



Queensland

This is a working draft provided for consultation purposes. It is subject to review and drafting changes will be made in the course of finalising the draft.

Plumbing and Drainage Regulation 2018

Subordinate Legislation 2018 No. ...

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

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Part 1 Preliminary

Division 1 Introduction

1 Short title

This regulation may be cited as the *Plumbing and Drainage Regulation 2018*.

2 Commencement

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

Division 2 Interpretation

3 Definitions

The dictionary in schedule 9 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.

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[s 6]

- (2) However, notifiable work does not include plumbing or drainage work to which schedule 1, part 1 applies.

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 x, is approved.

9 Prescribed provisions of plumbing code—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 and C.

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^[8B(1), 8B(2), 8B(3)(c)]
 - (b) complies with a prescribed PCA provision only if the work complies with all relevant performance requirements for the work under the provision. ^[8A(1), 8A(4)(c)]
- (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).

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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) In this section—

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

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.

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Part 4 Treatment plant approvals and related matters

Division 1 Applications

Notice to the reader from the Department of Housing and Public Works—

The Department of Housing and Public Works advises that this division has not been finalised. It is intended the division will be further amended to facilitate the introduction of new requirements under the relevant Australian Standard.

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. ^[92(1)]
- (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. ^[92(4)]

18 Deciding application

- (1) 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 ^[94(2)]

[s 19]

- 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
 - (c) instructions for the manufacture, installation, operation, or maintenance of the treatment plant
- (b) refuse the application.
- (2) The chief executive may decide to approve the application if satisfied a treatment plant of the type the subject of the application will comply with the Queensland Plumbing and Wastewater Code under the treatment plant approval as granted or amended. ^[93(2)]

19 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.

20 Failure to decide application

- (1) This section applies if the chief executive does not decide the application within the required period after receiving— ^[85(9), 86A(7)]
 - (a) the application; or ^[85(5)(a), 85E(4)(a)(i)]
 - (b) if the chief executive asks for further information under section 17—the information. ^[85(5)(b), 85E(4)(a)(ii)]

-
- (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.

21 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. ^[85(10), 86A(8)]
- (2) The chief executive must give the applicant an information notice about the decision.
- (3) If, under section 20, 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.

Division 2 Duration and transfer of approvals

22 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—

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- (A) 1 year; 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.¹⁹⁶⁽¹⁾

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23 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

24 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

25 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.

26 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 24; and
- (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.

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Division 4 Cancellation of approvals

27 **Show cause notice for contravening condition of approval**

- (1) This section applies if the chief executive reasonably believes the holder of a treatment 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 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.

28 **Representations about show cause notice**

- (1) The holder of the treatment 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).

29 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 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 approval notice that no further action is to be taken in relation to the show cause notice.

30 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 approval; or
 - (b) there are no accepted representations.
- (2) If the chief executive believes cancellation of the treatment approval is warranted, the chief executive may cancel the approval.
- (3) The chief executive must give 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;
 - (b) the day stated in the information notice for that purpose.

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Part 5 Permits

Division 1 Introduction

31 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 and amended by local governments

Subdivision 1 Preliminary

32 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, on a new class 1a or 10a building—
 - (i) under a permit authorising work on only 1 new class 1a or 10a building; and
 - (ii) in a service area for a retail water service and a sewerage service; and

-
- (b) the supply pipe for the building is connected directly and separately to the service provider's water supply system; and
 - (c) the sanitary drain for the building is connected directly and separately to the service provider's sewerage system.
- (2) 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.
- (3) 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.

33 **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—
- (a) fast-track permit work; or
 - (b) notifiable work; or
 - (c) both fast-track permit work and notifiable 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.

-
- (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.

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

37 Applying to local government for permit

- (1) A person may apply under this division to a local government for a permit to carry out 1 of the following in the local government area—
 - (a) permit work;
 - (b) notifiable work;
 - (c) both permit work and notifiable work.
- (2) However, if the permit work or notifiable work is proposed to be carried out by, or for, a public sector entity, the person may not apply under this division for a permit to carry out the work unless—
 - (a) the person has applied under division 3 to the public sector entity for a permit to carry out the work; and
 - (b) the application has been referred under section 48(1)(b), or is taken to have been referred under section 51, to the local government to be decided under this division.

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38 Applying to local government to amend permit

- (1) This section applies in relation to a permit for work issued by a local government.
- (2) The holder of the permit 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 54.

 - (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 the permit holder to make the application for the responsible person.

Subdivision 4 Processing applications

39 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 [14(3)(a)]
 - (ii) if the application relates to SEQ water work and the local government is not the water service provider for the premises—the water service provider’s written consent for the work; and [85(2)(d), 85(7A)]

- (iii) the local government application fee. [85(2)(c), 86A(2)(c)]
- (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 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*.

40 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 ^[85(11)]
 - (b) is not required to refund the local government application fee. ^[85(12)]
- (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.

41 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. ^[85(6)(b), 86A(5)(a)]

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42 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, or 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 ^[85(7A)]
 - (b) the water service provider for the premises—
 - (i) has given the applicant written consent for the work; or ^[85(7A)(a)]
 - (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. ^[85(7A)(b)]
- (4) 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

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out in compliance with the permit applied for, will comply with the code requirements for the work.

- (5) For deciding an application to amend a permit, the local government may, but need not, consider a matter mentioned in subsection (1) to (4) 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.

43 Issuing or amending permit

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

- (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 ^[85(8)(a), 86A(6)]
 - (iii) 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. ^[85(8)(b)]

44 Failure to decide application

- (1) This section applies if the local government does not decide the application within the required period after— ^[85(9), 86A(7)]

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- (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.

45 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 41(a)(ii); or
 - (b) refuse the application. ^[85(10), 86A(8)]
- (2) The local government must give the applicant an information notice about the decision.
- (3) If, under section 44, 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

46 Application of division

This division applies if a public sector entity engages or employs a person to carry out permit work or notifiable work under a permit for the benefit of the public sector entity or another public sector entity.

47 Applying to public sector entity for permit

The person may apply, in the approved form, to the public sector entity for a permit to carry out 1 of the following—

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

48 Public sector entity deciding application

- (1) The public sector entity must consider the 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 entity considers reasonable and relevant for carrying out the work; or

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- (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, or 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
 - (c) 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.

49 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. ^[85(8)(b)]

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50 Notice of referral to local government

If the public sector entity decides to refer the application to the local government under section 48(1)(b), the public sector entity must give the applicant notice of the decision.

51 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.

52 Amendment of permit

If a public sector entity has issued a permit under section 49, the permit may be amended by agreement between the entity and the permit holder.

Division 4 Effect and duration of permits**53 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.

54 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
 - (ii) if the term of the permit is extended on application under section 38(1)(a)—at the end of the extended term.
- (3) If a local government has issued a permit and has not given a final inspection certificate for work carried out under the permit at least 3 months before the permit is to end, the local government must give notice of the day the permit is to end to—
 - (a) the permit holder; and
 - (b) if the permit holder is not the owner of the premises to which the permit relates—the owner of the premises.

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Part 6 Inspecting, enforcing and certifying permit work and notifiable work

Division 1 Preliminary

55 What this part is about

This part is about—

- (a) inspecting work and alternative procedures for deciding whether or not work is compliant; and
- (b) procedures for assessing work; and
- (c) giving action notices for work; and
- (d) giving inspection certificates and final inspection certificates for work.

56 When work is compliant—Act, s 69

- (1) For section 69(2) of the Act, the prescribed matters that permit work must comply with to be compliant are the matters mentioned in subsection (3).
- (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

57 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 66.

58 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^[20(1), 86(6)] —
 - (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 ^[19(1)(a), (b), (c), 19A(a)(i), 21(1)]
 - (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 ^[19(1)(e), 19B(a)(ii)]
 - (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 ^[19(1)(f), 19A(c)]

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- (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 and fit for use. [19(1)(d), 19(1)(e)(ii), 19(2)(b), 19(4), 19A(b), 19B(a)(ii), 86(5)]

Maximum penalty—20 penalty units.

- (2) Plumbing or drainage resulting from, or affected by, on-site sewage work may be partially covered before it is inspected if a cross-section of the plumbing or drainage is left uncovered for inspection. [19A(a)(ii)]
- (3) A request under subsection (1) may be made orally or by notice in the approved form 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 work is inspected, 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.

59 Inspecting work for compliance

- (1) This section applies if the responsible person for the work makes a request under section 58 for the local government to inspect the work.
- (2) An inspector must start inspecting the work within— [20(1), 86(6)]
 - (a) 1 hour after the time agreed between the local government and the responsible person; or [20(2)(a)]
 - (b) if a time is not agreed—48 hours after the responsible person asks the local government to inspect the work.

Note—

See section 80 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. ^[29A(4)]
- (4) The responsible person must give an inspector the help the inspector reasonably requires to inspect the work. ^[20(3)]

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

60 Covering plumbing and drainage

- (1) 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) the responsible person has asked the local government to inspect the work under section 58(1) and an inspector has not started to inspect the work within the period mentioned in section 59(2)(a) or (b); or
 - (c) for work that is on-site sewage work—
 - (i) the responsible person ensures the plumbing or drainage is only partially covered under section 58(2); or
 - (ii) the local government has accepted an on-site sewage work declaration for the work under section 62.
- (2) Subsection (3) 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 contravened subsection (1).

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- (3) The inspector may give the responsible person an action notice requiring the person to—
 - (a) uncover the plumbing or drainage to the extent necessary to enable the inspector to assess whether the work is compliant; or
 - (b) give the inspector a declaration in the approved form (a ***covered work declaration***) stating that the work complies with the code requirements for the work.
- (4) An action notice given under subsection (3) may state the action mentioned in subsection (3)(a) or (b) in relation to different parts of the work.

Note—

For general requirements for giving an action notice under subsection (3), see section 89.

Subdivision 2 Inspecting work under permit issued by public sector entity

61 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).

Division 3 Alternatives to local government inspections

Subdivision 1 Declarations for on-site sewage work

62 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 59, the local government may, instead of inspecting the work under that section, accept a declaration in the approved form (an *on-site sewage work declaration*) from an appropriate person, stating that the person—^[20(1), 186(6)]
 - (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 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

63 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

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- (b) the work is carried out in an area the local government has declared to be a remote area under section 64(1)(a); and
- (c) the work is—
 - (i) permit work the local government has declared to be eligible permit work under section 64(1)(b); or
 - (ii) notifiable work.

64 Local government declarations about remote areas and eligible permit 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 permit 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.

65 Notice that all work for premises is compliant and operational

- (1) This section applies if all of the 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).

66 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.

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- (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

67 Application of division

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

Subdivision 2 Minor plan amendments

68 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

69 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) arrange for another licensee to carry out the testing or commissioning in the inspector’s presence; or
 - (c) arrange for a competent person to carry out the testing or commissioning, without an inspector being present, at least 10 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 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.

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70 Requirement for testing or commissioning report

- (1) This section applies if—
 - (a) an inspector requires the responsible person for the work to arrange for a competent person to test or commission plumbing or drainage under section 69(1)(c); 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) whether 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.

- (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

71 Criteria for giving action notice for subject work

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

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

Examples of reasons for an inspector not being satisfied for paragraph (a)—

- the inspector considers a product installed as part of the work is not a WaterMark product to which section 65(1)(a) of the Act applies; or
- the work has been covered before the inspector has inspected it; or
- 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 subject work and considers there is a substantial inconsistency between the work and 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 subject work includes permit work that is not fast-track permit work.

- (c) the inspector has, under section 69(1)(c), required the responsible person to arrange for a competent person to test or commission plumbing or drainage resulting from, or affected by, the subject work and either of the following applies—

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- (i) the inspector considers the competent person has contravened section 70(2) or (3) or the responsible person has contravened section 70(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.

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72 Requirements for action notice

- (1) If the inspector decides to give an action notice under section 71(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 71(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 subject 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 subject work.
- (3) An action notice given under section 71(b) may require the responsible person to—
 - (a) stop carrying out the subject work; and
 - (b) apply, under part 5, division 2, to amend the permit to authorise the subject work; and

-
- (c) ensure no further work of a stated type is carried out unless the permit is amended as mentioned in paragraph (b).
 - (4) An action notice given under section 71(c) may require the responsible person to arrange for the further testing or commissioning of plumbing or drainage resulting from, or affected by, the subject work.
 - (5) The inspector must give a copy of the notice to—
 - (a) if the responsible person is not the permit holder—the permit holder; and
 - (b) if the permit holder is not the owner of the premises—the owner of the premises.

Note—

For the general requirements for the form and content of an action notice, see section 89.

Division 5 Inspection and final inspection certificates

Subdivision 1 Preliminary

73 What is an 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.

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74 What is a 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.

Subdivision 2 Certificates given by local government

75 Application of subdivision

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

76 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 work comprises only part of the work authorised to be carried out under the permit for premises; and
 - (b) any of the following apply—
 - (i) an inspector for the local government has inspected the work and the local government is satisfied the work is compliant;
 - (ii) the person has given an inspector a covered work declaration for the work;
 - (iii) the local government has accepted an on-site sewage work declaration for the work.
- (2) Subsection (1) is subject to section 78.
- (3) The local government must give the certificate within 2 business days after the following—
- (a) if the work has been inspected and subsection (1)(b)(i) applies—the day the work was inspected;

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- (b) if the person has given an inspector a covered work declaration for the work—the day the declaration was given;
- (c) if the local government has accepted an on-site sewage work declaration for the work—the day the declaration was accepted.

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77 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 for any of the premises; or
 - (ii) all of the work authorised to be carried out under the permit for all of the premises for which a final inspection certificate has not already been given; and
 - (b) any of the following apply—
 - (i) an inspector for the local government has inspected the work and the local government is satisfied the work is compliant;
 - (ii) the person has given an inspector a covered work declaration;
 - (iii) the local government has accepted an on-site sewage work declaration;
 - (iv) the local government has accepted a remote area compliance notice for the work under section 66; 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) is subject to section 78.

-
- (3) The local government must give the certificate within 2 business days after the following—
- (a) if the work has been inspected and subsection (1)(b)(i) applies—the day the work was inspected;
 - (b) if the person has given an inspector a covered work declaration for the work—the day the declaration was given;
 - (c) if the local government has accepted an on-site sewage work declaration for the work—the day the declaration was accepted;
 - (d) if the local government has accepted a remote area compliance notice for the work—the day the notice was accepted.

78 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 apply—
 - (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.

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79 Giving copies of final inspection certificate

- (1) If the local government gives a final inspection certificate for work under section 77, the local government must 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.

80 Failure of local government to give certificate

- (1) This section applies if—
 - (a) the responsible person for the work asks the local government to inspect the work under section 58 and an inspector does not inspect the work as required under section 59(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 76 or a final inspection certificate for work under section 77.
 - (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

81 Application of subdivision

This subdivision applies in relation to work carried out under a permit issued by a public sector entity, whether the entity or a local government has inspected the work.

82 Public sector entity giving inspection or final inspection certificate for work

The public sector entity must have an agreement with the responsible person for the work providing for the entity to give the person inspection certificates and final inspection certificates for the work.

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83 Giving copies of final inspection certificate

If the public sector entity gives a final inspection certificate for work under an agreement mentioned in section 82, the entity must 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) the local government; and
- (d) if a distributor-retailer supplies a water service or sewerage service for the premises—the distributor-retailer.

Division 6 Inspecting notifiable work not under permit**84 Application of division**

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

85 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.

86 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— ^{[20(1), [86(6)]}
 - (a) 1 hour after the time agreed between the local government and the responsible person; or ^[20(2)(a)]

-
- (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.
 - (4) The responsible person must give the inspector the help the inspector reasonably requires to inspect the work. ^[29A(3)]
- Maximum penalty—20 penalty units.

87 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.

88 Action notice for non-compliant notifiable work

- (1) This section applies if an inspector inspects the notifiable work under section 86 or 87 and is not satisfied the notifiable work or a part of the work (the *subject 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

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-
- (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
 - (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

89 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.

90 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 ^[20(4)(a)]
 - (b) if, before the end of the stated period, a longer period is decided by the local government or inspector—the longer period. ^[29B(5)]

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 commissioner 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 38(3).

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Part 7 Installation, maintenance and related matters

91 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.
- (2) A part of a fire service (a *fire service product*) 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 nationally or internationally recognised body for testing or approving fire services; and
 - (b) is marked as required under a scheme endorsed by a certification body; and
 - (c) has been tested as required under a method endorsed by a certification body; and
 - (d) for a fire service product that is connected to a water service provider's infrastructure—is installed downstream of an acceptable backflow prevention device.

- (3) 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.

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92 Installing prescribed water meters

- (1) This section applies if plumbing work involves installing a prescribed water meter for— ^[54A(1)(a)]
 - (a) a class 1 building on a lot that is part of a community titles scheme; or
 - (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. ^[54A(2)]

Maximum penalty—20 penalty units.

93 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.

94 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—
 - (a) either—
 - (i) register the testable backflow prevention device, by giving notice, in the approved form, to the local government; or
 - (ii) ensure the device has been registered under subparagraph (i); and

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- (b) ensure a backflow prevention licensee maintains and tests the device at least once each year after it is registered.

Maximum penalty—20 penalty units.

- (3) In this section—

backflow prevention licensee, for maintaining and testing a testable backflow prevention device, means a person who holds a licence authorising the person to maintain and test the device.

95 Testable backflow prevention device—obligation of backflow prevention licensee

- (1) This section applies if—

- (a) the owner of premises where a testable backflow prevention device is installed asks a backflow prevention licensee to maintain and test the device, whether to comply with section 94(2)(b) or an enforcement notice; and
- (b) the backflow prevention licensee maintains and tests the device.

- (2) The licensee must, within 10 business days after carrying out the maintenance and testing of the testable backflow prevention device, give the local government notice of the maintenance and testing in the approved form. ^[38(4)]

Maximum penalty—20 penalty units.

- (3) In this section—

backflow prevention licensee see section 94(3).

**96 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 sewerage area.

**97 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.

98 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.

99 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 ^[54(1)(a), 54(2)]
- (b) the drain is obstructed or damaged, including, for example, because of a tree root or a breakage; and ^[54(1)(b)]

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- (c) the owners of the premises can not agree on suitable and fair arrangements for removing the obstruction or fixing the damage. ^[54(1)(c)]
- (2) The local government may—
 - (a) remove the obstruction or fix the damage; and ^[54(3)(a)]
 - (b) fairly apportion the reasonable cost of removing the obstruction or fixing the damage between the owners; and ^[54(3)(b)]
 - (c) recover, as a debt from each owner, the owner's share of the cost. ^[54(3)(c)]
- (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*.

100 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 ^[52(1)]
 - (ii) change the affected vents to comply with the code requirements for the plumbing or drainage work. ^[52(1)]
- (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 ^[52(2)(b)]
 - (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. ^[52(3)]

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 ^[52(4)(a)]
 - (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. ^[52(4)(b)]

Part 8 Registers

Division 1 Registers kept by commissioner

101 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) the licensee's licence number; and
 - (c) the scope of work the licensee may carry out under the licence and any endorsement on the licence.
- (2) The commissioner must make the information mentioned in subsection (1) available to the public on QBCC's website.

102 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 103.

103 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

104 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 68; 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 49(b); and
 - (d) a copy of each inspection certificate or final inspection certificate given by the local government; and

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- (e) a copy of each final inspection certificate prepared by a public sector entity and given to the local government under section 83(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.

105 Register of testable backflow prevention devices

- (1) A local government must keep a register containing each notice given to the local government under section 94(2)(a)(i) or 95(2).
- (2) The local government must remove a notice mentioned in subsection (1) from the register if the premises to which the notice relates are demolished or removed.

106 Register for greywater use and on-site sewage facilities

- (1) A local government must keep a register containing—
 - (a) a copy of each final inspection certificate given by the local government for work relating to a greywater use facility or on-site sewage facility; and
 - (b) a copy of each final inspection certificate prepared by a public sector entity and given to the local government under section 83(c) for work relating to a greywater use facility or on-site sewage facility; and
 - (c) a copy of each service report given to the local government under section 98.
- (2) The local government must keep a document mentioned in subsection (1) in the register until the greywater use facility or on-site sewage facility to which the document relates is demolished or removed.

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107 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 must remove a notice mentioned in subsection (1) from the register if the premises to which the notice relates are demolished or removed.

108 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. ^[149]
- (3) Subsection (2) is subject to section 109.

109 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

110 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.

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- (2) If the authorised person is to assess plans for, or inspect, plumbing work, the person must—
- (a) hold a plumbers licence; or ^[53(2)(b)(i)]
 - (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 ^[53(2)(b)(i)]
 - (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 ^[53(3)(b)(i)]
 - (b) hold a restricted licence for a drainer—on-site sewage facility; or ^[53(3)(b)(ii)]
 - (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. ^[53(3)(a)]

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111 Evidentiary aids

In a proceeding for section 99(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 99(1); ^[55(3)(a)]
- (b) that stated work was carried out under section 99(2)(a); ^[55(3)(b)]

- (c) that a stated apportionment of cost under section 99(2)(b) is a fair apportionment of the cost. ^[55(3)(e)]

112 Fees payable to QBCC

Schedule 8 sets out the fees payable to QBCC for the matters stated in the schedule.

113 Waiver of administrative component of particular fees

- (1) This section applies if—
 - (a) a person makes an application relating to a licence or asks the commissioner to assess the equivalence of an alternative qualification and pays the fee mentioned in schedule 8 for the application or request; and
 - (b) in the same financial year as the person made the application or request, the person makes another application (the *later application*) or request (the *later request*) of the type mentioned in paragraph (a).
- (2) The administrative component of the fee for the later application or later request is not payable by the person.

Example—

A person applies for a plumbers licence, pays the application fee mentioned in schedule 8, item 1(a), 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 administrative component of the application fee for the endorsement mentioned in schedule 8, item 3.

- (3) In this section—

administrative component, of a fee, means the amount mentioned in schedule 8, item 8, as a part of the fee.

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Part 10 Amendment of regulations

Division 1 Amendment of State Penalties Enforcement Regulation 2014

114 Regulation amended

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

115 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 1 Infringement notice offence	Column 2 Infringement notice fine (penalty units)	
		Individual	Corporation
s 40(2)		1	-
s 44(2)	if paragraph (a) of the penalty applies	1	-
s 44(2)	if paragraph (b) of the penalty applies	10	-

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	Column 1 Infringement notice offence	Column 2 Infringement notice fine (penalty units)	
		Individual	Corporation
s 48(5)		10	40
s 56(1)	if paragraph (a) of the penalty applies	20	-
s 57(1)	if paragraph (a) of the penalty applies	20	-
s 57(2)	if paragraph (a) of the penalty applies	20	-
s 57(3)	if paragraph (a) of the penalty applies	20	-
s 59(1)		10	-
s 60		10	-
s 61(1)		10	-
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	-
s 67(1)		10	-
s 67(3)		10	-

Column 1 Infringement notice offence	Column 2 Infringement notice fine (penalty units)	
	Individual	Corporation
s 68(1)	20	80
s 68(2)	20	80
s 69(1)	20	-
s 70(1)	20	80
s 70(2)	20	80
s 71	20	-
s 72(1)	20	-
s 73(1)	20	-
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 77	10	40
s 78(1)	20	80
s 78(2)	10	40
s 79(2)	10	40

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	Column 1 Infringement notice offence	Column 2 Infringement notice fine (penalty units)	
		Individual	Corporation
s 79(3)		20	80
s 79(4)		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 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.

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Plumbing and Drainage Regulation 2018

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	Column 1 Infringement notice offence	Column 2 Infringement notice fine (penalty units)	
		Individual	Corporation
s 58(1)		2	-
s 58(5)		2	-
s 65(2)		2	-
s 70(2)		2	-
s 70(3)		2	-
s 70(4)		2	-
s 90		2	-
s 92(2)		2	-
s 93(2)		2	-
s 93(4)		2	-
s 98(1)		2	-
s 100(3)		2	-

Administering authority for an infringement notice offence that is an offence against a provision of the *Plumbing and Drainage Regulation 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 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.

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Plumbing and Drainage Regulation 2018

Part 10 Amendment of regulations

[s 116]

Division 2 **Minor and consequential
amendments**

116 **Regulations amended**

Schedule 10 amends the regulations it mentions.

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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

2 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

3 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

4 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

5 Existing sanitary plumbing

work necessary for extending, altering, replacing or removing sanitary plumbing, if the work is for an existing class 2 to 9 building

6 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

7 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

8 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

9 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

10 Greywater treatment plants

work necessary for replacing a greywater treatment plant, if the work is for an existing class 1 building

11 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

12 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

13 Sanitary drains

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

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Schedule 2 Minor work

section 6

work necessary for the following—

- unblocking sanitary plumbing or sanitary drainage; [ch 3, item 6]
- repairing a broken or damaged pipe; [ch 3, item 2]
- maintaining or repairing an apparatus; [ch 3, item 3]
- installing, replacing or removing an apparatus, other than—[ch 3, item 3(a)]
 - 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; [ch 3, item 1]
- maintaining or repairing a greywater use facility or an on-site sewage facility, other than maintaining an above ground irrigation system for the disposal of effluent from the facility; [ch 3, item 7 & 8]
- maintaining, repairing or replacing a fire hydrant or fire hose reel, unless schedule 3, section 2 applies to the work; [ch 3, item 5]
- sealing a supply pipe downstream from the water meter for a class 1 or 10 building or structure; [ch 3, item 4]
- installing, removing or replacing an automatic switching device for a rainwater tank [ch 3, item 9]

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Schedule 3 Unregulated work

section 7

1 Unregulated work generally

work necessary for the following—

- replacing a shower head or domestic water filter cartridge
- repairing or replacing a jumper valve, mixer cartridge, or washer, for 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;
- installing all or part of subsurface or surface irrigation in or on a land application area for a greywater use facility or on-site sewage facility;
- maintaining an irrigation system for the disposal of effluent from a greywater use facility or on-site sewage facility

2 Particular fire protection work

fire protection work for testing plumbing, other than work to which schedule 1, section 4 applies, that is carried out or supervised by a person who holds a fire protection occupational licence or another licence under the *Queensland*

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Building and Construction Commission Act 1991 that allows the person to carry out or supervise 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

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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

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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

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Schedule 5 Documents to accompany treatment plant approval applications

section 16(3)(b)

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

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) a testing criteria report;
- (f) 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 Product specifications document

The product specifications document must—

- (a) state—
 - (i) the purpose of the treatment plant; and

-
- (ii) the name, model and size of the treatment plant; and
 - (iii) a description of the flow path for the greywater or sewage being treated in the treatment plant; and
 - (iv) how greywater or sewage is treated in the treatment plant; and
 - (v) the name, function, dimensions and, if relevant, the capacity of each component of the treatment plant; and
 - (vi) the materials making up each component of the treatment plant; and
- (b) include a report prepared by a registered professional engineer stating—
- (i) the calculations used to work out the dimensions of the treatment plant and each component of the treatment plant; and
 - (ii) the calculations used to ensure the treatment plant is structurally sound.

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.

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4 Installation manual

The installation manual 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 no person is harmed and 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) a description of any training a person must undergo and tools a person must use to install the treatment plant; and
 - (vi) a description of the procedure for commissioning the treatment plant; and
 - (vii) clear instructions for identifying and solving problems that may be causing the treatment plant to malfunction.

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

5 Owner's operating manual

The owner's operating manual 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 names and contact details of appropriately qualified persons who can provide servicing, or sell replacement components, for the treatment plant;
 - (i) the actions that must be taken if the treatment plant is to be used intermittently or not used for an extended period;
 - (j) 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 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

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- (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 names and contact details of appropriately qualified persons who can provide servicing, or sell replacement components, for the treatment plant; and
- (f) the type of greywater or sewage that can be treated in the treatment plant; and
- (g) how the treatment plant treats greywater or sewage; and
- (h) the types of substances that, if discharged into the treatment plant, may adversely affect the treatment plant or the environment;
- (i) the recommended procedures for removing sludge from the treatment plant, including by backwashing, at stated intervals; and
- (j) clear instructions for identifying and solving problems that may be causing the treatment plant to malfunction.

Schedule 6 Documents to accompany permit applications

section 39(1)(b)(i)

1 Applications generally

- (1) This section applies to an application for, or to amend, a permit for plumbing or drainage work.
- (2) The application must be accompanied by 1 or more plans of the premises where the plumbing or drainage work is to be carried out showing— ^[14(1)]
 - (a) the location, and floor plan, of any existing or proposed building or structure on the premises; and ^[14A(2)(a), 14A(3)(a)(i), 14A(4), 23D(2)(a)]
 - (b) the location on the premises of—
 - (i) all water meters and supply pipes; and
 - (ii) all fixtures, reflux valves, overflow relief gullies, and sanitary drains; and ^[14A(3)(b), 14A(4), 23A(2)(b)(i) & (iv), 23A(3)(b)(i) & (iv)]
 - (iii) the access points for cleaning and maintaining the plumbing and drainage; and ^[23A(2)(b)(iii), 23A(3)(b)(iii)]
 - (iv) any testable backflow prevention devices; and ^[23A(2)(b)(v), 23A(3)(b)(v)]
 - (c) the location on the premises, and dimensions, of each connection point to—
 - (i) a service provider's water supply system or sewerage system; or ^[14A(2)(c)(i), 23A(2)(a), (3)(a), (3)(b)(ii)]
 - (ii) any on-site sewage facility; or
 - (iii) any greywater use facility; and
 - (d) the ground levels, and drainage invert levels, referenced to the Australian height datum or appropriate reduced

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- levels, to show whether sanitary drains can gravity feed to the connection point for— ^[14A(2)(b)]
- (i) any greywater diversion device; or
 - (ii) any greywater treatment plant; or
 - (iii) any on-site sewage treatment plant; or
 - (iv) a sewerage system; and
- (e) for work on a class 1a building on a lot that is not part of a community titles scheme, or on a class 10 building on a lot—
- (i) the location on the lot of the below ground sanitary drainage pipes and water supply pipes for the work; and ^[14A(2)(d)]
 - (ii) the elevations of the building; and ^[14A(3)(a)(ii)]
- (f) 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; and ^[14A(4)]
- (g) the relevant details of the person who designed the plumbing or drainage work on—
- (i) each page of the plan; or ^[14(5)(a)]
 - (ii) a page at the front of the plan that refers to each other page of the plan; and ^[14(5)(b)]
- (3) For subsection (2), a plan must be drawn to scale and show enough detail to allow the local government deciding the application to assess the proposed plumbing or drainage work. ^[14(2), 23(2)]
- (4) In this section—
- relevant details**, of the person who designed the plumbing or drainage work, means—
- (a) the person's name; and ^[14(4)(a)]
 - (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^[14(4)(b)(i)]

- (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. ^[14(4)(b)(ii)]

2 Application relating to a greywater use facility

- (1) If the application relates to a greywater use facility, this section applies to the plans accompanying the application in addition to section 1.
- (2) The plans must show—
 - (a) the proposed location, and connection points, of the greywater use facility, including any connection points to sanitary drainage; and ^[14A(2)(c)(iii), 14B(2)(b), 14C(2)(a)(ii)]
 - (b) if the greywater use facility is to include a land application area—
 - (i) the proposed location of the area; and ^[14B(2)(a)(i), 14C(2)(a)(i), 23B(2)(a)]
 - (ii) the layout of drainage for the area; and
 - (iii) the distance from the area to each boundary of the premises; and ^[14B(2)(ii)(A), 14C(2)(b)(i), 23B(2)(b)(i)]
 - (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; and
 - (vi) the distance from the area to any impervious surfaces on the premises including, for example, paths or paved areas; and ^[14B(2)(ii)(C), 14C(2)(b)(iv)]
 - (vii) the distance from the area to any vulnerable body of water that may be affected by greywater from the facility. ^[14C(2)(d)]

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- (3) Also, the plans must be accompanied by—
- (a) details of the proposed use of the greywater; and [s14B(3)(d), 14C(3)(d), 23B(3)]
 - (b) if the greywater use facility includes a greywater treatment plant—
 - (i) details of the type and size of the treatment plant; and [s14C(2)(f)]
 - (ii) a copy of the treatment plant approval for the treatment plant; and [s14B(3)(a)(i), 14C(3)(b)(ii), 85B(2), 85C(2)(e)(i)]
 - (c) if the greywater use facility is to include a land application area—a site and soil evaluation report for the premises. [s14C(3)(a)]

3 Application relating to a greywater use facility in an unsewered area

- (1) If the application relates to a greywater use facility that is not in a sewerred area, this section applies to the plans accompanying the application in addition to sections 1 and 2.
- (2) The plans must show—
- (a) the location of any existing or proposed on-site sewage treatment plant; and [s14C(2)(a)(iii), 23C(2)(a)(ii)]
 - (b) the ground levels, and drainage invert levels, referenced to the Australian height datum or appropriate reduced levels, to show whether sanitary drains can gravity feed to the connection point for— [s14C(2)(c)]
 - (i) any greywater diversion device; or
 - (ii) any greywater treatment plant.
- (3) If the work that is the subject of the application relates to a land application area, the plans must also show—
- (a) the layout of the drainage for the area; and [14C(2)(a)(iv), 23C(2)(a)(iii)]
 - (b) how the greywater is to be applied to the area; and [14C(2)(a)(iv), 23C(2)(a)(iii)]

- (c) the distances from the area to—
 - (i) any existing or proposed on-site sewage treatment plant; and [s14C(2)(b)(iii)]
 - (ii) the land application area for the on-site sewage treatment plant. [23C(2)(b)(iii)]

4 Application relating to an on-site sewage facility

- (1) If the application relates to an on-site sewage facility, this section applies to the plans accompanying the application in addition to section 1.
- (2) The plans must show the location of—
 - (a) any existing or proposed on-site sewage treatment plant; and [s14D(2)(a)(i), 23D(2)(b)]
 - (b) each connection point to the on-site sewage facility; and [14A(2)(c)(ii), 23A(2)(a), 23A(2)(b)(ii), 23A(3)(b)(ii)]
 - (c) any vulnerable body of water that may be affected by effluent from the facility. [s14D(2)(d), 23D(2)(e)]
- (3) If the work that is the subject of the application relates to a land application area, the plans must also show—
 - (a) the layout of—
 - (i) the area; and [s14D(2)(a)(ii), 23D(2)(c)]
 - (ii) the drainage for the area; and [s14D(2)(a)(ii)]
 - (b) how the effluent is to be applied to the area; and [s14D(2)(a)(ii)]
 - (c) the distances from the area to—
 - (i) the boundaries of the premises; and [s14D(2)(b)(i), 23D(2)(d)(i)]
 - (ii) any existing or proposed buildings or structures on the premises; and [s14D(2)(b)(ii), 23D(2)(d)(ii)]
 - (iii) any impervious surfaces on the premises including, for example, paths or paved areas. [s14D(2)(b)(iii)]
- (4) The plans must also be accompanied by—

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- (a) information about the type and size of the on-site sewage treatment plant; and ^[s14D(2)(f)]
- (b) a site and soil evaluation report for the premises; and ^[s14D(3)(a)]
- (c) 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. ^[s14D(3)(b), 86B(2)]

5 Application including a performance solution

- (1) This section applies 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—

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- (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.

6 Application including an alternative solution

- (1) This section applies 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.
[16(2)(d), 16(3)]
- (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;

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- (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.

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**Schedule 7 Local governments that may
declare remote areas**

section 63(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

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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 112 and 113

	\$
1 Application for—	
(a) a plumbers licence (Act, s 16(c)(ii))	0.0
(b) a drainers licence (Act, s 16(c)(ii))	0.0
(c) a restricted licence (Act, s 16(c)(ii))	0.0
(d) a provisional licence (Act, s 16(c)(ii))	0.0
2 Request to assess the equivalence of an alternative qualification for a licence mentioned in item 1 (s 14(1)(d))	0.0
3 Application for an endorsement on a licence (Act, s 28(c)(ii))	0.0
4 Application to renew a licence—	0.0
(a) for an applicant who is an employee of a registered training organisation (Act, s 31(2)(c))	0.0
(b) for an applicant who is retired and not intending to carry out work for payment (Act, s 31(3)) (<i>reduced fee</i>)	0.0
(c) for another applicant (Act, s 31(2)(c))	0.0
5 Application to restore a licence—	
(a) for an applicant who is an employee of a registered training organisation (Act, s 33(2)(c))	0.0
(b) for an applicant who is retired and not intending to carry out work for payment (Act, s 33(3)) (<i>reduced fee</i>)	0.0

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	\$
(c) for another applicant (Act, s 33(2)(c))	0.0
6 Application for review of the conditions of a licence (Act, s 35(3)(b))	0.0
7 Application to replace a licence (Act, s 42(2)(b))	0.0
8 Administrative component of the fees mentioned in items 1 to 7 (s 113))	0.0
9 Certified copy of a licence (Act, s 43)	0.0
10 Notice of notifiable work (Act, s 83(1)(b)), given by—	0.0
(a) a relevant person that is a public sector entity	nil
(b) another relevant person—	
(i) in electronic form	0.0
(ii) in hard copy form	0.0

Schedule 9 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 that day is a business day.

accepted representations see section 28(2).

affected treatment plant, for part 4, division 3, see section 24.

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 68.

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

Australian height datum means the Australian height datum adopted by the National Mapping Council of Australia.

automatic switching device see the Queensland Plumbing and Wastewater Code.

Building Code of Australia means the document called the Building Code of Australia published by the Australian Building Codes Board.

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

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

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 see section 60(3)(b).

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 permit work means permit work declared to be eligible permit work under section 64(1)(b).

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

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

fast-track amendment application see section 33.

fast-track application see section 33.

fast-track opt-out declaration see section 35(1).

fast-track permit work see section 32.

fast-track work declaration see section 34(1).

final inspection certificate see section 74.

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.

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holder, of a treatment plant approval, means—

- (a) a person who has been granted the approval under section 19; or
- (b) a person who is recorded as the holder of the approval under section 23(3)(a).

holding tank means a sealed tank used to temporarily store sewage.

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 40(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 *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 85.

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 62(2).

OSTP installation work means—

- (a) installing an on-site sewage treatment plant, other than—
- (i) a septic tank; or
 - (ii) a holding tank; or
 - (iii) a waterless composting toilet; 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.

pipng see the glossary.

premises, in relation to an application, permit, inspection certificate or final inspection certificate for work, means the premises to which the application, permit or certificate relates.

prescribed PCA provision see section 9.

prescribed QDC part see section 10.

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

pressure type vacuum breaker see the glossary.

properly made application see section 39(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*.

remote area means an area within a local government area declared by the local government for the local government area to be a remote area under section 64(1)(a).

remote area compliance notice see section 65(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, 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 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 27(2).

show cause period see section 27(3)(d).

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

specialist work see section 40(1)(b).

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

subject work, for part 6, division 4, subdivision 4, see section 71.

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

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- (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*.

tempering valve see the glossary.

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 70(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).

waterless composting toilet means a chemical, composting or incinerating toilet.

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.

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Schedule 10 Regulations amended

section 116

Body Corporate and Community Management (Accommodation Module) Regulation 2008

- 1 Section 157(5), definition *utility infrastructure*, paragraph (b), from 'in relation to' to '31 December 2007'—

omit, insert—

under a permit issued under the *Plumbing and Drainage Act 2018* or 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), from 'in relation to' to '31 December 2007'—

omit, insert—

under a permit issued under the *Plumbing and Drainage Act 2018* or in relation to a compliance request made after 31 December 2007 under the repealed *Plumbing and Drainage Act 2002*

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

- 1 Section 93(5), definition *utility infrastructure*, paragraph (b), from ‘in relation to’ to ‘31 December 2007’—

omit, insert—

under a permit issued under the *Plumbing and Drainage Act 2018* or 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), from ‘in relation to’ to ‘31 December 2007’—

omit, insert—

under a permit issued under the *Plumbing and Drainage Act 2018* or 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), from ‘in relation to’ to ‘31 December 2007’—

omit, insert—

under a permit issued under the *Plumbing and Drainage Act 2018* or 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*

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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 2018,
 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 2018,
 schedule 4, part 3, item 8, column 2, paragraph (b)
 for a drainer—on-site sewage facility licence

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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

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ENDNOTES

- 1 Made by the Governor in Council on [Made by Governor Date].
- 2 Notified on the Queensland legislation website on [Notification Date].
- 3 The administering agency is the Department of Housing and Public Works.

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