) a danger or health risk to any one; or

Example of a thing that may cause a health risk—

insufficient irrigation area to ensure long-term performance of a greywater use facility

- (ii) odour that unreasonably interferes, or is likely to unreasonably interfere, with the use or enjoyment of any other premises;
- (c) if the work is for testing purposes—
 - (i) details of the testing approval for the proposed greywater use facility, including any conditions the chief executive imposes on the approval; and
 - (ii) any other information that the local government requires in relation to the testing.

‘14C Additional requirements for plans for greywater use facilities not in a sewered area

- ‘(1) This section applies, as well as sections 14 and 14A, to a compliance request for regulated work for, or that includes, a greywater use facility not in a sewered area.
- ‘(2) There must be a site plan of the premises on which the work is to be performed showing each of the following—
 - (a) the location of the following—
 - (i) the proposed greywater application area;
 - (ii) the proposed greywater treatment plant or greywater diversion device;
 - (iii) any proposed or existing on-site sewage treatment plant;
 - (iv) any proposed or existing on-site sewerage application area, including the layout of drainage for, and the proposed method of applying greywater to, the area;
 - (b) the distances from the greywater application area to the following—
 - (i) the boundary of the premises;

- (ii) proposed or existing buildings or structures on the premises;
 - (iii) any proposed or existing on-site sewage treatment plant and on-site sewerage application area;
 - (iv) any impervious surfaces on the premises, including, for example, paths for pedestrians and paved areas;
 - (v) each body of water mentioned in paragraph (d);
 - (c) the ground levels, referenced to AHD or appropriately reduced levels, to indicate whether sanitary drains can gravity feed to the connection point for the proposed greywater treatment plant or greywater diversion device;
 - (d) the location of each body of water that may be affected by the greywater from the proposed greywater treatment plant or greywater diversion device;
 - (e) details of the water supply to the premises;
 - (f) if the work is not for testing purposes—the proposed greywater treatment plant's type and size.
- ‘(3) Each of the following must be included—
- (a) a site and soil evaluation report, within the meaning of the QPW code, for the premises;
 - (b) if the work is not for testing purposes—
 - (i) a document showing plumbing code authorisation and certification for the proposed greywater diversion device; or
 - (ii) a chief executive approval for the proposed greywater treatment plant;
 - (c) if the work is for testing purposes—
 - (i) details of the testing approval for the proposed greywater use facility, including any conditions the chief executive imposes on the approval; and
 - (ii) any other information that the local government requires in relation to the testing.

‘14D Additional requirements for plans for on-site sewerage facilities

- ‘(1) This section applies, as well as section 14, to a compliance request for on-site sewerage work.
- ‘(2) There must be a site plan of the premises on which the on-site sewerage work is to be performed showing each of the following—
 - (a) the location of the following—
 - (i) proposed or existing buildings or structures on the premises;
 - (ii) the proposed on-site sewage treatment plant;
 - (iii) the proposed on-site sewerage application area, including the layout of drainage for, and the proposed method of applying effluent to, the area;
 - (b) the distances from the proposed on-site sewerage application area to the following—
 - (i) the boundary of the premises;
 - (ii) proposed or existing buildings or structures on the premises;
 - (iii) any impervious surfaces on the premises, including, for example, paths for pedestrians and paved areas;
 - (iv) each body of water mentioned in paragraph (d);
 - (c) the ground levels, referenced to AHD or appropriately reduced levels, to indicate whether sanitary drains can gravity feed to the connection point for the proposed on-site sewage treatment plant;
 - (d) the location of each body of water that may be affected by the effluent from the proposed on-site sewerage facility;
 - (e) details of the water supply to the premises;
 - (f) if the work is not for testing purposes—the proposed on-site sewage treatment plant’s type and size.
- ‘(3) Each of the following must be included—

- (a) a site and soil evaluation report, within the meaning of the QPW code, for the premises;
- (b) if the work is not for testing purposes—a document showing plumbing code authorisation and certification, or a chief executive approval, for the proposed on-site sewerage facility;
- (c) if the work is for testing purposes—
 - (i) details of the testing approval for the proposed on-site sewerage facility, including any conditions the chief executive imposes on the approval; and
 - (ii) any other information that the local government requires in relation to the testing.’.

23 Amendment of s 15 (Certificate for plans given by competent person)

- (1) Section 15(1), after ‘regulated work’—
insert—
‘or on-site sewerage work’.
- (2) Section 15(3), after ‘plumbing or drainage’—
insert—
‘or an on-site sewerage facility’.

24 Amendment of s 16 (Additional documents may be required)

- (1) Section 16, heading—
omit, insert—

‘16 Requirement for additional documents for particular plans’.

- (2) Section 16(1)(a), ‘request for compliance assessment of a plan’—
omit, insert—
‘compliance request for a plan’.

- (3) Section 16(1)(b)—
omit, insert—
'(b) the plan proposes to comply with—
(i) the performance requirements of the applied provisions or the PCA by formulating an alternative solution that is a means of compliance with the applied provisions or the PCA; or
(ii) the performance criteria of the QPW code by formulating an alternative solution within the meaning of the code.'
- (4) Section 16(2), 'for compliance assessment of the plan'—
omit.
- (5) Section 16(2), after 'performance requirement'—
insert—
'or performance criteria'.

25 Amendment of pt 3, div 3, hdg (Assessing plumbing and drainage work)

Part 3, division 3, heading, after 'work'—
insert—
'or on-site sewerage work'.

26 Amendment of s 17 (Definitions for div 3)

- (1) Section 17, definition *48 hours*, after 'regulated work'—
insert—
'or on-site sewerage work'.
- (2) Section 17, definition *responsible person*—
omit, insert—
responsible person means—
(a) for regulated work, a person who—
(i) is a licensed person for the work; and

- (ii) performs, directs the performance of, or supervises, the work; or
- (b) for on-site sewerage work that must be assessed—a person who performs, directs the performance of, or supervises, the work.’.

27 Amendment of s 18 (Request for compliance assessment of regulated work)

- (1) Section 18, heading, after ‘regulated work’—
insert—
‘or on-site sewerage work’.
- (2) Section 18(1), from ‘section 86(1)’ to ‘regulated work,’—
omit, insert—
‘section 86(2)⁷ of the Act, a request for compliance assessment of regulated work or on-site sewerage work’.
- (3) Section 18(2), ‘the work’—
omit, insert—
‘the regulated work’.
- (4) Section 18—
insert—
‘(3) A person making a request for compliance assessment of on-site sewerage work must give the local government a notice in the approved form of any relevant changes to the premises since the granting of the compliance permit for the work.
Maximum penalty—20 penalty units.
(4) In this section—
relevant change, for premises, means a change to the premises that would have altered the information given when

⁷ Section 86 (General process for assessing regulated work and on-site sewerage work) of the Act

applying, under section 85⁸ of the Act, for the relevant compliance permit.’.

28 Amendment of s 19 (Stages for assessment of work)

- (1) Section 19, heading, ‘work’—

omit, insert—

‘regulated work’.

- (2) Section 19(1), ‘section 86(3)’—

omit, insert—

‘section 86(5)’.

- (3) Section 19(1)—

insert—

‘(da) for a greywater use facility—after the subsurface irrigation in the greywater application area is installed;’.

- (4) Section 19(1)(e), ‘a compliance permit’—

omit, insert—

‘the relevant compliance permit’.

- (5) Section 19(1)(da) and (e), as amended—

renumber as section 19(1)(e) and (f).

29 Insertion of new s 19A and 19B

After section 19—

insert—

‘19A Stages for assessment of on-site sewerage work

‘Each of the following stages of on-site sewerage work is prescribed for section 86(5) of the Act—

- (a) for a trench or sub-surface irrigation—
(i) before filling with backfill; or

8 Section 85 (Process for assessing plans) of the Act

- (ii) after substantially filling with backfill but leaving a cross-sectional area of the trench or sub-surface irrigation not backfilled;
- (b) after all pipes for the relevant on-site sewerage facility are connected, and effluent resulting from sewage generated on the premises can be treated by the on-site sewerage treatment plant;
- (c) if the relevant compliance permit imposes a condition requiring an assessment at 1 or more other stages of the work—each stage stated in the condition.

‘19B Obligations of responsible person for on-site sewerage work

‘If section 86(6) of the Act does not apply, the responsible person for on-site sewerage work must—

- (a) request the local government to assess the work—
 - (i) at each of the stages for the work prescribed under section 19A; and
 - (ii) for the stage mentioned in section 19A(b)—within 7 days after the work is completed; and
- (b) if the responsible person is not the person who made the request for compliance assessment under section 18(1)—give the local government the responsible person’s name when first requesting an assessment of the work; and
- (c) if there is a different responsible person for a stage of work (a *new responsible person*) from the responsible person for the previous stage of work—give the local government the new responsible person’s name when requesting an assessment of the new responsible person’s stage of work; and
- (d) before or when the work is assessed, give the local government details in the approved form of the responsible person.

Maximum penalty—20 penalty units.’.

30 Amendment of s 20 (Assessment of stages of work by local government)

- (1) Section 20(1), after ‘regulated work’—
insert—
‘or on-site sewerage work’.
- (2) Section 20(4), ‘plumbing or drainage, the subject of the work,’—
omit, insert—
‘relevant plumbing or drainage or on-site sewerage facility’.

31 Amendment of s 21 (Covering plumbing and drainage)

- (1) Section 21, heading, after ‘drainage’—
insert—
‘**or on-site sewerage facility**’.
- (2) Section 21(1)—
omit, insert—
- ‘(1) A responsible person for regulated work or on-site sewerage work must not cover, or allow another person to cover, the relevant plumbing or drainage or on-site sewerage facility unless an inspector has—
- (a) assessed the work and decided it complies with this regulation; or
 - (b) allowed the plumbing or drainage or on-site sewerage facility to be covered; or
 - (c) for on-site sewerage work—accepted from an approved person a notice of compliance for the work given under section 86(6)⁹ of the Act.
- Maximum penalty—20 penalty units.’.

⁹ Section 86 (General process for assessing regulated work and on-site sewerage work) of the Act

- (3) Section 21(3), after ‘plumbing or drainage’—
insert—
‘or on-site sewerage facility’.
- (4) Section 21(4), after ‘plumbing or drainage’—
insert—
‘or on-site sewerage facility’.

32 Amendment of s 22 (Testing and commissioning plumbing and drainage)

- (1) Section 22—
insert—
- ‘(2A) An approved person must test or commission the plumbing or drainage—
 - (a) for plumbing or drainage installed to comply with a deemed-to-satisfy provision under PCA—in accordance with the relevant applied provision mentioned in schedule 4, part 1; or
 - (b) for plumbing or drainage installed to comply with an alternative solution—to ensure the plumbing or drainage complies with the relevant performance requirements under PCA, or other requirements, mentioned in schedule 4, part 2.’.
- (2) Section 22(3), ‘subsection (4)’—
omit, insert—
‘subsection (5)’.
- (3) Section 22(2A) to (6)—
renumber as section 22(3) to (7).

33 Replacement of s 23 (Plan of assessed work)

- Section 23—
omit, insert—

‘23 General requirements for plans for assessed work

- ‘(1) This section applies if, under section 86(7)¹⁰ of the Act, the local government asks a person making a request for compliance assessment of regulated work or on-site sewerage work to supply a plan for the assessed work.
- ‘(2) The plan must contain enough information about the work to enable the local government to keep an accurate record of the plumbing or drainage or the relevant on-site sewerage facility that is the subject of the work.

‘23A Additional requirements for plans for assessed regulated work

- ‘(1) This section applies, as well as section 23, to a request for a plan for assessed regulated work.
- ‘(2) If the work is in relation to a building classified under BCA as a class 1 building on a lot that is part of a community titles scheme or a class 2 to 9 building, the plan must be drawn to scale and show—
 - (a) the location, including dimensions, of each connection point to—
 - (i) the service provider’s water supply or sewerage system; or
 - (ii) the on-site sewerage facility; and
 - (b) the location on the premises of the following items—
 - (i) all fixtures, water supply pipes and sanitary drains;
 - (ii) each connection point to the service provider’s water supply or sewerage system, or to the on-site sewerage facility;
 - (iii) each access point for cleaning and maintaining the plumbing and drainage;

10 Section 86 (General process for assessing regulated work and on-site sewerage work) of the Act

- (iv) each reflux valve installed in the drainage;
 - (v) any installed testable backflow prevention devices.
- ‘(3) If the work is in relation to a building classified under BCA as a class 1 building or class 10 building, other than a class 1 building mentioned in subsection (2), the plan must be drawn approximately to scale and show—
- (a) the location, including dimensions, of each connection point to—
 - (i) the service provider’s water supply or sewerage system; or
 - (ii) the on-site sewerage facility; and
 - (b) the approximate location on the premises of the following items—
 - (i) all fixtures, water supply pipes and sanitary drains;
 - (ii) each connection point to the service provider’s water supply or sewerage system, or to the on-site sewerage facility;
 - (iii) each access point for cleaning and maintaining the plumbing and drainage;
 - (iv) each reflux valve installed in the drainage;
 - (v) any installed testable backflow prevention devices.

‘23B Additional requirements for plans for assessed greywater use facilities in a sewered area

- ‘(1) This section applies, as well as sections 23 and 23A, to a request for regulated work for, or that includes, a greywater use facility in a sewered area.
- ‘(2) The plan must be drawn approximately to scale and show the following—
- (a) the location of the greywater application area;
 - (b) the distances from the greywater application area to the following—
 - (i) the boundary of the premises;

- (ii) proposed or existing buildings or structures on the premises.

‘23C Additional requirements for plans for assessed greywater use facilities not in a sewerred area

- ‘(1) This section applies, as well as sections 23 and 23A, to a request for regulated work for, or that includes, a greywater use facility not in a sewerred area.
- ‘(2) The plan must be drawn approximately to scale and show the following—
 - (a) the location of the following—
 - (i) the greywater application area;
 - (ii) any proposed or existing on-site sewage treatment plant;
 - (iii) any proposed or existing on-site sewerage application area, including the layout of drainage for, and the proposed method of applying greywater to, the area;
 - (b) the distances from the greywater application area to the following—
 - (i) the boundary of the premises;
 - (ii) proposed or existing buildings or structures on the premises;
 - (iii) any proposed or existing on-site sewerage application area.

‘23D Additional requirements for plans for assessed on-site sewerage work

- ‘(1) This section applies, as well as section 23, to a request for a plan for assessed on-site sewerage work.
- ‘(2) The plan must be drawn approximately to scale and show the following—

- (a) the location of proposed or existing buildings or structures on the premises on which the on-site sewerage facility has been installed;
- (b) the location of the on-site sewage treatment plant;
- (c) the location of the on-site sewerage application area;
- (d) the distances from the on-site sewerage application area to the following—
 - (i) the boundary of the premises;
 - (ii) buildings or structures on the premises;
- (e) the location of each body of water that may be affected by effluent from the on-site sewerage facility;
- (f) the distances between the on-site sewerage facility and each body of water mentioned in paragraph (e).'

34 Amendment of pt 3, div 4, hdg (Assessing regulated work in remote areas)

Part 3, division 4, heading, after 'regulated work'—

insert—

'or on-site sewerage work'.

35 Amendment of s 24 (Application of div 4)

Section 24, after 'regulated work'—

insert—

'or on-site sewerage work'.

36 Amendment of s 25 (Meaning of *remote area*)

Section 25(2)(b), after 'plumbing and drainage'—

insert—

'or on-site sewerage facility'.

37 Amendment of s 26 (Request for compliance assessment of regulated work)

- (1) Section 26, heading, after ‘regulated work’—

insert—

‘or on-site sewerage work’.

- (2) Section 26, after ‘regulated work’—

insert—

‘or on-site sewerage work’.

38 Amendment of s 28 (Plan of completed work)

- (1) Section 28(1), after ‘regulated work’—

insert—

‘or on-site sewerage work’.

- (2) Section 28(2), from ‘plan of the assessed work’—

omit, insert—

‘plan of assessed work—

- (a) for regulated work—under sections 23 and 23A; or
- (b) for regulated work for, or that includes, a greywater use facility in a sewerage area—under sections 23 to 23B; or
- (c) for regulated work for, or that includes, a greywater use facility not in a sewerage area—under sections 23, 23A and 23C; or
- (d) for on-site sewerage work—under sections 23 and 23D.’.

39 Amendment of s 38 (Testable backflow prevention devices)

Section 38(4), after ‘inspection or test’—

insert—

‘in the approved form’.

40 Insertion of new pts 7 and 8

After section 53—

insert—

‘Part 7 Miscellaneous provisions

‘54 Maintenance of existing combined sanitary drains

- ‘(1) This section applies if—
- (a) 2 or more premises in a local government’s sewered area are served by an existing combined sanitary drain; and
 - (b) the drain is obstructed, in disrepair or damaged because of defective materials, breakages or tree root intrusion; and
 - (c) the owners of the premises can not agree on suitable and fair arrangements for removing the obstruction or repairing or rebuilding the drain.
- ‘(2) However, this section does not apply to a sanitary drain if the premises that the sanitary drain serves—
- (a) is included in a community titles scheme under the *Body Corporate and Community Management Act 1997*; or
 - (b) forms part of a building unit plan or group title plan under the *Building Units and Group Titles Act 1980*.
- ‘(3) The local government may—
- (a) perform the work; and
 - (b) fairly apportion the reasonable overall cost between or among the owners; and
 - (c) recover, as a debt from each owner, the owner’s share of the costs.

‘55 Evidentiary aids

- ‘(1) This section applies to a proceeding under, or in relation to, this regulation.

- ‘(2) A certificate purporting to be signed by the chief executive stating any of the following matters is evidence of the matter—
- (a) a stated document is a copy of, or an extract from or part of—
 - (i) the PCA; or
 - (ii) the QPW code;
 - (b) an edition of the PCA was the current edition of the PCA at a stated time or during a stated period;
 - (c) a particular version of the QPW code was in force at a stated time or during a stated period;
 - (d) a particular part of the QPW code was in force at a stated time or during a stated period;
- ‘(3) In a proceeding under section 54(3) by a local government to recover costs from owners of premises, a certificate by the chief executive officer of the local government stating any of the following matters is evidence of the matter—
- (a) a matter mentioned in section 54(1);
 - (b) that stated work has been performed under section 54(3)(b);
 - (c) that a stated apportionment is a fair apportionment of the cost among the owners.

‘Part 8

Transitional provisions for Plumbing and Drainage Legislation Amendment Regulation (No. 1) 2005

‘56 Definition for pt 8

‘In this section—

commencement means the day this section commences.

unamended regulation means this regulation as in force immediately before the commencement.

‘57 Existing requests for compliance assessment of plans for regulated work

- ‘(1) This section applies if—
- (a) before the commencement, a request for compliance assessment of a plan for regulated work was made under section 85(1)¹¹ of the Act as in force immediately before the commencement; and
 - (b) immediately before the commencement, the request had not been decided.
- ‘(2) The unamended regulation applies to—
- (a) deciding the request; and
 - (b) if a compliance permit for the work is given—assessing the plan.

‘58 Existing requests for compliance assessment of regulated work

- ‘(1) This section applies if—
- (a) before the commencement, a request for compliance assessment of regulated work was made under section 86(1) or 86A(2)¹² of the Act as in force immediately before the commencement; and
 - (b) immediately before the commencement, the work had not been assessed.
- ‘(2) The unamended regulation applies to assessing the work.

‘59 Plumbing and drainage work

- ‘(1) This section applies to the following—

11 Section 85 (Process for assessing plans) of the Act

12 Section 86 (Process for assessing regulated work) or 86A (Process for assessing certain regulated work in remote areas) of the Act

- (a) regulated work for which a compliance permit has been given before the commencement;
 - (b) minor work or unregulated work, started but not finished before the commencement.
- ‘(2) The unamended regulation applies to the work.’.

41 Replacement of sch 1 (Applied provisions)

Schedule 1—

omit, insert—

‘Schedule 1 Applied provisions

section 5

- 1 AS/NZS 3500.0:2003 (Plumbing and drainage—Glossary of terms)
- 2 AS/NZS 3500.1:2003 (Plumbing and drainage—Water services)
- 3 AS/NZS 3500.2:2003 (Plumbing and drainage—Sanitary plumbing and drainage)
- 4 AS/NZS 3500.4:2003 (Plumbing and drainage—Heated water services)
- 5 AS/NZS 1546.1:1998 (On-site domestic wastewater treatment units—Septic tanks)
- 6 AS/NZS 1546.3:2001 (On-site domestic wastewater treatment units—Aerated wastewater treatment systems)
- 7 AS/NZS 1547:2000 (On-site domestic-wastewater management)’.

42 Insertion of new sch 1A

After schedule 1—

insert—

‘Schedule 1A References to parts of QPW code

section 4A

Parts of QPW code	Date published
1—On-site sewerage facilities	1 March 2006
2—Use of greywater in sewered areas	1 March 2006
3—Use and disposal of greywater in unsewered areas	1 March 2006
4—Chief executive approval	1 March 2006’.

43 **Amendment of sch 2 (Minor work)**

Schedule 2, part 1, after fifth dot point—

insert—

- ‘. work temporarily installed downstream of a backflow prevention device if the work remains in place for less than 4 weeks
- repairing or replacing a greywater treatment plant or greywater diversion device’.

44 **Replacement of sch 4 (Work for compliance reports)**

Schedule 4—

omit, insert—

‘Schedule 4 **Work for which approved person may give compliance reports**

section 22

Part 1

Complying with deemed-to-satisfy provisions under PCA

- 1 testing or commissioning of a water service in accordance with AS/NZS 3500.1:2003 (Plumbing and drainage—Water services), section 16¹³
- 2 testing or commissioning of a sanitary plumbing or drainage installation in accordance with AS/NZS 3500.2:2003 (Plumbing and drainage—Sanitary plumbing and drainage), section 13¹⁴
- 3 testing or commissioning of a heated water service in accordance with AS/NZS 3500.4:2003 (Plumbing and drainage—Heated water services), section 11¹⁵

Part 2

Complying with alternative solutions under PCA

- 4 testing or commissioning of a cold water service to ensure the installation of the cold water service complies with the performance requirements of PCA, part B1 (Cold water services)
- 5 testing or commissioning of a heated water service to ensure—
 - (a) the installation of the heated water service complies with the performance requirements of PCA, part B2 (Heated water services); and
 - (b) the hot water delivery temperatures comply with this regulation

13 AS/NZS 3500.1:2003, section 16 (Testing and commissioning)

14 AS/NZS 3500.2:2003, section 13 (Testing of sanitary plumbing and sanitary drainage installations)

15 AS/NZS 3500.4:2003, section 11 (Testing and commissioning)

- 6 testing or commissioning of a sanitary plumbing or drainage installation to ensure the sanitary plumbing or drainage complies with the performance requirements of PCA, part C1 (Sanitary plumbing systems) or C2 (Sanitary drainage systems)’.’

45 Amendment of sch 6 (Dictionary)

- (1) Schedule 6, definitions *Building Code of Australia, certified item, competent person, MAP, MAP certification, part 1.2, part 4.2, sanitary drainage and sewage*—

omit.

- (2) Schedule 6—

insert—

‘**AS/NZS** means a joint Standards Australia and Standards New Zealand standard.

body of water means groundwater or a creek, lake, lagoon, marsh, river, stream, swamp or permanent or intermittent watercourse.

certified item means a plumbing or drainage item that has plumbing code authorisation and certification before installation or use.

combined sanitary drain means a sanitary drain for discharges from 2 or more adjacent premises.

competent person, for plumbing or drainage or on-site sewerage work, means a person who—

- (a) in the opinion of the local government, is competent to practise in the aspect of design of plumbing or drainage or an on-site sewerage facility, including, for example, giving and certifying plans for plumbing or drainage work or on-site sewerage work; and
- (b) if required under the Act or another Act to be registered or licensed to practise in the aspect, is registered or licensed.

on-site sewerage application area, for an on-site sewage treatment plant on premises, means a part of the premises,

commonly called a ‘land application area’, to which effluent from the on-site sewage treatment plant is disposed.

PCA means the Plumbing Code of Australia.

Plumbing Code of Australia means the document in force from time to time called ‘Plumbing Code of Australia’, produced for all State governments by the National Plumbing Regulators Forum.¹⁶

QPW code see section 4A(1).

Queensland Plumbing and Wastewater Code see section 4A(1).’.

- (3) Schedule 6, definitions *registered air gap* and *registered break tank*, ‘part 1.2’—

omit, insert—

‘AS/NZS 3500.1:2003’.

ENDNOTES

- 1 Made by the Governor in Council on 15 December 2005.
- 2 Notified in the gazette on 16 December 2005.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Local Government, Planning, Sport and Recreation.

© State of Queensland 2005

16 A copy of the most recent version of the code may be inspected free of charge during office hours on business days at the department’s office at 41 George Street, Brisbane.