

Standard Sewerage Amendment Law (No.1) 2000-04-19

The purpose of this newsflash is to advise of the commencement on 20 April 2000 of the *Standard Sewerage Amendment Law (No.1) 2000*. The Law:

- 1 Amends section 6(1) (c) of the *Standard Sewerage Law* to adopt amendment No. 1 to the National Plumbing and Drainage Code AS/NZS 3500.2.2. The Code was amended to provide for the use of new materials, such as high-density polyethylene and stainless steel. The amendment also corrects editorial errors and clarifies some of the technical provisions of the code. (A copy of the amendment can be downloaded free of cost from Standards Australia Internet site <http://www.standards.com>. or can be obtained from Standards Australia, PO Box 1055, Strathfield, NSW 2135)
- 2 Repeals section 43(1)(b) of the *Standard Sewerage Law* to ensure that councils carry no liability for the actions of property owners who divert stormwater onto adjoining properties. This amendment was made at the request of the Local Government Association. The basis of their submission is that the High Court decision in the matter of *Pyrenees Shire Council v Day* [1998] HCA 3 means that a council may now be liable where it has failed to take enforcement action. This may occur where a breach of a law administered by the council is causing, or has the potential to cause, damage to a third party and council has failed to take available legal action to remedy the breach of the law.
- 3 Amends section 105(4) of the *Standard Sewerage Law* to extend the operation of the interim on-site sewerage code from 30 April 2000 to 30 April 2001. New Australian Standards dealing with the disposal of effluent from and construction of on-site sewerage facilities have not been published. It is therefore necessary to extend the expiration date of the interim on-site sewerage code.

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