



Queensland

Plumbing and Drainage Regulation 2019

Subordinate Legislation 2019 No. 42

made under the

Body Corporate and Community Management Act 1997

Building Act 1975

Health Act 1937

Planning Act 2016

Plumbing and Drainage Act 2018

Queensland Building and Construction Commission Act 1991

State Penalties Enforcement Act 1999

Contents

		Page
Part 1	Preliminary	
Division 1	Introduction	
1	Short title	9
2	Commencement	9
Division 2	Interpretation	
3	Definitions	9
4	Permit work	9
5	Notifiable work	9
6	Minor work	10
7	Unregulated work	10
Part 2	Codes and code requirements	
8	Approval of Queensland Plumbing and Wastewater Code—Act, s 7	10
9	Prescribed provisions of Plumbing Code of Australia—Act, s 9 .	10
10	Prescribed parts of Queensland Development Code—Act, s 9 .	11
11	Complying with Queensland Plumbing and Wastewater Code and	

Contents

	prescribed PCA provision—Act, s 9	11
12	Complying with prescribed QDC part—Act, s 9	12
Part 3	Licences	
13	Scope of work for classes of licence—Act, s 13	12
14	Assessing alternative qualification	12
15	Scope of work for particular endorsements—Act, s 25	14
Part 4	Treatment plant approvals and related matters	
Division 1	Applications	
16	Applying for, or to amend, treatment plant approval	14
17	Requesting further information	15
18	Deciding application	15
19	Criteria for decision	16
20	Granting or amending treatment plant approval	16
21	Failure to decide application	17
22	Information notice about decisions	17
Division 2	Duration and transfer of approvals	
23	Duration of approval	18
24	Transferring approval	18
Division 3	Inspecting approved treatment plants	
25	Application of division	19
26	Notice to local government requiring information	19
27	Notice requesting access to premises	19
Division 4	Cancellation of approvals	
28	Show cause notice for contravening condition of approval	20
29	Representations about show cause notice	21
30	Ending show cause process without further action	21
31	Cancellation	21
Division 5	Special provisions for existing treatment plant approvals	
32	Definitions for division	22
33	Approval of previous Queensland Plumbing and Wastewater Code—Act, s 7	22
34	Renewing an existing treatment plant approval	23
35	Duration of renewed existing treatment plant approval	23
Part 5	Permits	
Division 1	Introduction	
36	What this part is about	24

Division 2	Permits issued by local governments	
Subdivision 1	Preliminary	
37	Meaning of fast-track permit work	24
38	Meaning of fast-track application and fast-track amendment application	26
Subdivision 2	Local government declarations about permit work	
39	Fast-track work declaration for a local government area	26
40	Fast-track opt-out declaration for local government area	27
41	Publishing declarations	27
Subdivision 3	Applying for, or to amend, local government permits	
42	Applying to local government for permit	28
43	Applying to local government to amend permit	28
Subdivision 4	Processing applications	
44	Requirements for application	29
45	Request for further information for deciding application	30
46	Deciding application—generally	31
47	Deciding application—particular matters to be considered	31
48	Issuing or amending permit	33
49	Failure to decide application	34
50	Information notice about decisions	35
Division 3	Permits issued by public sector entities	
51	Application of division	35
52	Applying for a permit	36
53	Public sector entity deciding application	36
54	Issue of permit by public sector entity	38
55	Notice of referral to local government	38
56	Failure of public sector entity to decide application	38
57	Amendment of permit	39
Division 4	Effect and duration of permits	
58	Permit attaches to premises	39
59	Duration of permit	39
Part 6	Inspecting, enforcing and certifying permit work and notifiable work	
Division 1	Preliminary	
60	What this part is about	40
61	When work is compliant—Act, s 69	40

Contents

Division 2	Inspecting work under permits	
Subdivision 1	Inspecting work under permit issued by local government	
62	Application of subdivision	41
63	Request for work to be inspected	41
64	Inspecting work for compliance	43
65	Covering plumbing and drainage	43
66	Action notice for covering plumbing or drainage	44
67	Allowing covered work declaration to be given if inspection delayed	45
Subdivision 2	Inspecting work under permit issued by public sector entity	
68	Inspection of work by public sector entity or local government ..	45
Division 3	Alternatives to local government inspections	
Subdivision 1	Declarations for on-site sewage work	
69	Declaration that on-site sewage work is compliant	46
Subdivision 2	Notices for particular work in remote areas	
70	Application of subdivision	46
71	Local government declarations about remote areas and eligible work	47
72	Notice that all eligible work for premises is compliant and operational	48
73	Acceptance of remote area compliance notice from suitably qualified person	48
Division 4	Assessment and compliance procedures	
Subdivision 1	Preliminary	
74	Application of division	49
Subdivision 2	Minor plan amendments	
75	Amending approved plan with minor inconsistency to represent work carried out	50
Subdivision 3	Testing or commissioning plumbing or drainage	
76	Requirement to test or commission plumbing or drainage	50
77	Requirement for testing or commissioning report	51
Subdivision 4	Giving action notices	
78	Criteria for giving action notice for work	52
79	Requirements for action notice	53
Division 5	Inspection and final inspection certificates	
Subdivision 1	Preliminary	
80	Inspection certificate—Act, sch 1	54
81	Final inspection certificate—Act, sch 1	55

Subdivision 2	Certificates given by local government	
82	Application of subdivision	56
83	Local government giving inspection certificate for work	56
84	Local government giving final inspection certificate for work	57
85	When local government is not required to give certificate	58
86	Giving copies of final inspection certificate	59
87	Failure of local government to give certificate	59
Subdivision 3	Certificates given by public sector entity	
88	Application of subdivision	60
89	Public sector entity giving inspection certificate for work	60
90	Public sector entity giving final inspection certificate for work	61
91	Giving copies of final inspection certificate	61
Division 6	Inspecting notifiable work not under permit	
92	Application of division	62
93	References to occupier of premises	62
94	Inspection of notifiable work on request of responsible person	62
95	Inspection of notifiable work on request of local government	63
96	Action notice for non-compliant notifiable work	63
Division 7	Requirements for action notices	
97	Form and content of action notice	64
98	Requirement to comply with action notice	65
Part 7	Installation, maintenance and related matters	
99	Things approved for installation as plumbing or drainage—Act, s 65	65
100	Installing prescribed water meters	67
101	Testable backflow prevention device—obligation of local government	68
102	Testable backflow prevention device—obligations of owner of premises	68
103	Testable backflow prevention device—obligation of licensee	69
104	Monitoring particular types of greywater use facility—Act, s 136	70
105	Monitoring particular types of on-site sewage facility—Act, s 137	70
106	Servicing greywater use or on-site sewage facilities	70
107	Maintenance of particular combined sanitary drains	70
108	Vents in adjoining buildings	71
Part 8	Registers	
Division 1	Registers kept by commissioner	

Contents

109	Register of licensees—Act, s 41	72
110	Register of notices about notifiable work	73
111	Particular documents containing information to which public access is restricted—Act, s 155	73
Division 2	Registers kept by local governments	
112	Register of permits and inspection certificates	73
113	Register of testable backflow prevention devices	74
114	Register for greywater use and on-site sewage facilities	74
115	Register of show cause and enforcement notices	74
116	Public access to registers	75
117	Particular documents containing information to which public access is restricted—Act, s 155	75
Part 9	Miscellaneous provisions	
Division 1	Fees	
118	Fees payable to QBCC	75
119	Fee not payable for application for occupational licence for which there is an associated QBCCA licence	75
120	Reduced application fee payable for later licence	76
121	Application fee not payable for renewing or restoring additional licences	77
122	Additional application fee for restoring a licence	78
123	Administration fee for relevant application or request	78
Division 2	Other matters	
124	Qualifications and experience for appointment as inspector—Act, s 139	79
125	Evidentiary aids	80
Part 10	Amendment of regulations	
Division 1	Amendment of State Penalties Enforcement Regulation 2014	
126	Regulation amended	81
127	Amendment of sch 1 (Infringement notice offences and fines for nominated laws)	81
Division 2	Minor and consequential amendments	
128	Regulations amended	87
Schedule 1	Notifiable work	88
Part 1	Excluded work	
1	Particular work not included as notifiable work	88
Part 2	Included work	

1	Extending etc. supply pipes	88
2	Fire services	88
3	Existing sanitary plumbing	89
4	Existing sanitary drainage	89
5	Temperature control devices	89
6	Water heaters	89
7	Backflow prevention devices	90
8	Greywater treatment plants	90
9	Fixtures for class 1 or 10 buildings	90
10	Fixtures for class 2 to 9 buildings of 1 or 2 storeys	90
11	Sanitary drains	90
12	Sealing supply pipes	91
Schedule 2	Minor work	92
Schedule 3	Unregulated work	93
1	Unregulated work generally	93
2	Particular work licensed under the Queensland Building and Construction Commission Act 1991	93
3	Incidental unskilled tasks	94
Schedule 4	Scope of work for licences and endorsements	95
Schedule 5	Documents to accompany treatment plant approval applications 98	
1	Documents for application for, or to amend, treatment plant approval	98
2	Product specifications document	99
3	Engineering drawings for treatment plant and components	99
4	Installation manual	100
5	Owner's operating manual	101
6	Operation and maintenance manual	101
Schedule 6	Documents to accompany permit applications	103
Part 1	Preliminary	
1	Application of schedule	103
Part 2	Required documents for all applications	
2	Documents for work for a class 1a or 10a building	103
3	Documents for other work	104
Part 3	Additional documents required for particular applications	
4	Documents for work for a greywater use facility	105
5	Documents for work for an on-site sewage facility	107

Contents

6	Documents supporting a performance solution	108
7	Documents supporting an alternative solution	109
Part 4	Requirements for plans	
8	General requirements for plans accompanying applications	110
Schedule 7	Local governments that may declare remote areas	112
Schedule 8	Fees	114
Schedule 9	Associated QBCCA licences for occupational licences	117
Schedule 10	Dictionary	119
Schedule 11	Regulations amended	129
	Body Corporate and Community Management (Accommodation Module) Regulation 2008	129
	Body Corporate and Community Management (Commercial Module) Regulation 2008	129
	Body Corporate and Community Management (Small Schemes Module) Regulation 2008	130
	Body Corporate and Community Management (Specified Two-lot Schemes Module) Regulation 2011	130
	Body Corporate and Community Management (Standard Module) Regulation 2008	131
	Building Regulation 2006	131
	Health Regulation 1996	132
	Planning Regulation 2017	132
	Queensland Building and Construction Commission Regulation 2018	133

Part 1 Preliminary

Division 1 Introduction

1 Short title

This regulation may be cited as the *Plumbing and Drainage Regulation 2019*.

2 Commencement

This regulation commences on the commencement of section 157 of the Act.

Division 2 Interpretation

3 Definitions

The dictionary in schedule 10 defines particular words used in this regulation.

4 Permit work

For section 6(2) of the Act, permit work is plumbing or drainage work that is not—

- (a) notifiable work; or
- (b) minor work; or
- (c) unregulated work.

5 Notifiable work

- (1) For section 6(3) of the Act, notifiable work is plumbing or drainage work of the type stated in schedule 1, part 2.
- (2) However, notifiable work does not include plumbing or drainage work to which schedule 1, part 1 applies.

[s 6]

6 Minor work

For section 6(4) of the Act, minor work is plumbing or drainage work of the type stated in schedule 2.

7 Unregulated work

For section 6(5) of the Act, unregulated work is plumbing or drainage work of the type stated in schedule 3.

Part 2 Codes and code requirements

8 Approval of Queensland Plumbing and Wastewater Code—Act, s 7

For section 7(2) of the Act, the Queensland Plumbing and Wastewater Code, version 1, 2019 is approved.

Note—

See, however, section 33.

9 Prescribed provisions of Plumbing Code of Australia—Act, s 9

For section 9(1)(b) of the Act, each of the following provisions of the Plumbing Code of Australia (a *prescribed PCA provision*) is prescribed—

- section A
- parts B1, B2, B3, B5 and B6
- section C
- section D
- section E

10 Prescribed parts of Queensland Development Code—Act, s 9

For section 9(1)(c) of the Act, each of the following parts of the Queensland Development Code (a *prescribed QDC part*) is prescribed—

- MP 3.5—Construction of buildings in flood hazard areas
- MP 4.1—Sustainable buildings
- MP 4.2—Rainwater tanks and other supplementary water supply systems
- MP 4.3—Supplementary water sources—commercial buildings.

11 Complying with Queensland Plumbing and Wastewater Code and prescribed PCA provision—Act, s 9

- (1) For section 9(4) of the Act, plumbing or drainage work, or a plan for plumbing or drainage work—
 - (a) complies with the Queensland Plumbing and Wastewater Code only if the work complies with all relevant performance requirements for the work under the code; and
 - (b) complies with a prescribed PCA provision only if the work complies with all relevant performance requirements for the work under the provision.
- (2) Compliance of the work with a relevant performance requirement under the Queensland Plumbing and Wastewater Code or a prescribed PCA provision can be achieved by—
 - (a) a deemed-to-satisfy solution for the performance requirement under the code or provision; or
 - (b) a performance solution for the performance requirement under the code or provision; or
 - (c) a combination of the solutions mentioned in paragraphs (a) and (b).

[s 12]

12 Complying with prescribed QDC part—Act, s 9

- (1) For section 9(4) of the Act, plumbing or drainage work, or a plan for plumbing or drainage work, complies with a prescribed QDC part only if the work complies with all relevant performance requirements for the work under the part.
- (2) Compliance of the work with a relevant performance requirement under a prescribed QDC part can be achieved only in the same way that compliance of building work with the relevant performance requirement can be achieved under the *Building Act 1975*, section 14.

Part 3 Licences

13 Scope of work for classes of licence—Act, s 13

For section 13(5) of the Act—

- (a) the scope of work for a plumbers licence is the plumbing work mentioned in schedule 4, part 1; and
- (b) the scope of work for a drainers licence is the drainage work mentioned in schedule 4, part 2; and
- (c) the scope of work for a restricted licence of a type mentioned in schedule 4, part 3, column 1 is the plumbing or drainage work mentioned opposite the type of licence in part 3, column 2 of the schedule.

14 Assessing alternative qualification

- (1) This section applies if—
 - (a) a person applies, or tells the commissioner the person intends to apply, to the commissioner for a licence; and
 - (b) the person intends to rely on a qualification (an *alternative qualification*) for the application that is not 1 of the qualifications (the *existing qualifications*) for

-
- the licence decided by the commissioner under section 14(a) of the Act; and
- (c) the commissioner considers it is, or will be, necessary to assess whether the alternative qualification is equivalent to any of the existing qualifications to decide whether the person has the qualifications required for the licence; and
 - (d) the person asks the commissioner to assess the equivalence of the alternative qualification and pays QBCC the prescribed fee for the assessment.
- (2) The commissioner must assess whether the alternative qualification is equivalent to any of the existing qualifications.
 - (3) Subsection (4) applies if the commissioner considers the only practicable way to assess the equivalence of the alternative qualification under subsection (2) is to have the person's competencies for the alternative qualification assessed by a registered training organisation.
 - (4) The commissioner may refer the person to a registered training organisation to—
 - (a) carry out an assessment of the competencies for the alternative qualification; and
 - (b) advise the commissioner of the results of its assessment.
 - (5) To remove any doubt, it is declared that the requirement for the person to pay the prescribed fee under subsection (1)(d) for the commissioner's assessment under subsection (2) does not prevent or restrict a registered training organisation from charging the person an additional fee for supplying a service under subsection (4).
 - (6) In this section—

competencies, for a qualification, means the units of competency (however called) that satisfied the requirements of the qualification.

[s 15]

15 Scope of work for particular endorsements—Act, s 25

For section 25(2) of the Act—

- (a) the scope of work for an endorsement on a plumbers licence or provisional plumbers licence mentioned in schedule 4, part 4, column 1 is the plumbing work mentioned opposite the endorsement in part 4, column 2 of the schedule; and
- (b) the scope of work for an endorsement on a drainers licence or provisional drainers licence mentioned in schedule 4, part 5, column 1 is the drainage work mentioned opposite the endorsement in part 5, column 2 of the schedule.

Part 4 Treatment plant approvals and related matters

Division 1 Applications

16 Applying for, or to amend, treatment plant approval

- (1) A person may apply to the chief executive for a treatment plant approval for—
 - (a) a greywater treatment plant of a particular type; or
 - (b) a secondary on-site sewage treatment plant of a particular type.
- (2) The holder of a treatment plant approval may apply to the chief executive to amend the approval.
- (3) The application must—
 - (a) be in the approved form; and
 - (b) be accompanied by the documents as required under schedule 5.
- (4) However, an application to amend a treatment plant approval is not required to be accompanied by a document if—

-
- (a) the document accompanied the application for the approval or a previous application to amend the approval; and
 - (b) there has been no change to any material particular in the information contained in the document.

17 Requesting further information

- (1) The chief executive may, by notice given to the applicant, ask the applicant for further information the chief executive needs to decide the application.
- (2) The notice must be given to the applicant within 10 business days after the application is made.
- (3) If the chief executive asks for information under subsection (2), the chief executive need not deal with the application until the applicant gives the information to the chief executive.
- (4) If the applicant does not give the information to the chief executive within 6 months after the application is made, the chief executive may treat the application as having lapsed.

18 Deciding application

The chief executive must consider the application and decide to—

- (a) approve the application with any conditions the chief executive considers reasonable and relevant or without conditions; or

Examples of conditions—

- a condition of a treatment plant testing approval about when, and how, the contents of a treatment plant must be disposed of
- a condition of a treatment plant use approval that a treatment plant must be supplied with—
 - (a) evidence of the treatment plant approval; and
 - (b) details of the model of the treatment plant; and

[s 19]

- (c) instructions for the manufacture, installation, operation, or maintenance of the treatment plant
- (b) refuse the application.

19 Criteria for decision

The chief executive may decide to approve the application if satisfied—

- (a) for an application relating to a grey water treatment plant of a particular type, a treatment plant of that type complies with—
 - (i) AS 1546.4:2016; and
 - (ii) the conformity assessment requirements; or
- (b) for an application relating to a secondary on-site sewage treatment plant of a particular type, a treatment plant of that type—
 - (i) is capable of treating no more than 4.2kL of sewage in a day; and
 - (ii) complies with—
 - (A) AS 1546.3:2017; and
 - (B) the conformity assessment requirements.

20 Granting or amending treatment plant approval

If the chief executive decides to approve the application, the chief executive must—

- (a) give the treatment plant approval, or amended approval, to the applicant; and
- (b) publish a copy of the approval, or amended approval, on the department's website; and
- (c) for an amended approval, ensure the published copy includes a statement that the approval was amended on a stated day.

21 Failure to decide application

- (1) This section applies if the chief executive does not decide the application within the required period after receiving—
 - (a) the application; or
 - (b) if the chief executive asks for further information under section 17—the information.
- (2) The chief executive is taken to have decided to refuse the application.
- (3) In this section—

required period means—

 - (a) 10 business days; or
 - (b) if a longer period is agreed between the chief executive and the applicant—the longer period.

22 Information notice about decisions

- (1) Subsection (2) applies if the chief executive decides to—
 - (a) approve the application and grant, or amend, the treatment plant approval with a condition; or
 - (b) refuse the application.
- (2) The chief executive must give the applicant an information notice about the decision.
- (3) If, under section 21, the chief executive is taken to have decided to refuse the application, the applicant is entitled to be given an information notice about the decision.

Note—

For an appeal against a decision mentioned in subsection (1) or (3), see the *Planning Act 2016*, schedule 1, section 1, table 3, items 3 and 5.

[s 23]

Division 2 Duration and transfer of approvals

23 Duration of approval

A treatment plant approval remains in force for—

- (a) the period stated in the approval; or
- (b) if no period is stated in the approval—
 - (i) for a treatment plant testing approval—
 - (A) 1 year after the approval is given; or
 - (B) if, before that year ends, the chief executive agrees in writing to a longer period—the longer period; or
 - (ii) for a treatment plant use approval—5 years after the approval is given.

Note—

For the duration of particular existing treatment plant approvals, see section 35.

24 Transferring approval

- (1) This section applies if the holder of a treatment plant approval proposes to transfer the approval to another person (the *new holder*).
- (2) The new holder must give the chief executive notice of the transfer in the approved form.
- (3) The chief executive must, after being given the notice—
 - (a) record the new holder as the holder of the treatment plant approval; and
 - (b) transfer the treatment plant approval by reissuing it to the new holder; and
 - (c) publish, on the department's website, a copy of the transferred approval including a statement that the approval was transferred on a stated day.

-
- (4) A treatment plant approval may be transferred only under this section.

Division 3 Inspecting approved treatment plants

25 Application of division

This division applies if the chief executive considers a matter may significantly adversely affect on-site sewage treatment plants of a type the subject of a treatment plant approval (each an *affected treatment plant*).

Example of a matter for this section—

a systemic failure affecting, or potentially affecting, the functioning of a particular model of on-site sewage treatment plant

26 Notice to local government requiring information

- (1) The chief executive may give a notice to a local government requiring the local government to give the chief executive the following information—
- (a) the address of each premises in the local government area where an affected treatment plant has been installed;
 - (b) the name of the owner of the premises.
- (2) The local government must comply with the notice.

27 Notice requesting access to premises

The chief executive may give a notice to the owner of premises where an affected treatment plant has been installed—

- (a) briefly stating the nature of the matter mentioned in section 25; and

[s 28]

- (b) stating that the chief executive has arranged for a person to inspect the treatment plant; and
- (c) asking for the owner's consent for the person to enter the premises to carry out the inspection.

Division 4 Cancellation of approvals

28 Show cause notice for contravening condition of approval

- (1) This section applies if the chief executive reasonably believes the holder of a treatment plant approval has contravened a condition of the approval.

Example for subsection (1)—

The chief executive may believe the holder of a treatment plant approval has manufactured treatment plants that do not conform with the product specification document on which the approval was based.

- (2) The chief executive must give the holder a notice under this section (a ***show cause notice***).
- (3) The show cause notice must state—
 - (a) that the chief executive proposes to cancel the treatment plant approval under this division; and
 - (b) the grounds for the proposed cancellation; and
 - (c) an outline of the facts and circumstances forming the basis for the grounds; and
 - (d) that the holder may, within a stated period (the ***show cause period***), make representations about why the approval should not be cancelled.
- (4) The show cause period must end at least 20 business days after the holder is given the show cause notice.

29 Representations about show cause notice

- (1) The holder of the treatment plant approval may make written representations about the show cause notice to the chief executive in the show cause period.
- (2) The chief executive must consider all representations (the *accepted representations*) made under subsection (1).

30 Ending show cause process without further action

- (1) This section applies if, after considering the accepted representations for the show cause notice, the chief executive no longer believes a ground exists to cancel the treatment plant approval.
- (2) The chief executive must not take any further action in relation to the show cause notice.
- (3) The chief executive must give the holder of the treatment plant approval notice that no further action is to be taken in relation to the show cause notice.

31 Cancellation

- (1) This section applies if—
 - (a) there are accepted representations for the show cause notice and, after considering the representations, the chief executive still believes a ground exists to cancel the treatment plant approval; or
 - (b) there are no accepted representations.
- (2) If the chief executive believes cancellation of the treatment plant approval is warranted, the chief executive may cancel the approval.
- (3) The chief executive must give the holder an information notice about the decision to cancel the approval.
- (4) The decision takes effect on the later of the following days—
 - (a) the day the information notice is given to the holder;

[s 32]

- (b) the day stated in the information notice for that purpose.

Division 5 Special provisions for existing treatment plant approvals

32 Definitions for division

In this division—

existing treatment plant approval means a treatment plant approval mentioned in section 169 of the Act.

previous Queensland Plumbing and Wastewater Code means the document called ‘Queensland Plumbing and Wastewater Code’ published by the department on 26 October 2017.

33 Approval of previous Queensland Plumbing and Wastewater Code—Act, s 7

- (1) For section 7(2) of the Act, the previous Queensland Plumbing and Wastewater Code is approved only in relation to work for an existing treatment plant approval.
- (2) This section applies despite section 8.
- (3) For subsection (1), a reference in the previous Queensland Plumbing and Wastewater Code to a provision or matter in the repealed Act or repealed *Standard Plumbing and Drainage Regulation 2003* is taken to be a reference to the corresponding provision or matter in the Act or this regulation.
- (4) This section stops applying in relation to work for an existing treatment plant approval—
 - (a) when the approval is no longer in force; or
 - (b) if the holder of the approval applies to renew the approval under section 34 and the application is approved—when the renewed approval is no longer in force.
- (5) In this section—

corresponding provision, for a provision of the repealed Act or repealed *Standard Plumbing and Drainage Regulation 2003*, means a provision of the Act or this regulation that is substantially the same as the provision of the repealed Act or repealed *Standard Plumbing and Drainage Regulation 2003*.

34 Renewing an existing treatment plant approval

- (1) The holder of an existing treatment plant approval may, while the approval remains in force, but before 1 January 2021, apply to the chief executive to renew the approval under this section.
- (2) Subject to subsections (3) and (4), division 1 applies to the application to renew the existing treatment plant approval as if the application were an application for the approval under that division.
- (3) Section 19 does not apply for deciding the application.
- (4) The chief executive may decide to approve the application if satisfied a treatment plant of the type the subject of the application will, under the renewed treatment plant approval, comply with the previous Queensland Plumbing and Wastewater Code as approved under section 33.
- (5) This section does not apply if an application to renew the existing treatment plant approval has previously been made under this section.

35 Duration of renewed existing treatment plant approval

- (1) This section applies if the holder of an existing treatment plant approval applies to renew the approval under section 34 and the approval is renewed.
- (2) The treatment plant approval remains in force until the beginning of 1 January 2024.
- (3) This section applies despite section 23.

[s 36]

Part 5 Permits

Division 1 Introduction

36 What this part is about

This part is about applying for, issuing and amending permits to carry out—

- (a) permit work; or
- (b) notifiable work; or
- (c) both permit work and notifiable work.

Note—

Other provisions of this regulation relate to notifiable work that is not the subject of a permit. See part 6, division 6.

Division 2 Permits issued by local governments

Subdivision 1 Preliminary

37 Meaning of *fast-track permit work*

- (1) Generally, permit work is *fast-track permit work* if—
 - (a) the work is carried out, or is to be carried out, under a permit authorising work on—
 - (i) only 1 new class 1a building or 1 new class 10a building; or
 - (ii) only 1 new class 1a building and 1 new class 10a building associated with the class 1a building; and
 - (b) the work is carried out, or is to be carried out, in a service area for a retail water service and a sewerage service; and

- (c) for a building mentioned in paragraph (a)(i)—the supply pipe for the building is connected directly and separately to the service provider’s water supply system; and
 - (d) for the buildings mentioned in paragraph (a)(ii)—1 supply pipe for both of the buildings is connected directly and separately to the service provider’s water supply system; and
 - (e) for a building mentioned in paragraph (a)(i) or either or both of the buildings mentioned in paragraph (a)(ii)—the sanitary drain for the building or buildings is connected directly and separately to the service provider’s sewerage system.
- (2) For subsection (1)(a)(ii), a class 10a building is associated with a class 1a building if a person who is entitled to use the class 1a building would ordinarily also be entitled to use the class 10a building.
- (3) Also, *fast-track permit work*, for a particular local government area, includes other permit work of a type the local government has declared to be fast-track permit work for the local government area under a fast-track work declaration.
- (4) However, the following work is not *fast-track permit work*—
- (a) work involving installing a fixture relating to trade waste;
 - (b) work involving building, installing or altering—
 - (i) a greywater use facility; or
 - (ii) an on-site sewage facility;
 - (c) work carried out, or to be carried out, in a local government area for which a fast-track opt-out declaration is in force.

[s 38]

38 Meaning of *fast-track application* and *fast-track amendment application*

- (1) A *fast-track application* is an application to a local government under this division for a permit for carrying out fast-track permit work.
- (2) A *fast-track amendment application* is an application to a local government under this division to amend a permit mentioned in subsection (1) for which a fast-track application was made.
- (3) However, an application for, or to amend, a permit for carrying out work in a local government area is not a fast-track application or fast-track amendment application if—
 - (a) when the application is made, a fast-track opt-out declaration is in force for the local government area; or
 - (b) for the application, a performance solution is proposed to be used to comply with a performance requirement of—
 - (i) the Queensland Plumbing and Wastewater Code; or
 - (ii) the Plumbing Code of Australia; or
 - (c) for the application, an alternative solution under the Queensland Development Code is proposed to be used to comply with a performance criteria of that code.

Subdivision 2 Local government declarations about permit work

39 Fast-track work declaration for a local government area

- (1) A local government may, by resolution, declare permit work of a stated type to be fast-track permit work for its local government area (a *fast-track work declaration*).

- (2) However, a local government may not declare permit work to be fast-track permit work under subsection (1) if the permit work is work mentioned in section 37(4)(a), (b) or (c).
- (3) A fast-track work declaration applies in relation to permit work carried out on or after the day the declaration is made.

40 Fast-track opt-out declaration for local government area

- (1) A local government may, by resolution, declare that it will not deal with any applications relating to permits for work to be carried out in its local government area as fast-track applications (a *fast-track opt-out declaration*).
- (2) A fast-track opt-out declaration applies in relation to an application for, or to amend, a permit made on or after the day the declaration is made.

41 Publishing declarations

If a local government makes a fast-track work declaration or fast-track opt-out declaration for its local government area, the local government must—

- (a) publish the declaration on its website; and
- (b) give a copy of the declaration to—
 - (i) the chief executive; and
 - (ii) if the local government is a participating local government for a distributor-retailer—the distributor-retailer; and
- (c) ensure a copy of the declaration may be inspected, free of charge, at the local government's public office.

[s 42]

Subdivision 3 Applying for, or to amend, local government permits

42 Applying to local government for permit

A person may apply under this division to a local government for a permit to carry out any of the following work in the local government area—

- (a) permit work;
- (b) notifiable work;
- (c) both permit work and notifiable work.

43 Applying to local government to amend permit

- (1) This section applies in relation to a permit for work issued by a local government.
- (2) An eligible person may apply under this division to the local government—

- (a) to extend the term of the permit for no more than 2 years; or

Note—

For the term of a permit, see section 59.

- (b) to otherwise amend the permit.
- (3) If an inspector has given the responsible person for the work an action notice requiring the person to apply under this division to amend the permit, the responsible person must comply with the requirement by—
 - (a) making the application; or
 - (b) arranging for an eligible person to make the application for the responsible person.
- (4) In this section—

eligible person means—

- (a) the permit holder; or

-
- (b) the owner of the premises, if the owner of the premises is not the permit holder.

Subdivision 4 Processing applications

44 Requirements for application

- (1) An application for, or to amend, a permit must—
 - (a) be in the approved form; and
 - (b) be accompanied by—
 - (i) the documents as required under schedule 6; and
 - (ii) if the application relates to SEQ water work and the local government is not the water service provider for the premises—the SEQ service provider’s written consent for the work; and
 - (iii) if the application relates to SEQ sewerage work and the local government is not the sewerage service provider for the premises—the SEQ service provider’s written consent for the work; and
 - (iv) the local government application fee.
- (2) An application to extend the term of a permit must be made at least 10 business days before the end of the term of the permit.
- (3) Despite subsection (1)(b)(i), an application to amend a permit is not required to be accompanied by a document mentioned in schedule 6 if—
 - (a) the document accompanied the application for the permit or a previous application to amend the permit; and
 - (b) there has been no change to any material particular in the information contained in the document.
- (4) An application that complies with subsections (1) to (3) is a ***properly made application***.

[s 45]

45 Request for further information for deciding application

- (1) This section applies if the local government considers—
 - (a) the application is not a properly made application; or
 - (b) that the local government does not have the expertise to assess work the subject of the application (the *specialist work*); or
 - (c) that the local government requires further information to decide the application.
- (2) The local government may, by notice given to the applicant in the initial consideration period (an *information request*), ask the applicant to do the following—
 - (a) if subsection (1)(a) applies—give the local government further information, or do a thing, the local government considers necessary to make the application a properly made application;
 - (b) if subsection (1)(b) applies—give the local government a compliance statement for the specialist work;
 - (c) if subsection (1)(c) applies—give the local government further information required to decide the application.
- (3) If the local government gives the applicant an information request, the local government need not deal with the application until the applicant complies with the notice.
- (4) If the applicant does not comply with the information request within 6 months after it is given, the local government—
 - (a) may treat the application as having lapsed; and
 - (b) is not required to refund the local government application fee.
- (5) In this section—

initial consideration period means—

 - (a) for a fast-track application or fast-track amendment application—2 business days after the application is made; or

- (b) for another application—10 business days after the application is made.

46 Deciding application—generally

The local government must consider each properly made application and decide to—

- (a) approve the application with—
 - (i) for an application relating to work for a treatment plant of a type the subject of a treatment plant approval—the conditions of the approval; and
 - (ii) any other conditions the local government considers reasonable and relevant for carrying out the work; or
- (b) refuse the application.

47 Deciding application—particular matters to be considered

- (1) For deciding a fast-track application, the local government may, but need not, assess whether each plan for work accompanying the application complies with the code requirements for the work.
- (2) For deciding an application, other than a fast-track application, the local government may approve the application if satisfied—
 - (a) after assessing each plan for work accompanying the application, the plan complies with the code requirements for the work; and
 - (b) for an application relating to a greywater use facility that includes a greywater treatment plant in a sewered area—
 - (i) the premises where the facility is proposed to be installed generates more than 3kL of greywater a day; and

[s 47]

- (ii) the treatment plant is of a type for which a treatment plant approval has been granted; and
 - (iii) the proposed work complies with the treatment plant approval; and
 - (iv) greywater can be diverted to sanitary drainage by a manual diversion device; and
 - (v) greywater will automatically overflow to sanitary drainage if the facility's filtering or irrigation system is not working properly; and
 - (c) for an application relating to a greywater use facility that includes a greywater treatment plant not in a sewered area—
 - (i) the treatment plant is of a type for which a treatment plant approval has been granted; and
 - (ii) the proposed work complies with the treatment plant approval; and
 - (d) for an application relating to a secondary on-site sewage treatment plant—
 - (i) the treatment plant is of a type for which a treatment plant approval has been granted; and
 - (ii) the proposed work complies with the treatment plant approval.
- (3) For deciding an application relating to SEQ water work, the local government must not approve the application unless—
- (a) the local government is the water service provider for the premises; or
 - (b) the water service provider for the premises—
 - (i) has given the applicant written consent for the work; or
 - (ii) has given the local government a notice stating that a permit for the type of work may be issued without the provider's consent.

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- (4) For deciding an application relating to SEQ sewerage work, the local government must not approve the application unless—
- (a) the local government is the sewerage service provider for the premises; or
 - (b) the sewerage service provider for the premises—
 - (i) has given the applicant written consent for the work; or
 - (ii) has given the local government a notice stating that a permit for the type of work may be issued without the provider's consent.
- (5) For deciding an application for which the applicant has given a compliance statement for specialist work, the local government must approve the application to the extent it relates to the specialist work if satisfied the work, if carried out in compliance with the permit applied for, will comply with the code requirements for the work.
- (6) For deciding an application to amend a permit, the local government may, but need not, consider a matter mentioned in subsection (1) to (5) if the local government—
- (a) has already considered the matter in deciding the application for the issue of the permit or a previous application to amend the permit; and
 - (b) is satisfied—
 - (i) there has been no material change in relation to the matter; and
 - (ii) it is not necessary to consider the matter for the application to amend the permit.

48 Issuing or amending permit

If the local government decides to approve the application, the local government must—

[s 49]

- (a) issue a permit, or an amended permit, in the approved form, to the applicant; and
- (b) give a copy of the permit, or amended permit, to—
 - (i) if the applicant is not the permit holder—the permit holder; and
 - (ii) if the applicant is not the owner of the premises—the owner of the premises; and
 - (iii) if a distributor-retailer supplies a water service or sewerage service for the premises—the distributor-retailer; and
 - (iv) if the work involves installing a water meter and the local government is not the water service provider for the premises—the water service provider.

49 Failure to decide application

- (1) This section applies if the local government does not decide the application within the required period after—
 - (a) the applicant has made the application; or
 - (b) if the local government has given the applicant an information request—the applicant has complied with the notice.
- (2) The local government is taken to have decided to refuse the application.
- (3) In this section—

required period means—

 - (a) for a fast-track application or fast-track amendment application—
 - (i) 2 business days; or
 - (ii) if a longer period is agreed between the local government and the applicant—the longer period; or

- (b) for another application—
 - (i) 10 business days; or
 - (ii) if a longer period is agreed between the local government and the applicant—the longer period.

50 Information notice about decisions

- (1) Subsection (2) applies if the local government decides to—
 - (a) approve the application and issue the permit, or amended permit, with a condition mentioned in section 46(a)(ii); or
 - (b) refuse the application.
- (2) The local government must give the applicant an information notice about the decision.
- (3) If, under section 49, the local government is taken to have decided to refuse the application, the applicant is entitled to be given an information notice about the decision.

Note—

For an appeal against a decision mentioned in subsection (1) or (3), see the *Planning Act 2016*, schedule 1, section 1, table 3, items 3 and 5.

Division 3 Permits issued by public sector entities

51 Application of division

This division applies if a public sector entity is about to carry out, or to arrange to have carried out, any of the following work under a permit, for the benefit of the public sector entity or another public sector entity—

- (a) permit work;
- (b) notifiable work;
- (c) both permit work and notifiable work.

[s 52]

52 Applying for a permit

- (1) A person may apply for a permit to carry out the work—
 - (a) to the public sector entity under this division; or
 - (b) to the local government under division 2.
- (2) An application under subsection (1)(a) must be in the approved form.

53 Public sector entity deciding application

- (1) The public sector entity must consider an application made under section 52(1)(a) and decide to—
 - (a) approve the application with—
 - (i) for an application relating to work for a treatment plant of a type the subject of a treatment plant approval—the conditions of the approval; and
 - (ii) any other conditions the entity considers reasonable and relevant for carrying out the work; or
 - (b) refer the application to the local government to decide under division 2.
- (2) The public sector entity may approve the application if satisfied—
 - (a) after assessing each plan for work accompanying the application, the plan complies with the code requirements for the work; and
 - (b) for an application relating to a greywater use facility that includes a greywater treatment plant in a sewered area—
 - (i) the premises where the facility is proposed to be installed generates more than 3kL of greywater a day; and
 - (ii) the treatment plant is of a type for which a treatment plant approval has been granted; and

- (iii) the proposed work complies with the treatment plant approval; and
 - (iv) greywater can be diverted to sanitary drainage by a manual diversion device; and
 - (v) greywater will automatically overflow to sanitary drainage if the facility's filtering or irrigation system is not working properly; and
- (c) for an application relating to a greywater use facility that includes a greywater treatment plant not in a sewered area—
- (i) the treatment plant is of a type for which a treatment plant approval has been granted; and
 - (ii) the proposed work complies with the treatment plant approval; and
- (d) for an application relating to a secondary on-site sewage treatment plant—
- (i) the treatment plant is of a type for which a treatment plant approval has been granted; and
 - (ii) the proposed work complies with the treatment plant approval; and
- (e) for an application relating to SEQ water work, written consent for the work has been given by—
- (i) the local government; or
 - (ii) if the local government is not the water service provider for the premises—the water service provider; and
- (f) for an application relating to SEQ sewerage work, written consent for the work has been given by—
- (i) the local government; or
 - (ii) if the local government is not the sewerage service provider for the premises—the sewerage service provider.

[s 54]

54 Issue of permit by public sector entity

If the public sector entity decides to approve the application, the entity must—

- (a) issue a permit, in the approved form, to the applicant; and
- (b) give a copy of the permit to—
 - (i) if the applicant is not the owner of the premises—the owner of the premises; and
 - (ii) the local government; and
 - (iii) if a distributor-retailer supplies a water service or sewerage service for the premises—the distributor-retailer; and
 - (iv) if the work involves installing a water meter and the local government is not the water service provider for the premises—the water service provider.

55 Notice of referral to local government

If the public sector entity decides to refer the application to the local government under section 53(1)(b), the public sector entity must give the applicant notice of the decision.

56 Failure of public sector entity to decide application

- (1) If the public sector entity does not decide the application within the required period, the entity is taken to have decided to refer the application to the local government.
- (2) In this section—

required period means the following period after receiving the application—

 - (a) 10 business days;
 - (b) if a longer period is agreed between the public sector entity and the applicant—the longer period.

57 Amendment of permit

- (1) If the public sector entity has issued a permit under section 54, the permit may be amended by agreement between the entity and the permit holder.
- (2) If a permit is amended under subsection (1), the public sector entity must—
 - (a) issue the amended permit, in the approved form, to the permit holder; and
 - (b) give a copy of the amended permit to each entity to which a copy of the permit was required to be given under section 54(b).

Division 4 Effect and duration of permits

58 Permit attaches to premises

A permit—

- (a) attaches to the premises to which the permit relates; and
- (b) binds the owner, the owner's successors in title, and any occupier of the premises.

59 Duration of permit

- (1) A permit takes effect the day the permit is issued.
- (2) A permit ends—
 - (a) for a permit relating to installing a treatment plant of a type the subject of a treatment plant testing approval—the day, that is no more than 1 year after the permit takes effect, stated in the permit; or
 - (b) otherwise—
 - (i) the day, that is at least 2 years after the permit takes effect, stated in the permit; or

-
- (2) Notifiable work must also comply with the matters mentioned in subsection (3) to be compliant.
 - (3) The permit work or notifiable work is compliant if—
 - (a) the work complies with the code requirements for the work; and
 - (b) each thing installed as part of the work is a thing to which any of section 65(1)(a) to (f) of the Act applies; and
 - (c) for work carried out under a permit, the work—
 - (i) complies with the permit and any conditions of the permit; and
 - (ii) is consistent with the approved plans for the work.

Division 2 Inspecting work under permits

Subdivision 1 Inspecting work under permit issued by local government

62 Application of subdivision

- (1) This subdivision applies in relation to work carried out under a permit issued by a local government.
- (2) However, this subdivision does not apply if the responsible person for the work gives a local government a remote area compliance notice for the work and the local government accepts the notice under section 73.

63 Request for work to be inspected

- (1) The responsible person for the work must make a request, complying with subsection (3), to the local government to inspect the work—

[s 63]

- (a) if any part of the plumbing or drainage resulting from, or affected by, the work is to be covered—before the part is covered, subject to subsection (2); and
- (b) if the work relates to a greywater use facility including a land application area—no later than 5 business days after the irrigation for the facility is installed; and
- (c) if the work is on-site sewage work for an on-site sewage facility—no later than 5 business days after all the pipes for the facility are connected; and
- (d) if the permit includes a condition requiring an inspection at a stage of the work stated in the permit—no later than 5 business days after the stage has been reached; and
- (e) if an inspector has given the person an action notice requiring the person to make the request—within the period stated in the notice; and
- (f) no later than 5 business days after the plumbing or drainage resulting from, or affected by, the work has become operational.

Maximum penalty—20 penalty units.

- (2) Drainage below ground level resulting from, or affected by, on-site sewage work may be partially covered before it is inspected if a cross-section of the drainage is left uncovered for inspection.

Example of drainage for subsection (2)—

subsurface irrigation in a land application area

- (3) A request under subsection (1) may be made orally or by notice to the local government.
- (4) Subsection (5) applies if the responsible person—
 - (a) is not the person who applied for the permit; or
 - (b) is not the last person who asked for the work to be inspected.
- (5) Before the responsible person asks the local government to inspect the work, the responsible person must give the local

government a notice, in the approved form, stating the responsible person's name and contact details.

Maximum penalty—20 penalty units.

64 Inspecting work for compliance

- (1) This section applies if the responsible person for the work makes a request under section 63 for the local government to inspect the work.
- (2) An inspector must start inspecting the work within—
 - (a) 1 hour after the time agreed between the local government and the responsible person; or
 - (b) if a time is not agreed—48 hours after the responsible person asks the local government to inspect the work.

Note—

See section 87 for the consequences of not inspecting the work under subsection (2).

- (3) An inspector does not fail to comply with subsection (2) only because the inspector can not enter the premises to which the permit relates.
- (4) The responsible person must give an inspector the help the inspector reasonably requires to inspect the work unless the person has a reasonable excuse.

Maximum penalty for subsection (4)—20 penalty units.

65 Covering plumbing and drainage

The responsible person for the work must not cover any plumbing or drainage resulting from, or affected by, the work before an inspector inspects the work, unless—

- (a) an inspector has allowed the plumbing or drainage to be covered; or
- (b) for work that is on-site sewage work—

[s 66]

- (i) the responsible person ensures the drainage is only partially covered under section 63(2); or
- (ii) the local government has allowed an on-site sewage work declaration to be given for the work under section 69.

66 Action notice for covering plumbing or drainage

- (1) This section applies if—
 - (a) the responsible person covers plumbing or drainage resulting from, or affected by, the work before an inspector has inspected the work; and
 - (b) the inspector inspecting the work reasonably believes the responsible person has failed to comply with section 65.
- (2) The inspector may give the responsible person an action notice requiring the person to take action to help the inspector assess whether the work is compliant, including, for example, any of the following—
 - (a) giving the local government a covered work declaration for the work;
 - (b) inserting a camera into the plumbing or drainage to allow the inspector to inspect the work;
 - (c) uncovering the plumbing or drainage to the extent necessary to enable the inspector to assess whether the work is compliant.
- (3) An action notice given under subsection (2) may state different actions in relation to different parts of the work.

Note—

For general requirements for giving an action notice under subsection (2), see section 97.

67 Allowing covered work declaration to be given if inspection delayed

- (1) This section applies if—
 - (a) the responsible person has asked the local government to inspect the work under section 63(1); and
 - (b) an inspector has not started to inspect the work within the period mentioned in section 64(2)(a) or (b); and
 - (c) the responsible person covers plumbing or drainage resulting from, or affected by, the work before an inspector has inspected the work.
- (2) Despite section 64, the local government may, instead of inspecting the work under that section, allow the responsible person to give the local government a covered work declaration for the work.

Subdivision 2 Inspecting work under permit issued by public sector entity

68 Inspection of work by public sector entity or local government

- (1) This section applies in relation to work carried out under a permit issued by a public sector entity.
- (2) The public sector entity may inspect the work or ask the local government to inspect the work.
- (3) The local government may inspect the work if the public sector entity has asked the local government to inspect the work under subsection (2).

[s 69]

Division 3 Alternatives to local government inspections

Subdivision 1 Declarations for on-site sewage work

69 Declaration that on-site sewage work is compliant

- (1) This section applies to the extent the work carried out under a permit issued by a local government is on-site sewage work.
- (2) Despite section 64, the local government may, instead of inspecting the work under that section, allow an appropriate person to give the local government a declaration in the approved form (an *on-site sewage work declaration*), stating that the person—
 - (a) has inspected the on-site sewage work; and
 - (b) is satisfied the work is compliant.
- (3) In this section—

appropriate person means a person, other than a person who carried out the work, who the local government considers—

 - (a) has appropriate knowledge about the design and function of the on-site sewage facility to which the work relates; and
 - (b) is otherwise competent to make the declaration.

Subdivision 2 Notices for particular work in remote areas

70 Application of subdivision

This subdivision applies in relation to work carried out under a permit issued by a local government if—

- (a) the local government is mentioned in schedule 7; and

- (b) the work is carried out in an area the local government has declared to be a remote area under section 71(1)(a); and;
- (c) the work is—
 - (i) permit work the local government has declared to be eligible work under section 71(1)(b) (*eligible work*); or
 - (ii) notifiable work (also *eligible work*).

71 Local government declarations about remote areas and eligible work

- (1) The local government may, by resolution—
 - (a) declare part of its local government area to be a remote area because of the area's remoteness from the local government's public office (a *remote area declaration*); and
 - (b) declare particular permit work carried out in a remote area to be eligible work if the local government considers the work is of a type that, even if not inspected, will not be likely to adversely affect public health or safety, or the environment.
- (2) The local government must—
 - (a) publish each declaration on its website; and
 - (b) give the chief executive a copy of the declaration; and
 - (c) ensure the declaration may be inspected, free of charge, at the local government's public office; and
 - (d) ensure each remote area declaration includes a map identifying the remote area.

[s 72]

72 Notice that all eligible work for premises is compliant and operational

- (1) This section applies if all of the eligible work authorised for any or all of the premises under the permit has been carried out.
- (2) The responsible person for the work must, within 10 business days after the plumbing or drainage resulting from, or affected by, the work has become operational and fit for use, give the local government a notice in the approved form (a *remote area compliance notice*) stating—
 - (a) the work is compliant; and
 - (b) the plumbing or drainage is operational and fit for use.Maximum penalty—20 penalty units.
- (3) The responsible person for the work may authorise a suitably qualified person to prepare and give the remote area compliance notice for the responsible person under subsection (2).

73 Acceptance of remote area compliance notice from suitably qualified person

- (1) This section applies if a suitably qualified person gives, or purports to give, a remote area compliance notice for the responsible person for work to a local government.
- (2) The local government must decide to—
 - (a) accept the remote area compliance notice, if the local government is satisfied the person is a suitably qualified person for giving the notice; or
 - (b) otherwise, refuse to accept the notice.
- (3) The local government must, within 5 business days after receiving the remote area compliance notice, give the responsible person a notice (the *decision notice*) stating whether the local government has accepted or refused to accept the notice.

- (4) If the local government refuses to accept the remote area compliance notice, the local government must ensure the decision notice includes, or is accompanied by, an information notice about the decision.
- (5) The local government is taken to have decided to refuse to accept the remote area compliance notice if the local government does not give the responsible person a decision notice within the period required under subsection (3).
- (6) If, under subsection (5), the local government is taken to have decided to refuse to accept the remote area compliance notice, the responsible person is entitled to be given an information notice about the decision.

Note—

For an appeal against a decision mentioned in subsection (2)(b) or (5), see the *Planning Act 2016*, schedule 1, section 1, table 3, items 3 and 5.

- (7) In this section—
suitably qualified person includes a person who purports to be a suitably qualified person.

Division 4 Assessment and compliance procedures

Subdivision 1 Preliminary

74 Application of division

This division applies in relation to work carried out under a permit issued by a local government.

[s 75]

Subdivision 2 Minor plan amendments

75 Amending approved plan with minor inconsistency to represent work carried out

- (1) This section applies if the local government considers—
 - (a) the work carried out under the permit is not correctly represented in an approved plan for the work because of a minor inconsistency between the plan and the work; and
 - (b) other than for paragraph (a), the work carried out under the permit is compliant.
- (2) The local government may amend the approved plan so the plan correctly represents the work carried out under the permit.

Subdivision 3 Testing or commissioning plumbing or drainage

76 Requirement to test or commission plumbing or drainage

- (1) An inspector may require the responsible person for the work to—
 - (a) test or commission plumbing or drainage resulting from, or affected by, the work in the inspector's presence; or
 - (b) ensure another licensee carries out the testing or commissioning in the inspector's presence; or
 - (c) ensure a competent person carries out the testing or commissioning, without an inspector being present, within 10 business days after the requirement is made.
- (2) The person testing or commissioning plumbing or drainage under subsection (1) must carry out the testing or commissioning in compliance with the code requirements for testing or commissioning the work.

(3) In this section—

competent person means a person—

- (a) who holds a licence authorising the person to carry out the testing or commissioning; or
- (b) whom the local government considers is competent to carry out the testing or commissioning.

77 Requirement for testing or commissioning report

(1) This section applies if—

- (a) an inspector requires the responsible person for the work to ensure a competent person tests or commissions plumbing or drainage under section 76(1)(c) or an action notice; and
- (b) the competent person carries out the testing or commissioning.

(2) The competent person must prepare and sign a report in the approved form (a **testing or commissioning report**) stating—

- (a) that the person tested or commissioned the plumbing or drainage; and
- (b) that the plumbing or drainage was tested or commissioned in compliance with the code requirements for testing or commissioning the work; and
- (c) whether the work relating to the plumbing or drainage complies with the code requirements for the work; and
- (d) if the work relating to the plumbing or drainage does not comply with the code requirements for the work—how the work does not so comply.

Maximum penalty—20 penalty units.

(3) The competent person must give the testing or commissioning report to the responsible person within 5 business days after the testing or commissioning is finished.

Maximum penalty—20 penalty units.

[s 78]

- (4) If the responsible person is given a testing or commissioning report under subsection (3), the responsible person must give the report to the local government within—
- (a) 10 business days after the testing or commissioning is finished; or
 - (b) if before the end of the 10 business days, the local government decides the report may be given within a longer period—the longer period.

Maximum penalty—20 penalty units.

Subdivision 4 Giving action notices

78 Criteria for giving action notice for work

An inspector may give an action notice to the responsible person for the work (the *relevant work*) carried out under the permit if—

- (a) the inspector has inspected the relevant work and is not satisfied the work is compliant; or

Examples of reasons an inspector may not be satisfied work is compliant—

- the work has been covered before the inspector has inspected it
- the inspector requires further information about whether or not a thing that is part of the work is a thing to which section 65(1)(a) to (f) of the Act applies

- (b) the inspector has inspected the relevant work and considers there is a substantial inconsistency between the work and the permit or an approved plan for the work; or

Example for paragraph (b)—

The local government dealt with the application for the permit as a fast-track application and the inspector considers the relevant work includes permit work that is not fast-track permit work.

- (c) the inspector has, under section 76(1)(c), required the responsible person to ensure a competent person tests or

commissions plumbing or drainage resulting from, or affected by, the relevant work and either of the following applies—

- (i) the inspector considers the responsible person has contravened section 77(4);
- (ii) 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.

79 Requirements for action notice

- (1) If the inspector decides to give an action notice under section 78(a) or (b), the inspector must give the notice within 2 business days after carrying out the inspection.
- (2) An action notice given under section 78(a) may require the responsible person to take stated action, including, for example—
 - (a) carrying out stated work; and
 - (b) requesting, within a stated period, a further inspection of any work required to be carried out under the notice; and
 - (c) giving the local government a declaration in the approved form that stated work is compliant; and
 - (d) giving the local government particular information about the relevant work, including, for example, information about whether or not a thing that is part of the work is a thing to which section 65(1)(a) to (f) of the Act applies; and
 - (e) arranging for the testing or commissioning of plumbing or drainage resulting from, or affected by, the relevant work in the way mentioned in section 76(1)(a), (b) or (c) or in another way.
- (3) An action notice given under section 78(b) may require the responsible person to—
 - (a) do all of the following—

[s 80]

- (i) stop carrying out stated work;
 - (ii) apply, under part 5, division 2, to amend the permit to authorise stated work;
 - (iii) ensure no further work of a stated type is carried out unless the permit is amended as mentioned in subparagraph (ii); or
- (b) give the local government, within a stated period or at a stated stage of the work, an as-constructed drawing that correctly represents the relevant work.
- (4) An action notice given under section 78(c) may require the responsible person to arrange for the further testing or commissioning of plumbing or drainage resulting from, or affected by, the relevant work in the way mentioned in section 76(1)(c) or in another way.

Note—

For the general requirements for the form and content of an action notice, see section 97.

Division 5 Inspection and final inspection certificates

Subdivision 1 Preliminary

80 Inspection certificate—Act, sch 1

For schedule 1 of the Act, definition *inspection certificate*, an inspection certificate is a certificate, in the approved form—

- (a) given by a local government or a public sector entity about work authorised under a permit issued by the local government or entity; and
- (b) certifying—
 - (i) that a particular part of the work has been carried out; and

- (ii) the work that has been carried out is compliant; and
- (iii) if, when the certificate is given, any plumbing or drainage resulting from, or affected by, the work is operational and fit for use—the plumbing or drainage is operational and fit for use.

81 Final inspection certificate—Act, sch 1

- (1) For schedule 1 of the Act, definition *final inspection certificate*, a final inspection certificate is a certificate, in the approved form—
 - (a) given by a local government or a public sector entity about work authorised under a permit issued by the local government or entity; and
 - (b) certifying that the following work has been carried out—
 - (i) for work authorised under a permit for only 1 premises—all of the work;
 - (ii) for work authorised under a permit for 2 or more premises—all of the work for 1 or more of the premises; and
 - (c) certifying—
 - (i) the work that has been carried out is compliant; and
 - (ii) the plumbing or drainage resulting from, or affected by, the work is operational and fit for use.
- (2) If a final inspection certificate is given under subsection (1)(b)(ii) for work authorised under the permit for some but not all of the premises, a later final inspection certificate may relate only to work for premises for which a final inspection certificate has not already been given.
- (3) This section applies in relation to work carried out under the permit for premises whether or not an inspection certificate has already been given for part of the work.

[s 82]

Subdivision 2 Certificates given by local government

82 Application of subdivision

This subdivision applies in relation to work carried out under a permit issued by a local government.

83 Local government giving inspection certificate for work

- (1) The local government must give an inspection certificate for the work to the responsible person for the work if—
 - (a) the person makes a written request to the local government for an inspection certificate for the work; and
 - (b) the work comprises only part of the work authorised to be carried out under the permit for premises; and
 - (c) any of the following applies—
 - (i) an inspector for the local government has inspected the work and the local government is satisfied the work is compliant;
 - (ii) the local government has been given a covered work declaration for the work under section 66(2)(a) or 67(2);
 - (iii) the local government has been given an on-site sewage work declaration for the work under section 69(2).
- (2) Subsection (1) is subject to section 85.
- (3) The local government must give the certificate within 2 business days after the following day—
 - (a) if the work has been inspected and subsection (1)(c)(i) applies—the day the work was inspected;

- (b) if the local government has been given a covered work declaration or on-site sewage work declaration for the work—the day the declaration was given.

84 Local government giving final inspection certificate for work

- (1) The local government must give a final inspection certificate for the work to the responsible person for the work if—
 - (a) the work comprises—
 - (i) all of the work authorised to be carried out under the permit; or
 - (ii) for a permit authorising work to be carried out for 2 or more premises—all of the work authorised to be carried out under the permit for 1 or more of the premises; and
 - (b) any of the following applies—
 - (i) an inspector for the local government has inspected the work and the local government is satisfied the work is compliant;
 - (ii) the local government has been given a covered work declaration for the work under section 66(2)(a) or 67(2);
 - (iii) the local government has been given an on-site sewage work declaration for the work under section 69(2);
 - (iv) the local government has accepted a remote area compliance notice for the work; and
 - (c) the local government is satisfied the plumbing or drainage resulting from, or affected by, the work is operational and fit for use.
- (2) Subsection (1)—
 - (a) applies subject to section 85; and

[s 85]

- (b) does not require a local government to give a final inspection certificate for work for which the local government has already given a final inspection certificate.
- (3) Subject to subsection (4), the local government must give the certificate within 2 business days after the following day—
 - (a) if the work has been inspected and subsection (1)(b)(i) applies—the day the work was inspected;
 - (b) if the local government has been given a covered work declaration for the work—the day the declaration was given;
 - (c) if the local government has been given an on-site sewage work declaration for the work—the day the declaration was given;
 - (d) if the local government has accepted a remote area compliance notice for the work—the day the notice was accepted.
- (4) If 2 or more of subsection (3)(a), (b), (c) or (d) apply to parts of the work for which a final inspection certificate is to be given, the local government must give the certificate within 2 business days after the latest day as required under subsection (3)(a), (b), (c) or (d).

85 When local government is not required to give certificate

The local government is not required to give the responsible person for work an inspection certificate or final inspection certificate for the work if—

- (a) the local government or an inspector has given the person an action notice relating to the work or part of the work; and
- (b) any of the following applies—
 - (i) the person has not complied with the action notice;
 - (ii) if the person has appealed against the decision to give the action notice—the appeal has not ended;

- (iii) if the action notice requires the person to apply to amend the permit—the local government has not issued an amended permit in response to the application.

86 Giving copies of final inspection certificate

- (1) The local government must, within 2 business days after giving a final inspection certificate for work under section 84, give a copy of the certificate to—
 - (a) the permit holder; and
 - (b) if the permit holder is not the owner of the premises—the owner of the premises; and
 - (c) if the work involves installing a water meter and the local government is not the water service provider for the premises—the water service provider.
- (2) Subsection (3) applies if—
 - (a) the local government is a participating local government for a distributor-retailer; and
 - (b) the distributor-retailer, by notice given to the local government, asks the local government to give the distributor-retailer—
 - (i) a copy of a stated type of final inspection certificate issued by the local government, including the plans for the work to which the certificate relates; or
 - (ii) stated information about prescribed water meters installed on premises in the local government area.
- (3) The local government must comply with the notice as soon as practicable.

87 Failure of local government to give certificate

- (1) This section applies if—

[s 88]

- (a) the responsible person for the work asks the local government to inspect the work under section 63 and an inspector does not inspect the work as required under section 64(2); or
 - (b) there is a dispute between the responsible person and the local government about whether the local government should have given the person an inspection certificate for work under section 83 or a final inspection certificate for work under section 84.
- (2) The local government is taken to have decided to refuse to give the inspection certificate or final inspection for the work to the responsible person.
- (3) If, under subsection (2), the local government is taken to have decided to refuse to give an inspection certificate or final inspection certificate, the responsible person is entitled to be given an information notice about the decision.

Note—

For an appeal against the decision, see the *Planning Act 2016*, schedule 1, section 1, table 3, item 5.

Subdivision 3 Certificates given by public sector entity

88 Application of subdivision

This subdivision applies in relation to work carried out under a permit issued by a public sector entity.

89 Public sector entity giving inspection certificate for work

The public sector entity must give an inspection certificate for the work to the responsible person for the work if—

- (a) the person makes a written request to the entity for an inspection certificate for the work; and

- (b) the work comprises only part of the work authorised to be carried out under the permit for premises; and
- (c) the entity or an inspector for the local government has inspected the work; and
- (d) the entity is satisfied the work is compliant.

90 Public sector entity giving final inspection certificate for work

- (1) The public sector entity must give a final inspection certificate for the work to the responsible person for the work if—
 - (a) the work comprises—
 - (i) all of the work authorised to be carried out under the permit; or
 - (ii) for a permit authorising work to be carried out for 2 or more premises—all of the work authorised to be carried out under the permit for 1 or more of the premises; and
 - (b) the entity or an inspector for the local government has inspected the work; and
 - (c) the entity is satisfied—
 - (i) the work is compliant; and
 - (ii) the plumbing or drainage resulting from, or affected by, the work is operational and fit for use.
- (2) Subsection (1) does not require a public sector entity to give a final inspection certificate for work for which the entity has already given a final inspection certificate.

91 Giving copies of final inspection certificate

If the public sector entity gives a final inspection certificate for work under section 90, the entity must give a copy of the certificate to—

- (a) the permit holder; and

[s 92]

- (b) if the permit holder is not the owner of the premises—the owner of the premises; and
- (c) the local government; and
- (d) if a distributor-retailer supplies a water service or sewerage service for the premises—the distributor-retailer; and
- (e) if the work involves installing a water meter and the local government is not the water service provider for the premises—the water service provider.

Division 6 Inspecting notifiable work not under permit

92 Application of division

This division applies in relation to notifiable work carried out for premises that is not the subject of a permit.

93 References to occupier of premises

In this division, a reference to the occupier of premises includes, if the occupier is not the owner of the premises, a reference to the owner.

94 Inspection of notifiable work on request of responsible person

- (1) This section applies if the responsible person for the notifiable work asks the local government to inspect the work.
- (2) An inspector must start inspecting the work within—
 - (a) 1 hour after the time agreed between the local government and the responsible person; or
 - (b) if a time is not agreed—48 hours after the responsible person asks the local government to inspect the work.

-
- (3) An inspector does not fail to comply with subsection (2) only because the inspector can not enter the premises.

95 Inspection of notifiable work on request of local government

- (1) This section applies if—
- (a) the relevant person for the notifiable work has given the commissioner a notice about the work under section 83(1) of the Act (a *completion notice*); and
 - (b) within 1 year after the completion notice is given, the local government contacts the occupier of the premises to arrange to inspect the work.
- (2) An inspector may, with the consent of the occupier, inspect the notifiable work to check it complies with the code requirements for the work.

96 Action notice for non-compliant notifiable work

- (1) This section applies if an inspector inspects the notifiable work under section 94 or 95 and is not satisfied the notifiable work or a part of the work is compliant.
- (2) The inspector may, within 2 business days after finishing the inspection, give the responsible person for the notifiable work an action notice stating the actions the person must take to remedy the matter mentioned in subsection (1) (the *stated actions*), including, for example—
- (a) carrying out particular work; and
 - (b) if work is required to be carried out—requesting a further inspection of the work within a stated period; and
 - (c) giving the inspector particular information about the work, including, for example, information about any materials used for the work; and

[s 97]

- (d) uncovering plumbing or drainage resulting from, or affected by, the work to the extent necessary to enable the inspector to assess whether the work is compliant.
- (3) However, the stated actions may include uncovering plumbing or drainage as mentioned in subsection (2)(d) only if the inspector reasonably suspects the work is not compliant.

Division 7 Requirements for action notices

97 Form and content of action notice

- (1) This section applies if, under a provision of this regulation (the *enabling provision*), a local government or an inspector decides to give an action notice to the responsible person for plumbing or drainage work to take action in relation to the work.
- (2) The action notice must state—
 - (a) the reason for the decision; and
Example of a reason—
the local government or inspector is not satisfied a stated part of the work is compliant
 - (b) the facts and circumstances that form the basis for the reason; and
 - (c) the particular action the person must take in relation to the work to remedy the matters stated in the notice under paragraphs (a) and (b); and
 - (d) the period, that is at least 2 business days after the notice is given, in which the action must be taken; and
 - (e) that it is an offence for the responsible person to fail to comply with the notice, unless the person has a reasonable excuse; and
 - (f) any other information as required under the enabling provision.

- (3) The action notice must also be accompanied by, or include, an information notice about the decision to give the notice.

Note—

For an appeal against the decision, see the *Planning Act 2016*, schedule 1, section 1, table 3, item 3.

98 Requirement to comply with action notice

- (1) This section applies if a local government or an inspector gives the responsible person for work an action notice.
- (2) The responsible person must, unless the person has a reasonable excuse, comply with the notice within—
 - (a) the period for taking action stated in the notice (the *stated period*); or
 - (b) if, before the end of the stated period, a longer period is decided by the local government or inspector—the longer period.

Maximum penalty—20 penalty units.

- (3) Also, if the local government or inspector considers the person has not complied with the action notice, the local government must give a copy of the notice to the owner of the premises within 5 business days after the end of the required period for compliance under subsection (2).

Note—

For complying with a requirement in an action notice to apply under part 5, division 2, to amend a permit, see section 43(3).

Part 7 Installation, maintenance and related matters

99 Things approved for installation as plumbing or drainage—Act, s 65

- (1) This section prescribes, for section 65(1)(f) of the Act, a thing that is approved for installation as plumbing or drainage.

[s 99]

- (2) A fire service product for a fire service is approved for installation as plumbing or drainage if the fire service product—
 - (a) is recommended for installation in the fire service by—
 - (i) a certification body; or
 - (ii) a testing or approval body; and
 - (b) is marked as required—
 - (i) under a scheme endorsed by a certification body;
or
 - (ii) by a testing or approval body; and
 - (c) has been tested as required—
 - (i) under a method endorsed by a certification body;
or
 - (ii) by a testing or approval body; and
 - (d) complies with subsection (4), if relevant.
- (3) Despite subsection (2), a fire service product for a fire service that is a fitting, pipe, pump or valve is also approved for installation as plumbing or drainage if the fire service product complies with—
 - (a) either—
 - (i) a relevant automatic fire sprinkler systems standard; or
 - (ii) a relevant fire hydrant installations standard; and
 - (b) subsection (4), if relevant.
- (4) If the fire service product is connected to a water service provider's infrastructure, the fire service product must be installed downstream of an acceptable backflow prevention device.
- (5) In this section—

acceptable backflow prevention device means a testable backflow prevention device that is a WaterMark product

complying with the code requirements for plumbing or drainage work.

certification body means a body accredited as a certification body by the Joint Accreditation System of Australia and New Zealand.

fire service product, for a fire service, means a thing that is part of the fire service,

relevant automatic fire sprinkler systems standard means a standard under any of the following designations as in force on the commencement—

- AS 2118.1:2017
- AS 2118.2—2010
- AS 2118.3—2010
- AS 2118.4—2012
- AS 2118.5—2008
- AS 2118.6—2012.

relevant fire hydrant installations standard means a standard under any of the following designations as in force on the commencement—

- AS 2419.1:2017
- AS 2419.2—2009
- AS 2419.3—2012.

testing or approval body means a body that is recognised nationally or internationally for testing or approving fire services.

100 Installing prescribed water meters

- (1) This section applies if plumbing work involves installing a prescribed water meter for—
 - (a) a class 1 building on a lot that is part of a community titles scheme; or

[s 101]

- (b) a class 2 to 9 building.
- (2) The responsible person for the work must, at least 2 business days before the plumbing work is covered, give notice that the water meter has been installed to the water service provider for the building.

Maximum penalty—20 penalty units.

101 Testable backflow prevention device—obligation of local government

A local government must establish a program for—

- (a) registering each testable backflow prevention device installed at premises in its local government area; and
- (b) monitoring the maintenance and testing of each device.

102 Testable backflow prevention device—obligations of owner of premises

- (1) This section applies if a testable backflow prevention device is installed at premises in a local government area, whether the device is installed for the first time or to replace a device already at the premises.
- (2) The owner of the premises must register the testable backflow prevention device, by giving notice, in the approved form, to the local government.

Maximum penalty—20 penalty units.

- (3) However, the owner of the premises need not comply with subsection (2) if—
 - (a) the device has already been registered under subsection (2) after being installed under subsection (1); or
 - (b) a licensee has installed the device under section 103(1)(a) and given the local government notice of the installation as mentioned in section 103(3); or

- (c) a backflow prevention licensee has maintained and tested the device and given the local government notice of the maintenance and testing as mentioned in section 103(3).
- (4) The owner of the premises must also arrange for a backflow prevention licensee to maintain and test the device at least once each year after the device is registered.

Maximum penalty—20 penalty units.

103 Testable backflow prevention device—obligation of licensee

- (1) This section applies if a licensee carries out the following work (the *relevant work*)—
 - (a) installing a testable backflow prevention device at premises, whether for the first time or to replace a device previously installed;
 - (b) removing a testable backflow prevention device from premises.
- (2) This section also applies if the owner of premises where a testable backflow prevention device is installed arranges for a backflow prevention licensee to maintain and test the device (also the *relevant work*), whether to comply with section 102(4) or an enforcement notice.
- (3) The licensee must, within 10 business days after carrying out the relevant work, give notice of the relevant work in the approved form to—
 - (a) the local government; and
 - (b) the owner of the premises.

Maximum penalty—20 penalty units.

[s 104]

**104 Monitoring particular types of greywater use facility—
Act, s 136**

For section 136 of the Act, the types of greywater use facilities are each greywater use facility installed in a sewered area.

**105 Monitoring particular types of on-site sewage facility—
Act, s 137**

For section 137 of the Act, the types of on-site sewage facilities are each on-site sewage facility that includes an on-site sewage treatment plant of a type for which a treatment plant testing approval has been granted.

106 Servicing greywater use or on-site sewage facilities

(1) A person who services a greywater use facility or on-site sewage facility must, within 10 business days after servicing the facility, give—

- (a) a service report to the owner of the facility; and
- (b) a copy of the service report to the local government.

Maximum penalty—20 penalty units.

(2) In this section—

service report means a report, in the approved form, about the condition of the facility.

107 Maintenance of particular combined sanitary drains

(1) This section applies if—

- (a) a combined sanitary drain serves 2 or more premises, other than body corporate premises; and
- (b) the drain is obstructed or damaged, including, for example, because of a tree root or a breakage; and

-
- (c) the owners of the premises can not agree on suitable and fair arrangements for removing the obstruction or fixing the damage.
- (2) The local government may—
- (a) remove the obstruction or fix the damage; and
 - (b) fairly apportion the reasonable cost of removing the obstruction or fixing the damage between the owners; and
 - (c) recover, as a debt from each owner, the owner's share of the cost.
- (3) In this section—
- body corporate premises* means the lots, and any common property, included in—
- (a) a community titles scheme; or
 - (b) a plan under the *Building Units and Group Titles Act 1980*.

108 Vents in adjoining buildings

- (1) This section applies if—
- (a) a building (the *new building*) is built next to another building of a lower height (the *old building*); and
 - (b) because of the building work, it is necessary to—
 - (i) carry out plumbing or drainage work affecting vents of the old building (the *affected vents*); and
 - (ii) change the affected vents to comply with the code requirements for the plumbing or drainage work.
- (2) The local government may, by notice to the owner of the old building and the owner of the new building, require—
- (a) the owner of the old building to change the affected vents as required under subsection (1)(b)(ii); and

[s 109]

- (b) the owner of the new building to pay the owner of the old building the reasonable cost of changing the affected vents as mentioned in paragraph (a).
- (3) The owner of a building who is given a notice under subsection (2) must comply with the notice, unless the owner has a reasonable excuse.
Maximum penalty—20 penalty units.
- (4) However, the owner of the old building is not required to change the affected vents until the owner of the new building—
 - (a) pays the owner of the old building the reasonable cost of changing the affected vents; or
 - (b) gives the owner of the old building security, to the satisfaction of the old building's owner, for the reasonable cost of changing the affected vents.

Part 8 Registers

Division 1 Registers kept by commissioner

109 Register of licensees—Act, s 41

- (1) For section 41(2) of the Act, the particulars for each licensee are—
 - (a) the licensee's full name; and
 - (b) for each licence held by the licensee—
 - (i) the class of the licence; and
 - (ii) the licence number; and
 - (iii) any conditions of the licence; and
 - (iv) any endorsements on the licence; and
 - (v) the expiry date of the licence.

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- (2) The commissioner must make the information mentioned in subsection (1) available to the public on QBCC's website.

110 Register of notices about notifiable work

- (1) The commissioner must keep a register of all notices given under section 83(1) of the Act.
- (2) The commissioner must allow a person to—
- (a) inspect the register, free of charge; or
 - (b) buy a copy of an entry in the register for not more than the reasonable cost of producing the copy.
- (3) Subsection (2) is subject to section 111.

111 Particular documents containing information to which public access is restricted—Act, s 155

A notice given to the commissioner under section 83(1) of the Act is prescribed for section 155(4) of the Act.

Division 2 Registers kept by local governments

112 Register of permits and inspection certificates

- (1) A local government must keep a register containing—
- (a) the plans and other documents relating to each application for a permit made to the local government, including any plans amended under section 75; and
 - (b) a copy of each permit issued by the local government; and
 - (c) a copy of each permit issued by a public sector entity and given to the local government under section 54(b); and

[s 113]

- (d) a copy of each inspection certificate or final inspection certificate given by the local government; and
 - (e) a copy of each final inspection certificate prepared by a public sector entity and given to the local government under section 91(c).
- (2) The local government must keep a document mentioned in subsection (1) in the register until the building or structure to which the document relates is demolished or removed.

113 Register of testable backflow prevention devices

- (1) A local government must keep a register containing each notice given to the local government under section 102(2) or 103(3).
- (2) The local government must keep a notice mentioned in subsection (1) in the register until the premises to which the notice relates are demolished or removed.

114 Register for greywater use and on-site sewage facilities

- (1) A local government must keep a register containing a copy of each service report for a greywater use facility or on-site sewage facility given to the local government under section 106.
- (2) The local government must keep a copy of a service report mentioned in subsection (1) in the register until the greywater use facility or on-site sewage facility to which the report relates is demolished or removed.

115 Register of show cause and enforcement notices

- (1) A local government must keep a register containing a copy of each show cause notice and enforcement notice given by the local government.
- (2) The local government may remove a notice mentioned in subsection (1) from the register if the premises to which the notice relates are demolished or removed.

116 Public access to registers

- (1) This section applies in relation to a register kept by a local government under this division.
- (2) The local government must allow a person to—
 - (a) inspect the register, free of charge, at the local government's public office; or
 - (b) buy a copy of an entry in the register for not more than the reasonable cost of producing the copy.
- (3) Subsection (2) is subject to section 117.

117 Particular documents containing information to which public access is restricted—Act, s 155

A register kept under this division is prescribed for section 155(4) of the Act.

Part 9 Miscellaneous provisions

Division 1 Fees

118 Fees payable to QBCC

- (1) Schedule 8 sets out the fees payable to QBCC for the matters stated in the schedule.
- (2) This section is subject to sections 119 to 123.

119 Fee not payable for application for occupational licence for which there is an associated QBCCA licence

- (1) This section applies if a person makes an application (the *relevant application*) for the grant, renewal or restoration of a licence (the *occupational licence*) mentioned in schedule 9, column 1.

[s 120]

- (2) If the person holds an associated QBCCA licence for the occupational licence, no fee is payable for the relevant application for the occupational licence.
- (3) Subsections (4) and (5) apply if the person—
 - (a) does not hold an associated QBCCA licence for the occupational licence; and
 - (b) has applied for, or asked for the restoration of, an associated QBCCA licence for the occupational licence under the *Queensland Building and Construction Commission Act 1991*, section 33 or 39 (each the ***QBCCA application***).
- (4) The person is not required to pay the fee that would, other than for this section, be payable for the relevant application for the occupational licence unless the QBCCA application is refused.
- (5) If the QBCCA application is refused and the commissioner gives the person notice of the refusal, the person must pay the fee for the relevant application for the occupational licence within 5 business days after being given the notice.
- (6) In this section—

associated QBCCA licence, for an occupational licence mentioned in schedule 9, column 1, means a QBCCA licence of the class mentioned opposite the occupational licence in column 2 of the schedule.

QBCCA licence means a contractor's licence, nominee supervisor's licence or site supervisor's licence under the *Queensland Building and Construction Commission Act 1991*.

120 Reduced application fee payable for later licence

- (1) This section applies if—
 - (a) a person is the holder of a licence (the ***first licence***) that has been granted for at least 1 year; and

-
- (b) the person applies for another licence (a *later licence*) for the period ending at the end of the day the first licence expires.
 - (2) The fee payable for the application for the later licence is the relevant fee regardless of the period for which the licence is proposed to be granted.
 - (3) In this section—
relevant fee means—
 - (a) for an application for a later licence that is a plumbers licence—the fee mentioned in schedule 8, item 1(a); or
 - (b) for an application for a later licence that is a drainers licence—the fee mentioned in schedule 8, item 2(a); or
 - (c) for an application for a later licence that is a restricted licence—the fee mentioned in schedule 8, item 4(a).

121 Application fee not payable for renewing or restoring additional licences

- (1) This section applies if a person—
 - (a) applies to renew or restore 2 or more licences in the same application; and
 - (b) pays the highest application fee for renewing or restoring 1 of the licences.
- (2) The person is not required to pay the application fee for renewing or restoring any of the other licences.
- (3) In this section—
application fee—
 - (a) for renewing a licence—means the relevant fee mentioned in schedule 8, item 8 for an application to renew the licence; or
 - (b) for restoring a licence—means the relevant fee mentioned in schedule 8, item 8 for an application to restore the licence.

[s 122]

highest application fee—

- (a) for renewing a licence—means the application fee for renewing the licence that is equal to, or more than, the application fee for renewing each of the other licences; or
- (b) for restoring a licence—means the application fee for restoring the licence that is equal to, or more than, the application fee for restoring each of the other licences.

122 Additional application fee for restoring a licence

If a person applies to restore a licence, the person must pay the fee mentioned in schedule 8, item 9 for the application in addition to the relevant fee for the application mentioned in item 8 of the schedule.

123 Administration fee for relevant application or request

- (1) Subsection (2) applies if—
 - (a) a person makes a relevant application or relevant request; and
 - (b) the designated fee for the application or request is payable.
- (2) The person must pay the administration fee for the relevant application or relevant request in addition to the designated fee for the application or request.
- (3) Subsection (4) applies if—
 - (a) a person makes a relevant application or relevant request and pays the designated fee and administration fee for the application or request; and
 - (b) in the same financial year as the person made the application or request, the person makes another relevant application (the ***later application***) or relevant request (the ***later request***).

- (4) Despite subsections (1) and (2), the administration fee for the later application or later request is not payable by the person.

Example—

A person applies for a plumbers licence for 2 years, pays the application fee mentioned in schedule 8, item 1(b) and the administration fee, and is granted the licence. The person applies for an endorsement on the licence in the same financial year as the person applied for the licence. The person is not required to pay the administration fee for the endorsement.

- (5) In this section—

administration fee means the fee mentioned in schedule 8, item 13.

designated fee, for a relevant application or relevant request, means—

- (a) the applicable fee mentioned opposite the application or request in schedule 8; or
- (b) if the fee for the relevant application is the fee payable under section 120—that fee.

relevant application means an application mentioned in schedule 8, item 1, 2, 3, 4, 6, 7, 8, 10 or 11.

relevant request means a request mentioned in schedule 8, item 5 or 12.

Division 2 Other matters

124 **Qualifications and experience for appointment as inspector—Act, s 139**

- (1) This section prescribes, for section 139(1) of the Act, the qualifications and experience an authorised person must have to be appointed by a local government as an inspector.
- (2) If the authorised person is to assess plans for, or inspect, plumbing work, the person must—
 - (a) hold a plumbers licence; or

[s 125]

- (b) have other qualifications and experience the local government considers necessary to enable the person to assess plans for, or inspect, plumbing work competently.
- (3) If the authorised person is to assess plans for, or inspect, drainage work, the person must—
 - (a) hold a drainers licence; or
 - (b) have other qualifications and experience the local government considers necessary to enable the person to assess plans for, or inspect, drainage work competently.
- (4) If the authorised person is to assess plans for, or inspect, on-site sewage facilities, the person must—
 - (a) hold a drainers licence with an endorsement for on-site sewage facility maintenance; or
 - (b) hold a restricted licence for a drainer—on-site sewage facility; or
 - (c) have other qualifications and experience the local government considers necessary to enable the person to assess plans for, or inspect, on-site sewage facilities competently.

125 Evidentiary aids

In a proceeding for section 107(2)(c), a certificate purporting to be signed by the chief executive officer of a local government stating any of the following matters is evidence of the matter—

- (a) a matter mentioned in section 107(1);
- (b) that stated work was carried out under section 107(2)(a);
- (c) that a stated apportionment of cost under section 107(2)(b) is a fair apportionment of the cost.

Part 10 Amendment of regulations

Division 1 Amendment of State Penalties Enforcement Regulation 2014

126 Regulation amended

This division amends the *State Penalties Enforcement Regulation 2014*.

127 Amendment of sch 1 (Infringement notice offences and fines for nominated laws)

- (1) Schedule 1, entries for *Plumbing and Drainage Act 2002* and *Standard Plumbing and Drainage Regulation 2003*—
omit.
- (2) Schedule 1—
insert—

Plumbing and Drainage Act 2018

	Column 2 Infringement notice fine (penalty units)	
	Individual	Corporation
s 40(2)	1	-
s 44(2)	1	-
s 48(5)	10	40
s 59(1)	10	-
s 60	10	-
s 61(1)	10	-

[s 127]

Column 1 Infringement notice offence	Column 2 Infringement notice fine (penalty units)	
	Individual	Corporation
s 62(2)	1	-
s 63(3)	1	-
s 64(1)	10	40
s 64(2)	10	40
s 65(1)	10	40
s 66(1)	20	80
s 66(2)	20	80
s 67(1)	10	40
s 67(3)	10	40
s 68(1)	20	80
s 68(2)	20	80
s 69(1)	20	80
s 70(1)	20	80
s 70(2)	20	80
s 71	20	80
s 72(1)	20	80
s 73(1)	20	80
s 74(1)	20	80
s 75(1)	20	80
s 75(2)	20	80
s 76(1)	20	80
s 76(3)	20	80

[s 127]

Column 1 Infringement notice offence	Column 2 Infringement notice fine (penalty units)	
	Individual	Corporation
s 77	10	40
s 78(1)	20	80
s 79(3)	20	80
s 79(4)	20	80
s 79(5)	20	80
s 80(1)	20	80
s 83(1)	6	24
s 83(3)	6	24
s 86	10	40
s 87(1) (other than an offence that constitutes an assault on an inspector)	10	40
s 121(2)	10	-

Administering authority for an infringement notice offence that is an offence against a provision of the *Plumbing and Drainage Act 2018*, or an infringement notice about the offence—

- (a) for an infringement notice served by the commissioner appointed under the *Queensland Building and Construction Commission Act 1991*—the Queensland Building and Construction Commission; or
- (b) for an infringement notice served by an investigator appointed under the *Queensland Building and Construction Commission Act 1991*, section 104B to

[s 127]

perform functions under the *Plumbing and Drainage Act 2018*—the Queensland Building and Construction Commission; or

- (c) for an infringement notice served by an inspector appointed by a local government under the *Plumbing and Drainage Act 2018*, section 139—the local government

Authorised person for service of infringement notices—

- (a) the commissioner appointed under the *Queensland Building and Construction Commission Act 1991*; or
- (b) an investigator appointed under the *Queensland Building and Construction Commission Act 1991*, section 104B to perform functions under the *Plumbing and Drainage Act 2018*; or
- (c) an inspector appointed by a local government under the *Plumbing and Drainage Act 2018*, section 139; or
- (d) an employee of the Brisbane City Council appointed as an authorised person under the *City of Brisbane Act 2010*, section 199; or
- (e) an employee of a local government appointed as an authorised person under the *Local Government Act 2009*, section 202

Plumbing and Drainage Regulation 2019

Column 1 Infringement notice offence	Column 2 Infringement notice fine (penalty units)	
	Individual	Corporation
s 63(1)	2	-
s 63(5)	2	-
s 64(4)	2	-
s 72(2)	2	-
s 77(2)	2	-
s 77(3)	2	-
s 77(4)	2	-
s 98(2)	2	-
s 100(2)	2	-
s 102(2)	2	8
s 102(4)	2	8
s 103(3)	2	-
s 106(1)	2	8
s 108(3)	2	8

Administering authority for an infringement notice offence that is an offence against a provision of the *Plumbing and Drainage Regulation 2019*, or an infringement notice about the offence—

- (a) for an infringement notice served by the commissioner appointed under the

[s 127]

Queensland Building and Construction Commission Act 1991—the Queensland Building and Construction Commission; or

- (b) for an infringement notice served by an investigator appointed under the *Queensland Building and Construction Commission Act 1991*, section 104B to perform functions under the *Plumbing and Drainage Act 2018*—the Queensland Building and Construction Commission; or
- (c) for an infringement notice served by an inspector appointed by a local government under the *Plumbing and Drainage Act 2018*, section 139—the local government

Authorised person for service of infringement notices—

- (a) the commissioner appointed under the *Queensland Building and Construction Commission Act 1991*; or
- (b) an investigator appointed under the *Queensland Building and Construction Commission Act 1991*, section 104B to perform functions under the *Plumbing and Drainage Act 2018*; or
- (c) an inspector appointed by a local government under the *Plumbing and Drainage Act 2018*, section 139; or
- (d) an employee of the Brisbane City Council appointed as an authorised person under the *City of Brisbane Act 2010*, section 199; or
- (e) an employee of a local government appointed as an authorised person under the *Local Government Act 2009*, section 202

Division 2 **Minor and consequential
amendments**

128 **Regulations amended**

Schedule 11 amends the regulations it mentions.

Schedule 1 Notifiable work

section 5

Part 1 Excluded work

1 Particular work not included as notifiable work

Plumbing or drainage work of the type stated in part 2 is not notifiable work if the work is—

- (a) installing an appliance or fixture in a building that is connected to—
 - (i) a combined sanitary drain; or
 - (ii) a dual reticulated water supply provided by a water service provider; or
- (b) work for, or connected to, trade waste; or
- (c) work that uses a performance solution.

Part 2 Included work

1 Extending etc. supply pipes

work necessary for extending, altering, replacing or removing supply pipes, other than supply pipes for a fire service, if the work is for—

- an existing building; or
- an extension to an existing class 1 building; or
- a structure for an existing class 1 building

2 Fire services

work necessary for extending or removing a fire service, if the work is—

- associated with a building development approval under the *Building Act 1975*, schedule 2; and
- for an existing class 2 to 9 building

3 Existing sanitary plumbing

work necessary for extending, altering, replacing or removing sanitary plumbing, if the work is for an existing building

4 Existing sanitary drainage

work necessary for extending, altering, replacing or removing sanitary drainage, other than a combined sanitary drain, if the work is for—

- an existing class 1 or 10 building or structure; or
- an extension to an existing class 1 building; or
- a structure for an existing class 1 building

5 Temperature control devices

work necessary for installing, replacing or removing a temperature control device, if the work is for—

- an existing building; or
- an extension to an existing class 1 building; or
- a structure for an existing class 1 building

6 Water heaters

work necessary for installing, replacing or removing a water heater, if the work is for—

- an existing building; or
- an extension to an existing class 1 building; or
- a structure for an existing class 1 building

7 Backflow prevention devices

work necessary for installing, replacing or removing a testable backflow prevention device or a dual check valve with atmospheric port, if the work is for—

- an existing building; or
- an extension to an existing class 1 building; or
- a structure for an existing class 1 building

8 Greywater treatment plants

work necessary for—

- installing a greywater use facility that includes a greywater treatment plant in a sewered area, if the premises where the facility is proposed to be installed generates no more than 3kL of greywater a day; or
- replacing a greywater treatment plant

9 Fixtures for class 1 or 10 buildings

work necessary for installing or relocating a fixture, if the work is for—

- an existing class 1 or 10 building or structure; or
- an extension to an existing class 1 building; or
- a structure for an existing class 1 building

10 Fixtures for class 2 to 9 buildings of 1 or 2 storeys

work, other than for sanitary drainage, necessary for installing or relocating a fixture, if the work is for an existing class 2 to 9 building of 1 or 2 storeys above ground

11 Sanitary drains

work necessary for sealing a sanitary drain upstream from the connection point for a treatment plant or a service provider's sewerage system, if the work is for an existing building

12 Sealing supply pipes

work necessary for sealing a supply pipe downstream from a water meter, if the work is for an existing class 2 to 9 building

Schedule 2 Minor work

section 6

work for premises necessary for the following—

- unblocking sanitary plumbing or sanitary drainage
- repairing a broken or damaged pipe
- maintaining or repairing an apparatus
- installing, replacing or removing an apparatus, other than—
 - a dual check valve with atmospheric port; or
 - a temperature control device; or
 - a testable backflow prevention device; or
 - a water heater
- maintaining, repairing, replacing or removing a fitting or fixture
- maintaining or repairing a greywater use facility or an on-site sewage facility, other than repairing or maintaining an irrigation system for the disposal of effluent from the facility
- installing a greywater diversion device
- maintaining, repairing or replacing a fire hydrant or fire hose reel, unless schedule 3, section 2 applies to the work
- sealing a supply pipe downstream from the water meter for a class 1 or 10 building or structure
- installing, removing or replacing an automatic switching device for a rainwater tank

Schedule 3 Unregulated work

section 7

1 Unregulated work generally

work for premises necessary for the following—

- replacing a shower head or domestic water filter cartridge
- replacing a jumper valve or washer in a tap
- repairing or replacing a drop valve washer, float valve washer or suction cup rubber in a toilet cistern
- replacing caps to ground level inspection openings on a sanitary drain
- cleaning or maintaining a ground level grate for a trap on a sanitary drain
- installing or maintaining an irrigation or lawn watering system downstream from a tap, isolating valve or backflow prevention device on the supply pipe for the watering system
- repairing or maintaining an irrigation system for the disposal of effluent from a greywater use facility or on-site sewage facility

2 Particular work licensed under the Queensland Building and Construction Commission Act 1991

fire protection work for testing plumbing that is carried out by a person who holds a fire protection occupational licence or another licence under the *Queensland Building and Construction Commission Act 1991* that allows the person to carry out the work

3 Incidental unskilled tasks

tasks of an unskilled nature incidental to other plumbing or drainage work

Example of a task for section 3—

excavating or backfilling a trench

Schedule 4 Scope of work for licences and endorsements

sections 13 and 15

Part 1 Plumbers licence

Column 1 Licence	Column 2 Scope of work
1 plumbers licence	plumbing work, other than plumbing work mentioned in part 4, column 2

Part 2 Drainers licence

Column 1 Licence	Column 2 Scope of work
1 drainers licence	drainage work below ground level, other than drainage work mentioned in part 5, column 2

Part 3 Restricted licences

Column 1 Type of restricted licence	Column 2 Scope of work
1 water plumber—gas	connecting and disconnecting water plumbing associated with replacing a gas hot water heater
2 water plumber—electrical	connecting and disconnecting water plumbing associated with replacing an electric resistance hot water heater

Column 1 Type of restricted licence	Column 2 Scope of work
3 water plumber—irrigation	water plumbing work restricted to irrigation
4 water plumber—fire protection (hydrants and hose reels)	installing, maintaining and testing fire hydrants and fire hose reels
5 water plumber—fire protection (commercial and industrial)	installing, maintaining and testing commercial and industrial fire sprinkler systems
6 water plumber—fire protection (domestic and residential)	installing, maintaining and testing domestic and residential fire sprinkler systems
7 water plumber—water and sanitary	water plumbing work and sanitary plumbing work
8 drainer—on-site sewage facility	(a) maintaining on-site sewage facilities; or (b) carrying out OSTP installation work and maintaining on-site sewage facilities

Part 4 Endorsements—plumbers or provisional plumbers licences

Column 1 Endorsement	Column 2 Scope of work
1 backflow prevention	testing, commissioning and maintaining backflow prevention devices
2 thermostatic mixing valve	testing, commissioning and maintaining thermostatic mixing valves
3 fire protection—commercial and industrial	installing, maintaining and testing commercial and industrial fire sprinkler systems
4 fire protection—domestic and residential	installing, maintaining and testing domestic and residential fire sprinkler systems

Column 1 Endorsement	Column 2 Scope of work
5 solar and heat pump hot water system installation	installing, maintaining, repairing, replacing and testing solar and heat pump hot water systems

Part 5 Endorsements—drainers or provisional drainers licences

Column 1 Endorsement	Column 2 Scope of work
1 on-site sewage facility maintenance	maintaining on-site sewage facilities

Schedule 5 Documents to accompany treatment plant approval applications

section 16(3)(b)

1 Documents for application for, or to amend, treatment plant approval

- (1) An application for, or to amend, a treatment plant approval for a treatment plant of a particular type must be accompanied by the following documents relating to a treatment plant of that type—
 - (a) a product specifications document complying with section 2;
 - (b) engineering drawings of the treatment plant and each component, complying with section 3;
 - (c) a product conformity evaluation report;
 - (d) a product conformity certificate;
 - (e) each of the following documents prepared by the manufacturer of the treatment plant—
 - (i) an installation manual complying with section 4;
 - (ii) an owner's operating manual complying with section 5;
 - (iii) an operation and maintenance manual complying with section 6.

- (2) In this section—

conformity assessment body means a conformity assessment body as defined in the conformity assessment requirements.

product conformity certificate, for a treatment plant of a particular type, means a certificate of that name, issued by a conformity assessment body, certifying that the treatment plant satisfies the requirements of AS 1546.3:2017 or AS 1546.4:2016.

product conformity evaluation report, for a treatment plant of a particular type, means a report of that name, issued by a conformity assessment body, that evaluates the extent to which the treatment plant conforms with AS 1546.3:2017 or AS 1546.4:2016.

2 Product specifications document

The product specifications document for the treatment plant must state—

- (a) the purpose of the treatment plant; and
- (b) the name, model and size of the treatment plant; and
- (c) a description of the flow path for the greywater or sewage being treated in the treatment plant; and
- (d) how greywater or sewage is treated in the treatment plant; and
- (e) the name, function, dimensions and, if relevant, the capacity of each component of the treatment plant; and
- (f) the materials making up each component of the treatment plant.

3 Engineering drawings for treatment plant and components

- (1) The engineering drawings of the treatment plant must include plan-view and cross-sectional view engineering drawings of the treatment plant drawn to scale.
- (2) The engineering drawings of a component of the treatment plant must include—
 - (a) plan-view engineering drawings, drawn to scale, showing the dimensions and capacity of the component; and
 - (b) cross-sectional view engineering drawings, drawn to scale, showing the dimensions and capacity of the component.

4 Installation manual

The installation manual for the treatment plant must—

- (a) state—
 - (i) the name, model and size of the treatment plant; and
 - (ii) how the treatment plant treats greywater or sewage; and
 - (iii) clear instructions for unloading the treatment plant from a vehicle and unpacking it in a way that ensures the treatment plant is not damaged; and
 - (iv) clear instructions for installing the treatment plant; and
- (b) include—
 - (i) a numbered list of the components of the treatment plant; and
 - (ii) diagrams or photographs identifying each component; and
 - (iii) a description of the way each component is expected to function; and
 - (iv) a description of the way the treatment plant is expected to function when the components are properly assembled and connected; and
 - (v) wiring schematics of the electrical components of the treatment plant; and
 - (vi) a description of any training a person must undergo and tools a person must use to install the treatment plant; and
 - (vii) a description of the procedure for commissioning the treatment plant; and
 - (viii) clear instructions for identifying and solving problems that may be causing the treatment plant to malfunction.

*Example of type of instructions for subparagraph (viii)—
a troubleshooting guide*

5 Owner's operating manual

The owner's operating manual for the treatment plant must state the following—

- (a) the name, model and size of the treatment plant;
- (b) the limitations of the treatment plant;

Examples for paragraph (b)—

- the capacity of the treatment plant
 - the level to which greywater or sewage can be treated in the treatment plant
- (c) clear instructions about how the treatment plant must be operated;
 - (d) the type of greywater or sewage that can be treated in the treatment plant;
 - (e) how the treatment plant treats greywater or sewage;
 - (f) the types of substances that, if discharged into the treatment plant, may adversely affect the treatment plant or the environment;
 - (g) the responsibilities of the owner of the treatment plant for operating and maintaining the treatment plant;
 - (h) the actions that must be taken if the treatment plant is to be used intermittently or not used for an extended period;
 - (i) clear instructions for identifying and solving problems that may be causing the treatment plant to malfunction.

6 Operation and maintenance manual

The operation and maintenance manual for the treatment plant must state—

- (a) the name, model and size of the treatment plant; and

- (b) clear instructions about how the treatment plant is to be operated; and
- (c) the recommended maintenance schedule for the whole treatment plant and each component of the treatment plant; and
- (d) the procedures for testing effluent from the treatment plant, including for collecting samples and interpreting the results of testing the samples; and
- (e) the type of greywater or sewage that can be treated in the treatment plant; and
- (f) how the treatment plant treats greywater or sewage; and
- (g) the types of substances that, if discharged into the treatment plant, may adversely affect the treatment plant or the environment; and
- (h) the recommended procedures for removing sludge from the treatment plant, including by backwashing, at stated intervals; and
- (i) clear instructions for identifying and solving problems that may be causing the treatment plant to malfunction.

Schedule 6 Documents to accompany permit applications

section 44(1)(b)(i)

Part 1 Preliminary

1 Application of schedule

- (1) An application for, or to amend, a permit for plumbing or drainage work must be accompanied by—
 - (a) the documents as required under part 2; and
 - (b) the documents mentioned in each section in part 3 that applies to the application.
- (2) If an application is required under part 2 or 3 to be accompanied by a plan, the plan must comply with the requirements under part 4.

Part 2 Required documents for all applications

2 Documents for work for a class 1a or 10a building

- (1) This section applies to an application for, or to amend, a permit for work, to the extent the work relates to a class 1a or 10a building.
- (2) The application must be accompanied by 1 or more plans of the premises where the building is to be situated showing—
 - (a) the location of the proposed building on the premises; and
 - (b) a floor plan of the proposed building showing any proposed sanitary fixtures; and
 - (c) the elevations of the proposed building.

- (3) If the proposed work involves installing sanitary drainage, the application must also be accompanied by—
 - (a) a site classification report, complying with AS 2870—2011, for the premises; and
 - (b) if the soil classification for the premises under AS 2870—2011 is H, E or P—a design showing the articulation of the sanitary drainage for the premises.

3 Documents for other work

- (1) This section applies to an application for, or to amend, a permit for work for premises, other than to the extent the work relates to a class 1a or 10a building.
- (2) The application must be accompanied by 1 or more plans of the premises showing—
 - (a) the location of any existing or proposed building or structure on the premises; and
 - (b) for a proposed building—
 - (i) a floor plan showing any proposed sanitary fixtures; and
 - (ii) the elevations; and
 - (c) the location on the premises, and dimensions, of each connection point to—
 - (i) a service provider’s water supply system; and
 - (ii) any other supply of water; and
 - (iii) a sewerage system; and
 - (d) the invert levels, and finished surface levels, at each connection point mentioned in paragraph (c); and
 - (e) the finished surface level for each overflow relief gully; and
 - (f) the location on the premises of any of the following that is to result from, or be affected by, the work—
 - (i) all water meters and supply pipes;

- (ii) all fixtures, reflux valves, overflow relief gullies, and sanitary drains;
 - (iii) the access points for cleaning and maintaining plumbing and drainage;
 - (iv) any testable backflow prevention devices; and
 - (g) for work on a class 1 building on a lot that is part of a community titles scheme, or on a class 2 to 9 building—details of the specifications of each prescribed water meter on the lot or for the building.
- (3) If the proposed work involves installing sanitary drainage, the application must also be accompanied by—
- (a) a site classification report, complying with AS 2870—2011, for the premises; and
 - (b) if the soil classification for the premises under AS 2870—2011 is H, E or P—a design showing the articulation of the sanitary drainage for the premises.

Part 3 Additional documents required for particular applications

4 Documents for work for a greywater use facility

- (1) An application relating to a permit for work for a greywater use facility must be accompanied by 1 or more plans showing—
- (a) the location of any existing or proposed greywater treatment plant; and
 - (b) the location of, and connection points for, any existing greywater use facility at the premises, including any connection points to sanitary drainage; and
 - (c) the proposed location of, and connection points for, any proposed greywater use facility at the premises, including any proposed connection points to sanitary drainage; and

- (d) the ground levels and drainage invert levels to show whether sanitary drains can gravity feed to the connection point for—
 - (i) a greywater diversion device; or
 - (ii) a greywater treatment plant; or
 - (iii) a sewerage system; and
 - (e) if the greywater use facility is to include a land application area—
 - (i) the proposed location of the area; and
 - (ii) the layout of drainage for the area; and
 - (iii) the distance from the area to each boundary of the premises; and
 - (iv) the distance from the area to existing or proposed buildings or structures on the premises; and
 - (v) the distance from the area to any other existing or proposed land application area on the premises; and
 - (vi) the distance from the area to any impervious surfaces on the premises including, for example, paths or paved areas; and
 - (vii) the distance from the area to any vulnerable body of water that may be affected by greywater from the facility.
- (2) The application must also be accompanied by—
- (a) details of the proposed use of the greywater; and
 - (b) if the greywater is to be applied to a land application area—details of how the greywater is to be applied to the land application area; and
 - (c) if the greywater use facility includes a greywater treatment plant—
 - (i) details of the type and size of the treatment plant; and

- (ii) a copy of the treatment plant approval for the treatment plant; and
 - (d) a site and soil evaluation report for the premises.
- (3) If the greywater use facility is not in a sewerred area, the plans accompanying the application must also show—
 - (a) the location of any existing or proposed on-site sewage treatment plant; and
 - (b) if the work relates to a land application area, the distances from the area to—
 - (i) any existing or proposed on-site sewage treatment plant; and
 - (ii) the land application area for the on-site sewage treatment plant.

5 Documents for work for an on-site sewage facility

- (1) An application relating to a permit for work for an on-site sewage facility must be accompanied by 1 or more plans showing—
 - (a) the location of—
 - (i) any existing or proposed on-site sewage treatment plant; and
 - (ii) any vulnerable body of water that may be affected by effluent from the facility; and
 - (b) the location of, and connection points for, any existing on-site sewage facility at the premises; and
 - (c) the proposed location of, and connection points for, any proposed on-site sewage facility at the premises; and
 - (d) the ground levels and drainage invert levels to show whether sanitary drains can gravity feed to the connection point for the on-site sewage treatment plant forming part of the facility.
- (2) If the work relates to a land application area, the plans must also show—

- (a) the proposed location of the area; and
 - (b) the layout of drainage for the area; and
 - (c) how the effluent is to be applied to the area; and
 - (d) the distances from the area to—
 - (i) the boundaries of the premises; and
 - (ii) any existing or proposed buildings or structures on the premises; and
 - (iii) any impervious surfaces on the premises including, for example, paths or paved areas.
- (3) The application must also be accompanied by—
- (a) details about the type and size of the on-site sewage treatment plant; and
 - (b) if the on-site sewage facility includes a secondary on-site sewage treatment plant—a copy of the treatment plant approval for the treatment plant; and
 - (c) a site and soil evaluation report for the premises.

6 Documents supporting a performance solution

- (1) This section applies to an application if, for the application, a performance solution is proposed to be used to comply with a performance requirement of—
- (a) the Queensland Plumbing and Wastewater Code; or
 - (b) the Plumbing Code of Australia.
- (2) The application must be accompanied by—
- (a) a document stating—
 - (i) each performance requirement the performance solution is intended to satisfy; and
 - (ii) details of the performance solution, including, for example, how the performance solution differs from the deemed-to-satisfy solution for the performance requirement; and

- (iii) how the performance solution will satisfy the performance requirement; and
 - (iv) details of the test results and other information relied on to develop the performance solution; and
 - (b) any document certifying technical details or drawings for the performance solution provided by a competent person for developing the performance solution.
- (3) In this section—
- competent person**, for developing a performance solution, means any of the following persons—
- (a) a person who holds a licence under the *Queensland Building and Construction Commission Act 1991* under which the person is qualified to develop the solution;
 - (b) a registered professional engineer for an area of engineering relevant to developing the solution;
 - (c) another person the local government deciding the application considers is competent to develop the solution.

7 Documents supporting an alternative solution

- (1) This section applies to an application if, for the application, an alternative solution under the Queensland Development Code is proposed to be used to comply with a performance criteria of the code.
- (2) The application must be accompanied by—
 - (a) a document that states—
 - (i) each performance criteria the alternative solution is intended to satisfy; and
 - (ii) details of the alternative solution, including, for example, how the alternative solution differs from the performance criteria; and
 - (iii) how the alternative solution will satisfy the performance criteria; and

- (iv) details of the test results and other information relied on to develop the alternative solution; and
 - (b) any document certifying technical details or drawings for the alternative solution provided by a competent person for developing the alternative solution.
- (3) In this section—
- competent person**, for developing an alternative solution, means any of the following persons—
- (a) a person who holds a licence under the *Queensland Building and Construction Commission Act 1991* under which the person is qualified to develop the solution;
 - (b) a registered professional engineer for an area of engineering relevant to developing the solution;
 - (c) another person the local government deciding the application considers is competent to develop the solution.

Part 4 Requirements for plans

8 General requirements for plans accompanying applications

- (1) This section applies if under part 2 or 3 an application is required to be accompanied by a plan.
- (2) The plan must—
 - (a) be drawn to scale; and
 - (b) for an application other than a fast-track application or fast-track amendment application—show enough detail to allow the local government deciding the application to assess the work to which the plan relates; and
 - (c) show the relevant details of the person who designed the plumbing or drainage work on—
 - (i) each page of the plan; or

- (ii) a page at the front of the plan that refers to each other page of the plan.
- (3) In this section—
- relevant details***, of the person who designed the plumbing or drainage work, means—
- (a) the person’s name; and
 - (b) if the person is licensed or registered under a law of the State to practise in the aspect relevant to the work—the person’s licence number or registration number; and
 - (c) if the work relates to a greywater use facility or an on-site sewage facility and paragraph (b) does not apply—enough information about the person’s qualifications and experience to allow the local government to decide whether the person is qualified to design the facility.

Schedule 7 Local governments that may declare remote areas

section 70(a)

Aurukun Shire Council
Balonne Shire Council
Banana Shire Council
Barcaldine Regional Council
Barcoo Shire Council
Blackall-Tambo Regional Council
Boulia Shire Council
Bulloo Shire Council
Burke Shire Council
Carpentaria Shire Council
Cassowary Coast Regional Council
Central Highlands Regional Council
Charters Towers Regional Council
Cloncurry Shire Council
Cook Shire Council
Croydon Shire Council
Diamantina Shire Council
Doomadgee Aboriginal Shire Council
Etheridge Shire Council
Flinders Shire Council
Hinchinbrook Shire Council
Hope Vale Aboriginal Shire Council
Isaac Regional Council

Kowanyama Aboriginal Shire Council
Lockhart River Aboriginal Shire Council
Longreach Regional Council
Mapoon Aboriginal Shire Council
Maranoa Regional Council
Mareeba Shire Council
McKinlay Shire Council
Mornington Shire Council
Mount Isa City Council
Murweh Shire Council
Napranum Aboriginal Shire Council
Northern Peninsula Area Regional Council
Palm Island Aboriginal Shire Council
Paroo Shire Council
Pormpuraaw Aboriginal Shire Council
Quilpie Shire Council
Richmond Shire Council
Tablelands Regional Council
Torres Shire Council
Torres Strait Island Regional Council
Whitsunday Regional Council
Winton Shire Council
Woorabinda Aboriginal Shire Council
Wujal Wujal Aboriginal Shire Council

Schedule 8 Fees

sections 118, 122 and 123

	\$
1 Application for a plumbers licence alone (Act, s 16(c)(ii)), if the licence is to be granted for—	
(a) 1 year	139.95
(b) 2 years	213.80
(c) 3 years	287.65
(d) 4 years	361.50
(e) 5 years	435.35
2 Application for a drainers licence alone (Act, s 16(c)(ii)), if the licence is to be granted for—	
(a) 1 year	139.95
(b) 2 years	213.80
(c) 3 years	287.65
(d) 4 years	361.50
(e) 5 years	435.35
3 Combined application for a plumbers licence and drainers licence (Act, s 16(c)(ii)), if the licences are to be granted for—	
(a) 1 year	279.90
(b) 2 years	353.75
(c) 3 years	427.60
(d) 4 years	501.45
(e) 5 years	575.30

	\$
4 Application for a restricted licence (Act, s 16(c)(ii)), if the licence is to be granted for—	
(a) 1 year	86.55
(b) 2 years	160.40
(c) 3 years	234.25
(d) 4 years	308.10
(e) 5 years	381.95
5 Request to assess the equivalence of an alternative qualification for a licence mentioned in item 1, 2, 3 or 4 (s 14(1)(d))	27.95
6 Application for a provisional licence (Act, s 16(c)(ii))	64.90
7 Application for an endorsement on a licence (Act, s 28(c)(ii))—for each endorsement	15.25
8 Application to renew, or application to restore, a plumber licence, drainer licence or restricted licence—	
(a) for an applicant who is an employee of a registered training organisation (Act, s 31(2)(c) or 33(2)(c)), if the licence is to be renewed or restored for—	
(i) 1 year	21.65
(ii) 2 years	43.30
(iii) 3 years	64.95
(iv) 4 years	86.60
(v) 5 years	108.25
(b) for an applicant who has given a statutory declaration stating the applicant is retired and not intending to carry out work for payment (Act, s 31(3) or 33(3)), if the licence is to be renewed or restored for—	
(i) 1 year	21.65

Schedule 8

	\$
(ii) 2 years	43.30
(iii) 3 years	64.95
(iv) 4 years	86.60
(v) 5 years	108.25
(c) for another applicant (Act, s 31(2)(c) or 33(2)(c)), if the licence is to be renewed or restored for—	
(i) 1 year	73.85
(ii) 2 years	147.70
(iii) 3 years	221.55
(iv) 4 years	295.40
(v) 5 years	369.25
9 Additional fee for an application to restore a plumber licence, drainer licence or restricted licence (s 122)	73.85
10 Application for review of the conditions of a licence (Act, s 35(3)(b))	64.90
11 Application to replace a licence (Act, s 42(2)(b))	27.95
12 Request for a certified copy of a licence (Act, s 43)	27.95
13 Administration fee (s 123)	67.45
14 Notice of notifiable work (Act, s 83(1)(b)), given by—	
(a) a relevant person that is a public sector entity	nil
(b) another relevant person—	
(i) in electronic form	30.75
(ii) in hard copy form	41.50

Schedule 9 Associated QBCCA licences for occupational licences

section 119

Column 1 Occupational licence	Column 2 Associated QBCCA licences
1 plumbers licence	<p>plumbing and drainage licence mentioned in the <i>Queensland Building and Construction Commission Regulation 2018</i>, schedule 2, part 18</p> <p>plumbing and draining restricted to plumbing licence mentioned in the <i>Queensland Building and Construction Commission Regulation 2018</i>, section 60(1)</p> <p>plumbing and draining restricted to tanks—water supply licence mentioned in the <i>Queensland Building and Construction Commission Regulation 2018</i>, section 60(1)</p>
2 drainers licence	<p>plumbing and drainage licence mentioned in the <i>Queensland Building and Construction Commission Regulation 2018</i>, schedule 2, part 18</p> <p>drainage licence mentioned in the <i>Queensland Building and Construction Commission Regulation 2018</i>, schedule 2, part 19</p>
3 water plumber—gas licence mentioned in schedule 4, part 3, item 1 for the scope of work stated in part 3, item 1, column 2 of that schedule	gasfitting licence mentioned in the <i>Queensland Building and Construction Commission Regulation 2018</i> , schedule 2, part 36
4 water plumber—irrigation licence mentioned in schedule 4, part 3, item 3 for the scope of work stated in part 3, item 3, column 2 of that schedule	irrigation licence mentioned in the <i>Queensland Building and Construction Commission Regulation 2018</i> , schedule 2, part 21

Schedule 9

Column 1 Occupational licence	Column 2 Associated QBCCA licences
5 water plumber—fire protection (hydrants and hose reels) licence mentioned in schedule 4, part 3, item 4 for the scope of work stated in part 3, item 4, column 2 of that schedule	fire hydrants and hose reels licence (install and maintain) mentioned in the <i>Queensland Building and Construction Commission Regulation 2018</i> , schedule 2, part 28, section 1(2)
6 water plumber—fire protection (commercial and industrial) licence mentioned in schedule 4, part 3, item 5 for the scope of work stated in part 3, item 5, column 2 of that schedule	sprinkler and suppression systems (reticulated water-based) licence (install and maintain) mentioned in the <i>Queensland Building and Construction Commission Regulation 2018</i> , schedule 2, part 26, section 1(4) sprinkler and suppression systems (reticulated water-based) licence (install and maintain—restricted to commercial or industrial type) mentioned in the <i>Queensland Building and Construction Commission Regulation 2018</i> , schedule 2, part 26, section 1(5)
7 water plumber—fire protection (domestic and residential) licence mentioned in schedule 4, part 3, item 6 for the scope of work stated in part 3, item 6, column 2 of that schedule	sprinkler and suppression systems (reticulated water-based) licence (install and maintain) mentioned in the <i>Queensland Building and Construction Commission Regulation 2018</i> , schedule 2, part 26, section 1(4) sprinkler and suppression systems (reticulated water-based) licence (install and maintain—restricted to domestic or residential type) mentioned in the <i>Queensland Building and Construction Commission Regulation 2018</i> , schedule 2, part 26, section 1(6)
8 drainer—on-site sewage facility licence (maintenance) mentioned in schedule 4, part 3, item 8 for the scope of work stated in part 3, item 8, column 2, paragraph (a) of that schedule	drainage—on-site sewage facility licence (maintenance) mentioned in the <i>Queensland Building and Construction Commission Regulation 2018</i> , schedule 2, part 20, section 1(1)
9 drainer—on-site sewage facility licence (maintenance and installation) mentioned in schedule 4, part 3, item 8 for the scope of work stated in part 3, item 8, column 2, paragraph (b) of that schedule	drainage—on-site sewage facility licence (maintenance and installation) mentioned in the <i>Queensland Building and Construction Commission Regulation 2018</i> , schedule 2, part 20, section 1(2)

Schedule 10 Dictionary

section 3

48 hours means a period of 48 hours excluding any day that is not a business day within that period.

Example—

A period of 48 hours after 10a.m. on a Friday is 10a.m. on the next Tuesday, if the next Monday and Tuesday are business days.

accepted representations see section 29(2).

affected treatment plant, for part 4, division 3, see section 25.

alternative qualification see section 14(1)(b).

applicant, for an application, means the person who made the application.

approved plan, for work, means—

- (a) a plan for the work that accompanied the application for, or an application to amend, the permit for the work; or
- (b) if the local government or public sector entity issuing or amending the permit changed the plan before issuing or amending the permit—the plan as changed; or
- (c) the plan as amended under section 75.

AS 1546.3:2017 means the Australian Standard that is currently in force under that designation.

AS 1546.4:2016 means the Australian Standard that is currently in force under that designation.

AS 2870—2011 means the Australian Standard that is currently in force under that designation.

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

automatic switching device see the Queensland Plumbing and Wastewater Code.

backflow prevention licensee, for maintaining and testing a testable backflow prevention device, means a licensee whose licence authorises the licensee to maintain and test the device.

class, with a reference to a number, means a building or structure that is classified under the Plumbing Code of Australia as a class of building or structure with that number.

combined sanitary drain means a sanitary drain for receiving discharges from 2 or more neighbouring premises, other than a sanitary drain owned by the sewerage service provider for the premises.

commission, in relation to plumbing or drainage, means to check—

- (a) the operation of the plumbing or drainage to confirm each component of the plumbing or drainage is functioning correctly; or
- (b) the temperature of hot water at an outlet is not more than the maximum temperature allowed for the hot water under the Plumbing Code of Australia.

community titles scheme means a community titles scheme under the *Body Corporate and Community Management Act 1997*.

compliance statement, for specialist work for which a person has applied for a permit, means a statement, in the approved form and prepared by a suitably qualified person, that the work will comply with the code requirements for the work if it is carried out in compliance with the permit applied for.

compliant, in relation to plumbing or drainage work, see section 69(2) of the Act.

conformity assessment requirements means the miscellaneous publication 101:2017 ‘On-site domestic wastewater treatment—Conformity assessment requirements for AS 1546.3 and AS 1546.4’ published by Standards Australia.

connection point means a point where—

- (a) a service provider’s water supply system connects to a supply pipe; or

- (b) a service provider's sewerage system connects to a sanitary drain or sewer.

covered includes covered by a floor slab, cladding, lining or soil.

covered work declaration means a declaration, in the approved form, for work that has been covered, stating that the work is compliant.

deemed-to-satisfy solution means a deemed-to-satisfy solution within the meaning of—

- (a) the Queensland Plumbing and Wastewater Code; or
(b) the Plumbing Code of Australia.

distributor-retailer see the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*, section 8.

double check valve see the glossary.

dual check valve with atmospheric port see the glossary.

dual reticulated water supply means a water supply that consists of—

- (a) a network utility operator's supply; and
(b) recycled water.

eligible work see section 70(c).

existing, in relation to a building, means the building has—

- (a) drainage; and
(b) a water supply.

existing treatment plant approval, for part 4, division 5, see section 32.

fast-track amendment application see section 38.

fast-track application see section 38.

fast-track opt-out declaration see section 40(1).

fast-track permit work see section 37.

fast-track work declaration see section 39(1).

fire hose reel see the glossary.

fire hydrant see the glossary.

fire protection occupational licence see the *Queensland Building and Construction Commission Act 1991*, section 30C.

fire protection work see the *Queensland Building and Construction Commission Act 1991*, schedule 2.

fire service see the glossary.

float valve see the glossary.

ground level see the glossary.

holder, of a treatment plant approval, means—

- (a) a person who has been granted the approval under section 20; or
- (b) a person who is recorded as the holder of the approval under section 24(3)(a).

impervious surface means a surface that is not usually penetrated by water.

information notice, about a decision, means a notice stating—

- (a) the decision; and
- (b) the reasons for the decision; and
- (c) that the person to whom the notice is given may appeal to a tribunal against the decision; and

Note—

The person may start an appeal within the appeal period under the *Planning Act 2016*. See section 229 of that Act.

- (d) how to appeal against the decision.

information request see section 45(2).

inspection opening see the glossary.

installation see the glossary.

invert level see the glossary.

irrigation see the glossary.

isolating valve see the glossary.

jumper valve see the glossary.

local government application fee means—

- (a) for an application made to the Brisbane City Council—
the fee fixed by the council for the application under the *City of Brisbane Act 2010*, section 99(1) and (2)(a); or
- (b) for an application made to another local government—
the fee fixed by the local government for the application under the *Local Government Act 2009*, section 97(1) and (2)(a).

network utility operator see the glossary.

occupier, for part 6, division 6, see section 93.

on-site sewage work means building, installing or altering an on-site sewage facility, including for testing purposes.

on-site sewage work declaration see section 69(2).

OSTP installation work means—

- (a) installing a treatment plant the subject of a treatment plant approval; or
- (b) establishing a land application area.

outlet see the glossary.

participating local government see the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*, section 5(1).

performance solution means a performance solution under—

- (a) the Queensland Plumbing and Wastewater Code; or
- (b) the Plumbing Code of Australia.

permit holder, for a permit, means the person to whom the permit was issued.

pipe see the glossary.

premises, in relation to an application, permit, inspection certificate, final inspection certificate or action notice for

work, means the premises to which the application, permit, certificate or notice relates.

prescribed PCA provision see section 9.

prescribed QDC part see section 10.

prescribed water meter see section 58(3) of the Act, definition *prescribed water meter*.

pressure type vacuum breaker see the glossary.

previous Queensland Plumbing and Wastewater Code, for part 4, division 5, see section 32.

properly made application see section 44(4).

public office see—

- (a) for the Brisbane City Council—the *City of Brisbane Act 2010*, section 241; or
- (b) for another local government—the *Local Government Act 2009*, section 261.

recycled water see the glossary.

reduced pressure zone device see the glossary.

registered air gap means an air gap complying with the requirements for a registered air gap in AS/NZS 3500.1:2003.

registered break tank means a break tank complying with the requirements for a registered break tank in AS/NZS 3500.1:2003.

registered professional engineer means a registered professional engineer under the *Professional Engineers Act 2002*.

relevant work, for part 6, division 4, subdivision 4, see section 78.

remote area means an area within a local government area declared by the local government to be a remote area under section 71(1)(a).

remote area compliance notice see section 72(2).

sanitary plumbing work means installing, altering, extending, disconnecting, taking away, maintaining or testing sanitary plumbing.

secondary on-site sewage treatment plant means an on-site sewage treatment plant that produces effluent of a quality equal to or higher than secondary quality effluent.

secondary quality effluent see the Queensland Plumbing and Wastewater Code.

SEQ service provider, for SEQ water work or SEQ sewerage work, means—

- (a) for work in the Gold Coast City Council's local government area—the Gold Coast City Council; or
- (b) for work in the Logan City Council's local government area—the Logan City Council; or
- (c) for work in the Redland City Council's local government area—the Redland City Council; or
- (d) otherwise—the distributor-retailer for the geographic area, under the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*, in which the work has been or is to be carried out.

SEQ sewerage work means permit work that involves connecting to, disconnecting from, or altering a connection to, an SEQ service provider's infrastructure for supplying a sewerage service.

SEQ water work means permit work that involves connecting to, disconnecting from, or altering a connection to, an SEQ service provider's water infrastructure.

service provider means—

- (a) generally—a sewerage service provider or water service provider; and
- (b) in relation to work or an application, permit, inspection certificate or final inspection certificate for work—the service provider that supplies a water service or sewerage service for the premises where the work has been, or is to be, carried out.

sewerage service see the *Water Supply (Safety and Reliability) Act 2008*, schedule 3.

show cause notice see section 28(2).

show cause period see section 28(3)(d).

site and soil evaluation report see the Queensland Plumbing and Wastewater Code.

specialist work see section 45(1)(b).

structure see the *Building Act 1975*, schedule 2.

suitably qualified person, for giving a notice, statement or other document to a local government, means—

- (a) a person who—
 - (i) holds a licence to carry out plumbing or drainage work relevant to the work to which the document relates; and
 - (ii) has the experience and skills the local government considers appropriate for preparing and giving the document; or
- (b) a person who holds a licence under the *Queensland Building and Construction Commission Act 1991* for building work relevant to the plumbing or drainage work to which the document relates; or
- (c) a registered professional engineer for an area of engineering relevant to the work to which the document relates; or
- (d) another person the local government considers is competent to prepare and give the document.

supply pipe means a pipe for supplying water within premises.

tank see the glossary.

temperature control device see section 72(2) of the Act, definition *temperature control device*.

test see the glossary.

testable backflow prevention device means any of the following backflow prevention devices—

- (a) a double check valve;
- (b) a pressure type vacuum breaker;
- (c) a reduced pressure zone device;
- (d) a registered air gap;
- (e) a registered break tank;
- (f) a testable single check valve.

testable single check valve means a device to prevent backflow caused by back pressure that—

- (a) has a 1-force loaded non-return valve; and
- (b) incorporates specific test points for in-service testing.

testing or commissioning report see section 77(2).

thermostatic mixing valve see the glossary.

toilet cistern has the meaning given to a water closet (WC) cistern in the glossary.

trade waste means water-borne waste from business, manufacturing or trade premises, other than—

- (a) a prohibited substance under section 75(4) of the Act, definition *prohibited substance*; or
- (b) human waste; or
- (c) stormwater.

trap see the glossary.

vent see the glossary.

vulnerable body of water means underground water or a creek, lake, lagoon, marsh, river, stream, swamp or permanent or intermittent watercourse that may be affected by—

- (a) greywater from a greywater diversion device or greywater treatment plant; or
- (b) effluent from an on-site sewage facility.

water infrastructure see the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*, section 53BB(1).

water plumbing work means installing, altering, extending, disconnecting, taking away, maintaining or testing water plumbing.

water supply see the glossary.

work means plumbing or drainage work.

Schedule 11 Regulations amended

section 128

Body Corporate and Community Management (Accommodation Module) Regulation 2008

**1 Section 157(5), definition *utility infrastructure*,
paragraph (b)—**

omit, insert—

- (b) is installed after 1 January 2008—
 - (i) under a permit issued under the *Plumbing and Drainage Act 2018*; or
 - (ii) in relation to a compliance request made after 31 December 2007 under the repealed *Plumbing and Drainage Act 2002*.

Body Corporate and Community Management (Commercial Module) Regulation 2008

**1 Section 115(5), definition *utility infrastructure*,
paragraph (b)—**

omit, insert—

- (b) is installed after 1 January 2008—
 - (i) under a permit issued under the *Plumbing and Drainage Act 2018*; or

- (ii) in relation to a compliance request made after 31 December 2007 under the repealed *Plumbing and Drainage Act 2002*.

Body Corporate and Community Management (Small Schemes Module) Regulation 2008

1 Section 93(5), definition *utility infrastructure*, paragraph (b)—

omit, insert—

- (b) is installed after 1 January 2008—
 - (i) under a permit issued under the *Plumbing and Drainage Act 2018*; or
 - (ii) in relation to a compliance request made after 31 December 2007 under the repealed *Plumbing and Drainage Act 2002*.

Body Corporate and Community Management (Specified Two-lot Schemes Module) Regulation 2011

1 Section 31(5), definition *utility infrastructure*, paragraph (b)—

omit, insert—

- (b) is installed after 1 January 2008—
 - (i) under a permit issued under the *Plumbing and Drainage Act 2018*; or
 - (ii) in relation to a compliance request made after 31 December 2007 under

the repealed *Plumbing and Drainage Act 2002*.

Body Corporate and Community Management (Standard Module) Regulation 2008

1 Section 159(5), definition *utility infrastructure*, paragraph (b)—

omit, insert—

- (b) is installed after 1 January 2008—
 - (i) under a permit issued under the *Plumbing and Drainage Act 2018*; or
 - (ii) in relation to a compliance request made after 31 December 2007 under the repealed *Plumbing and Drainage Act 2002*.

Building Regulation 2006

1 Section 53A(4), definition *sewer*—

omit, insert—

sewer means a sewer that is part of a sewerage system under the *Plumbing and Drainage Act 2018*.

Health Regulation 1996

- 1 Section 170(2)(b), ‘Plumbing and Drainage Act 2002’—**
omit, insert—
Plumbing and Drainage Act 2018

Planning Regulation 2017

- 1 Section 54(1)(f), ‘Plumbing and Drainage Act’—**
omit, insert—
Plumbing and Drainage Act 2018
- 2 Section 54(1)(h), ‘plumbing and drainage work’—**
omit, insert—
plumbing or drainage work
- 3 Schedule 17, items 6, 11 and 16, ‘Plumbing and Drainage Act, part 4 or 5,’—**
omit, insert—
Plumbing and Drainage Act 2018, that may be made to a tribunal and
- 4 Schedule 17, item 18, ‘Plumbing and Drainage Act’—**
omit, insert—
Plumbing and Drainage Act 2018

5 Schedule 24, definition *Queensland Plumbing and Wastewater Code*—

omit, insert—

Queensland Plumbing and Wastewater Code see the *Plumbing and Drainage Act 2018*, section 7(1).

6 Schedule 24, definition *sewer*, ‘under the Plumbing and Drainage Act’

omit, insert—

that is part of a sewerage system under the *Plumbing and Drainage Act 2018*

Queensland Building and Construction Commission Regulation 2018

1 Schedule 2, part 18, section 2(2), ‘plumbing and drainage work’—

omit, insert—

plumbing or drainage work

2 Schedule 2, part 18, section 2—

insert—

(4) In this section—

plumbing or drainage work see the *Plumbing and Drainage Act 2018*, schedule 1.

3 Schedule 2, part 20, heading, ‘sewerage’—

omit, insert—

sewage

4 Schedule 2, part 20, section 2(1), from ‘Plumbing’ to ‘licence’—

omit, insert—

Plumbing and Drainage Regulation 2019, schedule 4, part 3, item 8, column 2, paragraph (a) for a drainer—on-site sewage facility licence

5 Schedule 2, part 20, section 2(2), from ‘Plumbing’ to ‘licence’—

omit, insert—

Plumbing and Drainage Regulation 2019, schedule 4, part 3, item 8, column 2, paragraph (b) for a drainer—on-site sewage facility licence

6 Schedule 2, part 20, section 6, definition *drainer—on-site sewerage facility licence*—

omit, insert—

drainer—on-site sewerage facility licence means the restricted licence of that name issued under the *Plumbing and Drainage Act 2018*.

7 Schedule 4, items 1, 2 and 3, column 2, ‘Plumbing and Drainage Act 2002’—

omit, insert—

Plumbing and Drainage Act 2018

ENDNOTES

- 1 Made by the Governor in Council on 4 April 2019.
- 2 Notified on the Queensland legislation website on 5 April 2019.
- 3 The administering agency is the Department of Housing and Public Works.

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