

# Plumbing newsflash

## Amendments to the *Plumbing and Drainage Act 2002*

### Purpose

To advise changes to the *Plumbing and Drainage Act 2002* (PDA) for regulation of greywater treatment facilities commenced on 1 July 2008.

### Background

The *Water Supply (Safety and Reliability) Act 2008* amended the PDA.

Previously, the PDA regulated installation of greywater treatment plants where the premises generated less than 50 kL per day. The PDA did not allow for regulation of greywater treatment plants where premises generated 50 kL or more of greywater per day.

The regulation of greywater treatment plants will now be:

- based on the capacity of the greywater treatment plant rather than the amount of greywater that is generated on the premises
- divided between two regulators and two regulatory frameworks depending on the capacity of the greywater treatment plant as follows:
  - a single greywater treatment plant capable of treating **50 kL or more greywater per day** will be regarded as a 'large greywater treatment plant' and installation will be regulated by the chief executive officer of the Department of Natural Resources and Water under the framework set out under the *Water Supply (Safety and Reliability) Act 2008*
  - a single greywater treatment plant capable of treating **less than 50 kL greywater per day** will continue to be regulated under the PDA whether or not individual treatment plants are connected in any way.

For example, installation of two greywater treatment plants with capacities of 30 kL and 25 kL respectively, even though connected, will still be governed by the provisions of the PDA as the individual capacity of each treatment plant does not exceed the 50 kL or more capacity threshold.

Local governments will still oversee installation of greywater treatment plants under each of the regulatory frameworks.



## Legislation

*Plumbing and Drainage Act 2002*  
*Water Supply (Safety and Reliability) Act 2008.*

Up to date reprints of the PDA will be available shortly on the Office of the Queensland Parliamentary Counsel website at <http://www.legislation.qld.gov.au/OQPChome.htm>.

Notes to the PDA amendments are provided in Attachment A.

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## Attachment A

### Notes to the *Plumbing and Drainage Act 2002* amendments.

#### **Amendment of s 85 (Process for assessing plans)**

Section 85(8) of the Act deals with the process for assessing a plan for regulated work or on site sewerage work. It has been amended to require the local government to give a copy of a compliance permit to the regulator under the *Water Supply (Safety and Reliability) Act 2008* (WSRA) where the compliance permit was given for a greywater use facility that is or includes a large greywater treatment plant. This is because greywater use facilities of this size will require a recycled water management plan under the WSRA and it will be necessary for the regulator to monitor and keep records of such facilities.

#### **Amendment of s 85B (Restrictions on giving compliance permit for greywater use facility in a sewered area)**

Section 85B of the Act has been amended to remove the restriction on the granting of a compliance permit for work at premises which generate greywater less than 50 kL a day. This is because the regulation of greywater will now be based on the capacity of the greywater treatment plant rather than what is generated from premises. Subject to the further requirements of the Act, a compliance permit may now be issued for a greywater use facility that is or includes a large greywater treatment plant. Requirements for installation of facilities that generate less than 50 kL per day will remain as they currently are.

For a facility that is or includes a large greywater treatment plant, a local government cannot issue a compliance permit:

- to install the facility unless the local government has received advice about the facility from the regulator (at this point the facility will be discharging to the sewer until testing and validation of the unit is complete)
- to connect the facility unless there is an approved recycled water management plan under the WSRA for the greywater use facility (at this point the unit is connected to the plumbing to enable the greywater to be used for its intended purpose).

#### **Amendment of s 86 (General process for assessing regulated work on on-site sewerage work)**

Section 86 of the Act deals with the process for assessing regulated work and on site sewerage work. This provision inserts a requirement that where a local government gives a compliance certificate and the certificate relates to the installation or connection of a greywater use facility, that is or includes a large greywater treatment plant, then the local government must also give a copy of the compliance certificate to the regulator under the WSRA. This is because greywater use facilities of this size will require a recycled water management plan under the WSRA and it will be necessary for the regulator to monitor and keep records of such facilities.

### **Amendment of s 86C (Conditions on compliance certificate)**

Section 86C of the Act has been amended to allow for the local government to impose conditions on a compliance certificate in accordance with requirements advised by the regulator under the WSRA where the compliance certificate is for regulated work for a greywater use facility that is or includes a large greywater treatment plant.

### **Amendment of s 126 (Restriction on building or installing greywater use facility)**

Section 126 of the Act has been amended so that it is not an offence under the Act to build or install a greywater treatment plant capable of treating 50kL or more greywater a day without the approval of the chief executive. Instead, a recycled water management plan will be required under the WSRA.

### **Amendment of s 128A (Offence to pollute service provider's services)**

Omits the reference in section 128A(1) of the Act to the *Water Act 2000* and replaces it with a reference to the WSRA, consequential to the moving of provisions from chapter three of the *Water Act 2000* to the WSRA.

### **Amendment of s 128G (Owner's obligation to maintain plumbing and drainage and on-site sewerage facility)**

Section 128G of the Act has been amended so certain obligations on owners to maintain plumbing and drainage and on-site sewerage facilities are limited to greywater treatment facilities and plans which treat less than 50 kL a day. For a large greywater treatment plant regulated under the WSRA, a standard for water quality will apply under the WSRA.

### **Amendment of s 128PA (Offence about using greywater)**

Section 128PA of the Act has been amended so certain offences about using greywater that are contrary to the Queensland Plumbing and Wastewater Code are limited to greywater treatment facilities or plants which treat less than 50 kL a day. For a large greywater treatment plant regulated under the WSRA, a standard for water quality will apply under the WSRA.

### **Amendment of s 143B (Local government's monitoring obligations for greywater use facilities in sewered areas)**

Section 143B of the Act has been amended to exclude a requirement that local governments monitor a greywater use facility that is or includes a large greywater treatment plant to ensure their operation is not affecting public health. Monitoring of such greywater use plants and facilities to ensure their operation is not affecting public health will fall under the WSRA.

Local governments will be responsible for monitoring such greywater use facilities to ensure they are not adversely affecting amenity or the environment.

In relation to greywater use facilities which are not capable of treating 50 kL of greywater, local governments will remain responsible for monitoring these facilities to ensure they are not affecting public health, amenity or environment.

### **Insertion of new s 143D**

A new section 143D (Local government advice to regulator about greywater treatment plant) has been inserted into the Act.

### **New section 143D Local government advice to regulator about greywater treatment plant**

New section 143D requires the local government to give the regulator under the WSRA notice where the local government authorises the dismantling or taking away of all or part of a greywater treatment plant that is capable of treating 50kL or more greywater a day in a seweraged area.

This new provision also requires a local government to give the regulator under the Bill a copy of a condition report provided to the local government by a person who services a large greywater plant in a seweraged area.

### **Amendment of schedule (Dictionary)**

The dictionary in the schedule to the Act by omitting, amending or including definitions.

Most of the amendments are to facilitate the relocation of a number of provisions from the WA to the WSRA.

The remaining amendments to the dictionary facilitate the new scheme to permit and regulate the use of greywater (other than kitchen greywater) for a greywater use facility that is or includes a greywater treatment plant capable of treating 50 kL or more greywater a day.

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