

Queensland



Subordinate Legislation 1998 No. 100

Justices Act 1886

Sewerage and Water Supply Act 1949

STANDARD WATER SUPPLY LAW

TABLE OF PROVISIONS

| Section | | Page |
|---------|---|------|
| | CHAPTER 1—PRELIMINARY | |
| | PART 1—INTRODUCTION | |
| 1 | Short title | 5 |
| 2 | Commencement | 5 |
| 3 | Purpose of law | 5 |
| 4 | Dictionary | 5 |
| 5 | References | 5 |
| 6 | Meaning of “applied provisions”, “glossary”, “part 1.2” and “part 4.2” .. | 6 |
| 7 | Interpretation of applied provisions | 6 |
| 8 | Work not regulated by this law | 7 |
| | PART 2—APPOINTMENTS | |
| 9 | Engineers | 7 |
| 10 | Inspectors | 8 |
| | PART 3—PROVISIONS AIDING ENFORCEMENT | |
| 11 | Local government may direct owner to perform work | 8 |
| | CHAPTER 2—LOCAL GOVERNMENT WATER SUPPLY SYSTEMS | |
| | PART 1—ADMINISTRATION | |
| 12 | Map of water area to be kept | 10 |
| 13 | Access to water supply system | 10 |

| | | |
|----|--|----|
| 14 | Premises in sewered area to connect to water supply system | 11 |
| 15 | When local government is not required to supply water | 11 |
| 16 | Notice to connect to water supply system | 11 |

PART 2—SUPPLY OF WATER

| | | |
|----|--|----|
| 17 | Supply of water outside water area | 12 |
| 18 | Restriction of water supply | 13 |
| 19 | Limits on local government shutting off water supply | 14 |
| 20 | Temporary interruptions to water supply | 14 |
| 21 | Water meters | 14 |
| 22 | Tampering with local government water meters | 14 |

PART 3—CONNECTIONS TO WATER SUPPLY SYSTEM

| | | |
|----|---|----|
| 23 | Unlawful taking of water | 15 |
| 24 | Unlawful connection to local government's water main etc. | 15 |
| 25 | Pollution | 16 |
| 26 | Laying or fixing property services | 16 |
| 27 | Connecting supply pipe to property service | 16 |
| 28 | Fire services | 16 |

PART 4—GENERAL PROVISIONS ABOUT WATER SUPPLY SYSTEMS

| | | |
|----|---|----|
| 29 | Interference with water supply systems | 17 |
| 30 | Costs of repairing local government's water supply system | 17 |
| 31 | Building over water supply system | 17 |

PART 5—DESIGN AND INSTALLATION OF WATER SUPPLY SYSTEMS

| | | |
|----|--|----|
| 32 | Approval needed | 18 |
| 33 | Using and installing pipes and fittings | 18 |
| 34 | Water mains close to buildings, pipes and underground services | 19 |
| 35 | Changing or relocating utility infrastructure | 20 |
| 36 | Protection of local government's water supply system | 21 |
| 37 | Backfilling | 21 |

CHAPTER 3—WATER PLUMBING

PART 1—GENERAL

| | | |
|----|--|----|
| 38 | Compliance with applied provisions | 22 |
|----|--|----|

| | | |
|----|---|----|
| 39 | Approval needed for water plumbing work | 22 |
| 40 | Performing minor necessary work | 23 |
| 41 | Certain items only to be used | 23 |
| 42 | Unsuitable apparatus, fittings, materials and pipes | 24 |
| 43 | Inspection and testing before covering | 24 |
| 44 | Owner's duty | 25 |

PART 2—INSTALLATIONS ON PREMISES

Division 1—Installing supply pipes

| | | |
|----|--|----|
| 45 | Changing or relocating utility infrastructure | 26 |
| 46 | Protection of local government's water supply system | 26 |
| 47 | Disconnection of supply pipes | 27 |
| 48 | Backfilling | 27 |

Division 2—Supply pipes to water main standard

| | | |
|----|--|----|
| 49 | Supply pipe for multi-building or large building | 28 |
| 50 | Supply pipe for premises group | 29 |

Division 3—Backflow prevention devices

| | | |
|----|---|----|
| 51 | Notice to install backflow prevention device | 30 |
| 52 | Inspection and testing of backflow prevention devices | 31 |
| 53 | Testable backflow prevention devices | 31 |

Division 4—Other installations

| | | |
|----|---------------------------------------|----|
| 54 | Water storage tanks | 32 |
| 55 | Flushing cisterns | 33 |
| 56 | Boilers and engines | 33 |
| 57 | Hydraulic powered equipment | 33 |
| 58 | Air cooling equipment | 34 |

CHAPTER 4—MISCELLANEOUS

PART 1—APPEALS

| | | |
|----|---|----|
| 59 | Definitions for pt 1 | 34 |
| 60 | Appeals to court | 35 |
| 61 | Starting appeals | 35 |
| 62 | Time for making appeals | 35 |
| 63 | Stay of operation of decision | 35 |

| | | |
|-------------------------------|--|----|
| 64 | Powers of court on appeal | 36 |
| 65 | Effect of decision of court on appeal | 36 |
| 66 | Appeal to District Court on question of law only | 36 |
| PART 2—OTHER MATTERS | | |
| 67 | Interaction with IPA | 37 |
| PART 3—TRANSITIONAL | | |
| 68 | Definitions for pt 3 | 37 |
| 69 | Existing product authorisations by the Joint Committee | 38 |
| 70 | Existing approvals by local government | 38 |
| 71 | Existing restrictions of supply | 38 |
| 72 | Work planned, approved or lawfully started before commencement | 38 |
| 73 | Changes to existing work | 40 |
| 74 | Certain unsafe existing work to be changed to comply with this law | 40 |
| 75 | Carrying out of work approved under this part | 40 |
| PART 4—REPEAL | | |
| 76 | Repeal | 41 |
| PART 5—MINOR AMENDMENT | | |
| 77 | Regulation amended in pt 5 | 42 |
| 78 | Amendment of sch 1 (Nominated laws for infringement notice offences) | 42 |
| SCHEDULE | | 43 |
| DICTIONARY | | |

CHAPTER 1—PRELIMINARY

PART 1—INTRODUCTION

Short title

1. This regulation may be cited as the Standard Water Supply Law.

Commencement

2. This regulation commences on 30 April 1998.

Purpose of law

3. The purpose of this law is to make provision, under section 6¹ of the Act, for water supply.

Dictionary

- 4.(1) The dictionary in the schedule defines particular words and phrases used in this law.

- (2) Definitions found elsewhere in this law are signposted in the dictionary.

- (3) A word defined in the dictionary as ‘see glossary’ has the meaning given in the glossary.

References

5. In a provision of this law about an act or thing, a reference to—
 - (a) a local government is a reference to the local government in whose local government area the act happens or the thing is located; and
 - (b) an engineer is a reference to an engineer of the local government

¹ Section 6 (Standard Water Supply Law)

in whose local government area the act happens or the thing is located; and

- (c) an inspector is a reference to an inspector of the local government in whose local government area the act happens or the thing is located.

Meaning of “applied provisions”, “glossary”, “part 1.2” and “part 4.2”

6.(1) The **“applied provisions”** are the following components of the compilation known generally as the National Plumbing and Drainage Code—

- (a) National Plumbing and Drainage Code—Part 0: Glossary of terms, but only the document published under the designation of AS/NZS 3500.0: 1995;
- (b) National plumbing and drainage—Part 1.1: Water supply—Performance requirements, but only the document published under the designation of AS 3500.1.1—1998;
- (c) National plumbing and drainage—Part 1.2: Water supply—Acceptable solutions, but only the document published under the designation of AS/NZS 3500.1.2: 1998;
- (d) National Plumbing and Drainage—Part 4.1: Hot water supply systems—Performance requirements, but only the document published under the designation of AS 3500.4.1—1997;
- (e) National Plumbing and Drainage—Part 4.2: Hot water supply systems—Acceptable solutions, but only the document published under the designation of AS/NZS 3500.4.2: 1997.

(2) The **“glossary”** is the document described in subsection (1)(a).

(3) **“Part 1.2”** is the document described in subsection (1)(c).

(4) **“Part 4.2”** is the document described in subsection (1)(e).

Interpretation of applied provisions

7.(1) This section applies to a word or phrase if—

- (a) the word or phrase is defined in the glossary; and
- (b) the word or phrase, or an expression that is in substance equivalent to the word or phrase, is also defined in the schedule other than as ‘see glossary’.

(2) For applying the applied provisions under this law, a word or phrase to which this section applies is taken to have, to the greatest practicable extent, the meaning given in the schedule.

Work not regulated by this law

8.(1) A provision of this law purporting to regulate water plumbing work does not regulate the work to the extent that the work is unregulated work.

Example—

A requirement under this law to obtain the local government’s approval before performing, or to advise the local government after performing, water plumbing work does not apply if the work is unregulated work.

(2) Despite subsection (1), a provision of this law about a requirement for water plumbing, including, for example, a provision of this law stating the standard of fittings required to be installed for water plumbing, has effect even if fulfilling the requirement could be achieved through the performance of unregulated work.

PART 2—APPOINTMENTS

Engineers

9.(1) A local government may appoint as an engineer of the local government an appropriately qualified person.

(2) An engineer of the local government holds the appointment as an engineer on the conditions stated in the instrument of appointment.

(3) In this section—

“appropriately qualified” includes having qualifications, skills and

experience appropriate for performing water supply engineering functions for the local government.

Inspectors

10.(1) A local government may appoint as an inspector of the local government an appropriately qualified person.

(2) An inspector of the local government holds the appointment as an inspector on the conditions stated in the instrument of appointment.

(3) In this section—

“appropriately qualified” includes—

- (a) having qualifications, skills and experience appropriate for inspecting and approving water plumbing work on premises; and
- (b) holding a plumber’s licence under the Act, or approved by the board as having the necessary competence for inspecting and approving water plumbing work on premises.

PART 3—PROVISIONS AIDING ENFORCEMENT

Local government may direct owner to perform work

11.(1) This section applies if there is, on premises, and in use for water supply, any of the following—

- (a) water plumbing that is—
 - (i) defective because of incorrectly performed water plumbing work; or
 - (ii) the subject of water plumbing work carried out in a way contravening this law;
- (b) a water plumbing component that—
 - (i) is being used otherwise than under this law; or
 - (ii) has been connected to the local government’s water supply

system without the local government's approval; or

- (iii) does not adequately do what it was installed to do, whether because it is defective or for another reason; or
- (iv) is in a condition likely to cause a nuisance or to be detrimental to public health.

(2) The local government may give the owner of the premises a written notice requiring the owner to perform, within the time stated in the notice, the work stated in the notice.

(3) The time stated in the notice must be a time that is reasonable in the circumstances, but must be at least 1 month after the notice is given to the owner.

(4) The work stated in the notice must be work that is reasonably necessary for fixing or otherwise dealing with the water plumbing or water plumbing component.

(5) Without limiting subsection (4), the notice may require the owner—

- (a) to repair or replace a defective component; or
- (b) to improve a component's performance or replace a component with another component the performance of which is consistent with a requirement of this law; or
- (c) to remedy a contravention of this law; or
- (d) to disconnect something connected to a water supply system without the local government's approval.

(6) The owner must comply with the notice, unless the owner has a reasonable excuse.

Maximum penalty—165 penalty units.

CHAPTER 2—LOCAL GOVERNMENT WATER SUPPLY SYSTEMS

PART 1—ADMINISTRATION

Map of water area to be kept

12.(1) A local government must keep a map at its public office showing—

- (a) the limits of the local government's water area; and
- (b) the location of the local government's water mains.

(2) The local government must allow anyone to inspect the map, free of charge, when the public office is open for business.

Access to water supply system

13.(1) A local government must, to the greatest practicable extent, make sure that—

- (a) all premises in a water area are able to be connected directly and separately to the local government's water supply system for the water area; and
- (b) the water supply system can deal with the water supply requirements of all premises in the water area.

(2) Subsection (1) does not stop the local government from recovering from an owner of premises the reasonable cost of complying with the subsection for any particular premises or premises group.

(3) If 2 or more premises are part of a premises group, the local government does not fail to comply with subsection (1) because it makes sure only that the premises group, rather than each individual premises, is able to be connected directly and separately to its water supply system.

(4) The design of the water supply system must allow for a connection point for each premises or premises group to be at or within the boundary

of the premises or premises group.

(5) The placing of each connection point is to be decided by the local government, acting reasonably in the circumstances of the connection.

(6) A property service is part of the local government's water supply system.

Premises in sewered area to connect to water supply system

14. The owner of premises in both a local government's water area and the local government's sewered area must make sure that water plumbing on the premises is connected to the local government's water supply system.

Maximum penalty—165 penalty units.

When local government is not required to supply water

15.(1) If a local government can not supply water from its water supply system to premises at a satisfactory pressure because of physical constraints, the local government is not required to supply water to the premises.

(2) However, the local government may supply water to the premises if the owner installs enough water storage tanks and pumps to make sure that an appropriate supply is obtained.

(3) The local government may impose conditions on the installation of the water storage tanks and pumps, including, for example, a condition requiring that a pump installed on the supply side of a water storage tank not cause negative pressures in the local government's water main.

Notice to connect to water supply system

16.(1) A local government may, by written notice given to the owner of premises, require the owner to connect the premises to a water supply system.

(2) The written notice must state—

(a) the time (the “**initial period**”) for completing the work; and

- (b) that the work must be completed within the initial period or within any further time the local government may, whether before or after the end of the initial period, decide; and
- (c) that the local government's approval to the proposed work must be given before work starts; and
- (d) that the owner may ask the local government to prepare the plans needed for the work; and
- (e) anything else the owner must do to get the approval mentioned in paragraph (c).

Example of paragraph (e)—

The notice may require the owner to give the local government a stated number of plans drawn to a stated scale.

(3) The initial period must be reasonable in the circumstances of the notice, but must not be less than 1 month after the notice is given to the owner.

(4) The owner must comply with the notice.

Maximum penalty for subsection (4)—165 penalty units.

PART 2—SUPPLY OF WATER

Supply of water outside water area

17.(1) This section applies to premises outside a local government's water area.

(2) If the owner of premises to which this section applies asks, the local government may supply water to the premises.

(3) However, the local government may supply water to the premises only if the local government is satisfied that water can be supplied to the premises at a satisfactory pressure.

(4) The owner of the premises must pay the cost of work necessary for supplying water to the premises.

Restriction of water supply

18.(1) If the local government considers it necessary, because of climatic conditions or water conservation needs, or for public health reasons, the local government may restrict—

- (a) the amount of water supplied to a consumer or type of consumer; or
- (b) the hours when water may be used on premises for stated purposes; or
- (c) the way water may be used on premises.

(2) The local government may impose a restriction under subsection (1) (a “**water restriction**”) only if—

- (a) there is an urgent need for the water restriction; or
- (b) the available water supply has fallen to a level at which unrestricted use of the water is not in the interests of people living and working in the local government’s water area; or
- (c) the local government has a reasonable and comprehensive demand management strategy and the restriction is essential to make sure that the aims of the strategy are met.

(3) The local government must give written notice of a water restriction to anyone affected by it in the way the local government considers appropriate having regard to the circumstances in which the restriction is imposed.

Examples for subsection (3)—

- 1. A circular distributed to people affected by a water restriction.
- 2. A notice in a newspaper circulating generally in the local government’s area.
- 3. A sign at or near a road access to the local government’s area.
- 4. Radio or television advertisements.

(4) A water restriction does not have effect until the day after the notice is given.

(5) A person must not contravene a water restriction.

Maximum penalty for subsection (5)—20 penalty units.

Limits on local government shutting off water supply

19. A local government must not shut off the water supply to premises, because of the contravention of a water restriction by the owner or occupier of the premises, if the supply is used for domestic purposes on the premises.

Temporary interruptions to water supply

20.(1) A local government may shut off the water supply to premises for the time reasonably necessary for the local government to perform work on the local government's water supply system, including a property service to the premises.

(2) However, the local government must give to anyone likely to be affected by shutting off the water supply at least 48 hours written notice of its intention to shut off the water supply, advising the reasons for shutting it off, and for how long it will be shut off.

(3) Subsection (2) does not stop the local government shutting off its water supply, without notice, if there is—

- (a) a serious risk to public health; or
- (b) a likelihood of serious injury to persons or damage to property; or
- (c) another emergency.

Water meters

21.(1) A local government may install, or approve the installation of, a water meter in a position, decided by an engineer, on a pipe supplying water to premises.

(2) A water meter installed by the local government inside the boundary of premises under subsection (1) is the property of the local government.

Tampering with local government water meters

22. A person must not—

- (a) install water plumbing in a way that allows water to bypass a local government water meter; or

- (b) do anything to a local government water meter to stop it from correctly registering how much water passes through it; or
- (c) exchange an existing local government water meter for another water meter without the approval of the local government; or
- (d) remove a local government water meter and replace it with other water plumbing.

Maximum penalty—165 penalty units.

PART 3—CONNECTIONS TO WATER SUPPLY SYSTEM

Unlawful taking of water

23.(1) A person must not, without a local government's written approval—

- (a) take water from a fire hydrant, property service, standpipe or water main of the local government; or
- (b) take water from a supply pipe on premises for use off the premises, other than for the domestic purposes of the owner or occupier of the premises.

Maximum penalty—165 penalty units.

(2) Subsection (1) does not apply to the use of water for local government purposes, fighting a fire or testing fire-fighting equipment, or if the local government provides the supply for general public use.

Unlawful connection to local government's water main etc.

24. A person must not, without a local government's written approval—

- (a) connect a pipe to a water main or property service of the local government; or
- (b) extend a supply pipe on premises to other premises.

Maximum penalty—165 penalty units.

Pollution

25. A person must not do anything likely to pollute water in a local government's water supply system.

Maximum penalty—165 penalty units.

Laying or fixing property services

26.(1) A person other than a local government must not build a property service without the local government's approval.

Maximum penalty—165 penalty units.

(2) The local government may impose conditions on an approval mentioned in subsection (1), including the material used for, or the size of, the property service.

Connecting supply pipe to property service

27. A local government may refuse to allow a supply pipe to be connected to a property service if it is satisfied on reasonable grounds that the supply pipe has been built in contravention of this law.

Fire services

28.(1) A person must not—

- (a) install or extend a fire service if—
 - (i) the local government's written approval to the installation or extension has not been obtained; or
 - (ii) the fire service is not metered and sealed, and fitted with an isolating valve; or
- (b) extend a fire service other than for a fire service purpose.

Maximum penalty—165 penalty units.

(2) Despite subsection (1)(a)(ii), a person is not required to have a fire service metered or sealed if an engineer decides metering or sealing is unnecessary in the circumstances of the fire service.

(3) A person must not, without the local government's approval, break

the seal on a fire service or take water from an unsealed fire service other than when a fire happens.

Maximum penalty—40 penalty units.

(4) Within 24 hours after a seal on a fire service on premises is broken, the occupier of the premises must give the local government written notice of the breaking, unless the occupier has a reasonable excuse.

Maximum penalty for subsection (4)—10 penalty units.

PART 4—GENERAL PROVISIONS ABOUT WATER SUPPLY SYSTEMS

Interference with water supply systems

29. A person must not interfere with a local government's water supply system without the local government's approval.

Maximum penalty—165 penalty units.

Costs of repairing local government's water supply system

30.(1) This section applies if a person unlawfully damages a local government's water supply system.

(2) The local government may perform work to fix the damage, and may recover the reasonable costs for the work from the person who caused the damage.

(3) The costs mentioned in subsection (2) are in addition to any penalty imposed for causing the damage.

Building over water supply system

31.(1) A person must not, without the local government's approval, build something over a water supply system or property main, if the building of the thing, or the thing as built, would stop access to a water main forming part of the water supply system or to the property main.

Maximum penalty—165 penalty units.

(2) A person must not, without the local government's approval, increase or reduce the amount of cover over a water main or a property main.

Maximum penalty—40 penalty units.

PART 5—DESIGN AND INSTALLATION OF WATER SUPPLY SYSTEMS

Approval needed

32.(1) A person must not build a water supply system without the local government's approval.

Maximum penalty—165 penalty units.

(2) The local government may give an approval under subsection (1) only if it is satisfied that—

- (a) the design of the water supply system meets the local government's requirements; and
- (b) the pipes and fittings to be used can withstand—
 - (i) loads (including, for example, earth and traffic loads) to which the pipes and fittings may be subjected; and
 - (ii) chemical and biological attack from the soil and from anything that may ordinarily be expected to pass through the pipes and fittings.

Using and installing pipes and fittings

33.(1) A person who builds a water supply system must use pipes and fittings approved for use by the local government or an engineer of the local government, and install them in compliance with the local government's directions and any specification or standard identified and approved by the local government for applying to the water supply system.

Maximum penalty—165 penalty units.

(2) Despite subsection (1)—

- (a) the person can not be required to build a water supply system to a standard higher than the standard to which the local government would build a water supply system; and
- (b) if an engineer is satisfied that a particular material, pipe or fitting, although previously approved under subsection (1), is unsuitable for use in the particular circumstances of its intended use, the local government may by written notice direct the person not to use the material, pipe or fitting.

(3) The person must comply with the notice under subsection (2)(b).

Maximum penalty—165 penalty units.

(4) If the local government gives a notice under subsection (2)(b), a further approval or direction under subsection (1) may approve the use of a different type of material, pipe or fitting, including, for example—

- (a) a material, pipe or fitting with a protective coating, lining or wrapping; or
- (b) a material, pipe or fitting not mentioned in a specification or standard approved under subsection (1), but consistent with the requirements of the approved specification or standard.

(5) Without limiting the directions the local government may give under subsection (1), a direction may state the way in which pipes and fittings must be laid and jointed.

Water mains close to buildings, pipes and underground services

34.(1) A person who builds a water supply system must not, without the local government's approval, locate a water main—

- (a) if building the water main may disturb or undermine the foundations of a building—near the building; or
- (b) if building the water main may disturb or interfere with underground utility infrastructure—near the underground utility infrastructure; or
- (c) near underground utility infrastructure, if public health or safety may be put at risk by its location near the underground utility

infrastructure.

Example for subsection (1)(c)—

The local government's approval would be required if a proposed excavation for a water main near a gas service could create a serious threat of explosion.

Maximum penalty—40 penalty units.

(2) The local government may impose conditions on an approval mentioned in subsection (1), including the following—

- (a) conditions designed to make sure the foundations of a building are not disturbed or undermined by the building of the water main;
- (b) conditions designed to make sure underground utility infrastructure is not interfered with or disturbed;
- (c) conditions designed to make sure public health and safety are protected in the particular circumstances.

(3) If a person excavates near a building or underground utility infrastructure to change, lay, remove or repair a water main, the person must take reasonable steps to protect the building or utility infrastructure from damage because of the excavation.

Maximum penalty for subsection (3)—165 penalty units.

Changing or relocating utility infrastructure

35.(1) If, for building a water supply system, it is necessary to change or relocate utility infrastructure, the person who builds the water supply system must make sure that appropriate arrangements for changing or relocating the utility infrastructure are made with the owner of the utility infrastructure before starting to build the water supply system.

Maximum penalty—165 penalty units.

(2) The person building the water supply system must, subject to arrangements entered into under subsection (1), give the owner of the utility infrastructure reasonable written notice of intention to start the work.

Maximum penalty—10 penalty units.

(3) A person who builds a water supply system must take all reasonable steps to make sure that utility infrastructure is protected from damage.

Maximum penalty—165 penalty units.

(4) Subsection (3) applies whether or not it is necessary to make arrangements about the utility infrastructure under subsection (1).

Protection of local government's water supply system

36. A person who builds a water supply system to be connected with a local government's existing water supply system—

- (a) must not cut into or connect to the local government's existing water supply system—
 - (i) without the approval of the local government; or
 - (ii) in a way not in conformity with conditions the local government may impose on the approval mentioned in paragraph (a); and
- (b) must, in building the water supply system, take all reasonable steps to make sure that the local government's existing water supply system is always protected from damage and from the entry of surface water, soil, sand and rock.

Maximum penalty—165 penalty units.

Backfilling

37.(1) This section applies if a person builds a water supply system and, for building the system, it is necessary to excavate to place a water main, including to place a property service up to a connection point or the place of a proposed connection point.

- (2) The person must take all reasonable steps to make sure that—
 - (a) the excavation is backfilled as soon as practicable after the water main or property service in the excavation is inspected and tested; and
 - (b) any structure or improvement disturbed by the excavation is restored in the way the local government reasonably directs.

Maximum penalty for subsection (2)—165 penalty units.

CHAPTER 3—WATER PLUMBING

PART 1—GENERAL

Compliance with applied provisions

38.(1) A person who performs water plumbing work must comply with the applied provisions.

Maximum penalty—165 penalty units.

(2) Despite any provision contained in the applied provisions limiting the application of the applied provisions to certain premises or installations only, under this law the applied provisions apply, to the greatest practicable extent, to all premises and installations in the area of a local government.

(3) For applying part 4.2, the reference in clause 1.6.2(b)² of part 4.2 to ‘all other buildings’ is taken to be a reference only to buildings of classes 1, 2, 3 and 4.

Approval needed for water plumbing work

39.(1) A person must not perform water plumbing work (other than minor necessary work) without the local government’s approval.³

Maximum penalty—165 penalty units.

(2) The local government may require—

- (a) the submission and approval of water plumbing plans before water plumbing work starts for premises; or
- (b) the submission and approval of water plumbing plans of completed work after water plumbing work for the premises is finished; or
- (c) submission and approval of plans under paragraphs (a) and (b).

² Clause 1.6.2 (Sanitary fixtures delivery temperature)

³ The work is to be performed by an appropriately licensed person, unless it is work not regulated by this law. See section 16 (Offences by persons not holding appropriate licences etc.) of the Act.

Examples—

1. A local government may, for domestic dwellings, require the submission of plans only after the work is finished.

2. A local government may, for a proposed multistorey shopping complex, require the submission of certain plans before work starts and the submission of other plans when the work is finished.

(3) An owner of premises to which a requirement mentioned in subsection (2) applies must comply with the requirement.

Maximum penalty for subsection (3)—165 penalty units.

Performing minor necessary work

40.(1) This section applies if a person performs minor necessary work.

(2) The person must give the local government details of the work done and a written notice stating that the work was completed in conformity with this law within 1 month after performing the work.

Maximum penalty—10 penalty units.

(3) Subsection (2) does not apply to the extent that the minor necessary work is for the maintenance, repair or replacement of a fitting.

(4) A local government may carry out an inspection of minor necessary work to establish whether the work was completed in conformity with this law.

Certain items only to be used

41.(1) A person must not install or use any apparatus, fitting, material or pipe (a “**plumbing item**”) in water plumbing if the plumbing item has not received MAP certification or interim certification under MAP.

Maximum penalty—165 penalty units.

(2) Subsection (1) does not apply to stop the continued use of a plumbing item—

- (a) in water plumbing installed before the commencement of this section; or
- (b) if the local government is satisfied that use of the item is

necessary for maintaining the water plumbing in its original form and approves the continued use of the item.

(3) For giving an approval to a plumbing item under subsection (2)(b), the local government may require a person to have the item tested at the person's cost within a stated reasonable time and at a stated reasonable place.

Unsuitable apparatus, fittings, materials and pipes

42.(1) If an inspector is satisfied that a particular apparatus, fitting, material or pipe (the **“plumbing item”**) is unsuitable for use in particular circumstances, the local government may, by written notice—

- (a) direct a person (including, for example, the plumber intending to install the item, or the owner of the item, whether or not installed) not to install or use the item in the circumstances; and
- (b) approve the installation or use of—
 - (i) a different type of apparatus, fitting, material or pipe; or
 - (ii) the item, but with a protective coating, lining or wrapping for the item.

Example of unsuitable plumbing items—

Metallic pipes and fittings used in corrosive environments.

(2) The person to whom the notice is directed must comply with the notice.

Maximum penalty for subsection (2)—165 penalty units.

Inspection and testing before covering

43.(1) A person (the **“person”**) who performs water plumbing work (other than minor necessary work) must not cover water plumbing the subject of the work before an inspector inspects it and, if the inspector requires the water plumbing to be tested, observes the testing of it.

Maximum penalty—40 penalty units.

(2) The person must, if the water plumbing is ready to be covered, notify the local government that the water plumbing is ready for inspection.

Maximum penalty—10 penalty units.

(3) If the water plumbing work has been finished, the person must, within 7 days after it is finished, notify the local government that the water plumbing the subject of the work is ready for inspection.

(4) An inspector of the local government must inspect the water plumbing and, if the inspector requires the water plumbing to be tested, observe its testing as soon as practicable, but in any event, within 2 days, after the local government receives notification that the water plumbing is ready for inspection.

(5) For testing the water plumbing, the inspector may require a hydrostatic test, air test or another test that is appropriate in the circumstances of the water plumbing work.

(6) The person must—

- (a) give the inspector the help the inspector reasonably requires to inspect the water plumbing; and
- (b) if the water plumbing is tested—carry out the testing; and
- (c) if the inspector finds a defect—make sure the defect is fixed within 2 days after receiving notice of the defect; and
- (d) when the defect is fixed—notify the inspector that the work is again ready for inspection.

Maximum penalty—40 penalty units

(7) If, on inspecting, or inspecting and testing, water plumbing under this section the inspector is satisfied that the water plumbing has no defects and that the water plumbing work has been finished, the local government may give, and if the person asks, must give, the person a certificate that the water plumbing work has been in conformity with this law.

Owner's duty

44. The owner of premises must take all reasonable steps to make sure that all water plumbing, including apparatus and fittings, on the premises are kept in good condition and operate properly.

Maximum penalty—40 penalty units.

PART 2—INSTALLATIONS ON PREMISES

Division 1—Installing supply pipes

Changing or relocating utility infrastructure

45.(1) If, for building a supply pipe, it is necessary to change or relocate utility infrastructure, the person who builds the supply pipe must make sure that appropriate arrangements for changing or relocating the utility infrastructure are made with the owner of the utility infrastructure before starting to build the supply pipe.

Maximum penalty—40 penalty units.

(2) The person building the supply pipe must, subject to arrangements entered into under subsection (1), give the owner of the utility infrastructure reasonable written notice of intention to start the work.

Maximum penalty—10 penalty units.

(3) A person who builds a supply pipe must take all reasonable steps to make sure that utility infrastructure is protected from damage.

Maximum penalty—40 penalty units.

(4) Subsection (3) applies whether or not it is necessary to make arrangements about the utility infrastructure under subsection (1).

Protection of local government's water supply system

46.(1) A person connecting a supply pipe to a local government's water supply system must take all reasonable steps to uncover the connection point for the supply pipe before starting to dig a trench for the pipe.

Maximum penalty—40 penalty units

(2) If the connection point can not be located, or is unsuitable or damaged, the person must immediately tell the local government of the fact.

Maximum penalty—10 penalty units

(3) If the connection point is unsuitable or damaged, the person must not start to dig the trench without the local government's approval.

Maximum penalty—40 penalty units

(4) The person must not cut into, or connect to, the local government's water supply system—

- (a) without the local government's approval, whether given before or after the connection point is located; or
- (b) in a way not in conformity with conditions the local government may impose on the approval mentioned in paragraph (a).

Maximum penalty—165 penalty units.

(5) The person must, in building the supply pipe, take all reasonable steps to make sure that the local government's water supply system is always protected from damage and from the entry of surface water, soil, sand and rock.

Maximum penalty—165 penalty units

Disconnection of supply pipes

47.(1) If a supply pipe is no longer needed because an installation on premises is dismantled, the owner of the premises must immediately give the local government notice of the fact.

Maximum penalty—10 penalty units.

(2) The owner must, within 7 days after the notice is given to the local government under subsection (1), take all reasonable steps to make sure that all apparatus and fittings are disconnected from the supply pipe and that each opening to the supply pipe is sealed with a plug.

Maximum penalty—40 penalty units.

(3) If water supply is no longer needed for premises, the local government must seal the connection point for the supply pipe for the premises.

Backfilling

48. A person who digs a trench for the building of a supply pipe must—

- (a) backfill the trench as soon as practicable after a supply pipe in the trench is inspected and tested; and

- (b) restore any structure or improvement disturbed by digging the trench in the way the local government reasonably requires.

Maximum penalty—40 penalty units.

Division 2—Supply pipes to water main standard

Supply pipe for multi-building or large building

49.(1) This section applies if—

- (a) a local government's approval is sought for the building of a supply pipe for premises; and
- (b) the local government believes on reasonable grounds that an ordinary supply pipe can not give an efficient water supply for the premises (including, for example, because of the number or sizes of buildings on the premises).

Example—

The campus of a tertiary educational institution may contain various detached buildings requiring a water supply.

(2) The local government, as conditions of approval, may require—

- (a) the building, in the way and to the extent directed by the local government, of a part of the supply pipe to the standard of a water main (the “**premises main**”); and
- (b) each separately occupied part of the premises to be served directly by a supply pipe connected to the part of the supply pipe that is the premises main; and
- (c) each separately occupied part of the premises that is to have a fire service to be served directly by a fire service connected to the part of the supply pipe that is the premises main.

(3) The person holding the approval must, to the greatest practicable extent, comply with the condition of approval mentioned in subsection (2).

Maximum penalty—165 penalty units.

(4) To avoid any doubt—

- (a) the premises main is not the property of the local government;

and

- (b) the local government is not responsible for the maintenance of the premises main downstream from the connection point for the premises main.

(5) The person holding the approval must make sure that—

- (a) a supply pipe or fire service connected under a condition under subsection (2)(b) or (c) is fitted with an isolating valve; and
- (b) if a fire service is connected to a premises main under this section—the service is built in conformity with BCA.

Maximum penalty for subsection (5)—40 penalty units.

Supply pipe for premises group

50.(1) This section applies if—

- (a) a local government's approval is sought for the building of a supply pipe for a premises group (including a proposed premises group); and
- (b) the local government believes on reasonable grounds that an ordinary supply pipe can not provide an efficient water supply for the premises group (including, for example, because of the number of premises included in the premises group).

(2) The local government, as a condition of approval, may require—

- (a) the building, in the way and to the extent directed by the local government, of a part of the supply pipe to the standard of a water main (the “**premises group main**”); and
- (b) each separately occupied part of the premises group to be served directly by a supply pipe connected to the part of the supply pipe that is the premises group main; and
- (c) each separately occupied part of the premises that is to have a fire service to be served directly by a fire service connected to the part of the supply pipe that is the premises main.

(3) The person holding the approval must, to the greatest practicable extent, comply with the condition of approval mentioned in subsection (2).

Maximum penalty—165 penalty units.

(4) To avoid any doubt—

- (a) the premises group main is not the property of the local government; and
- (b) the local government is not responsible for the maintenance of the premises group main downstream from the connection point for the premises group main.

(5) The person holding the approval must make sure that—

- (a) a supply pipe or fire service connected under a condition under subsection (2)(b) or (c) is fitted with an isolating valve; and
- (b) if a fire service is connected to a premises group main under this section—the service is built in conformity with BCA.

Maximum penalty for subsection (5)—40 penalty units.

Division 3—Backflow prevention devices

Notice to install backflow prevention device

51.(1) This section applies if, an inspector is satisfied on reasonable grounds that contamination or pollution of the water supply to premises, or of the local government's water supply system, has been or could be caused because of—

- (a) the use to which the premises are put; or
- (b) damage to an apparatus, appliance, fitting, supply pipe or water storage tank on the premises; or
- (c) an apparatus, appliance, fitting, supply pipe or water storage tank on the premises that is in need of repair or cleaning; or
- (d) the way in which, or the place at which, an apparatus, appliance, fitting, supply pipe or water storage tank on the premises has been built.

(2) The local government may, by written notice, require the owner, or, if appropriate in the circumstances, the occupier, of the premises to install a stated type of backflow prevention device in a stated place on the premises,

or perform stated work on the premises within a stated reasonable time after the notice is given to the owner or occupier.

(3) The person to whom the notice is directed must comply with the notice.

Maximum penalty for subsection (3)—165 penalty units.

Inspection and testing of backflow prevention devices

52.(1) A local government may, by written notice, require the owner of an installed backflow prevention device to have the device inspected, tested and, if necessary, repaired or replaced by a person who holds a licence under the Act entitling the person to do that work, within a stated reasonable time after the notice is given to the owner.

(2) The owner must comply with the notice.

Maximum penalty—165 penalty units.

(3) The person who inspects or tests under subsection (1) must give the local government written results of the inspection or test within 14 days after the inspection or test.

Maximum penalty—20 penalty units.

Testable backflow prevention devices

53.(1) A local government must put in place a program for its local government area for the registration, maintenance and testing of testable backflow prevention devices installed in premises in the area.

(2) A person must not install a testable backflow prevention device without the local government's specific approval for the installation of the particular type of testable backflow prevention device.

Maximum penalty—165 penalty units.

(3) The local government may give an approval under subsection (2) only if the local government has a program in place under subsection (1).

(4) The local government may impose conditions on an approval under subsection (2), including a condition about where the device must be located.

(5) The owner of an installed testable backflow prevention device must make sure that the device is kept in working order and inspected for operational functioning at least once a year.

Maximum penalty—165 penalty units.

(6) In this section—

“testable backflow prevention device” means—

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

Division 4—Other installations

Water storage tanks

54.(1) A person must not, without a local government’s written approval—

- (a) connect a pipe carrying water supplied by the local government to a water storage tank used to store water obtained from another source; or
- (b) allow a pipe carrying water supplied by the local government to discharge into a water storage tank used to store water obtained from another source.

Maximum penalty—165 penalty units.

(2) If the local government gives an approval under subsection (1)—

- (a) the person must install a backflow prevention device on the pipe carrying the water supplied by the local government; and
- (b) the local government must install a water meter on the pipe mentioned in paragraph (a).

Maximum penalty for subsection (2)(a)—40 penalty units.

Flushing cisterns

55. A person must not install an automatically operating flushing cistern without the local government's specific approval for the type of cistern.

Maximum penalty—40 penalty units.

Boilers and engines

56. A person must not allow water to be supplied to a steam boiler or an engine directly from a supply pipe.

Maximum penalty—40 penalty units.

Hydraulic powered equipment

57.(1) A person must not connect hydraulic powered equipment to a supply pipe if—

- (a) the local government has not approved the connection; or
- (b) the equipment is not fitted with the means of recovering and recycling water or with an appropriate backflow prevention device.

Maximum penalty—40 penalty units.

(2) Subsection (1) does not apply to a disabled person if the local government has approved the connection and use, on premises occupied by the disabled person, of a domestic water lift that is hydraulic powered equipment, whether or not the lift is fitted in the way required under subsection (1)(b).

(3) The local government may give an approval under subsection (2) only if the local government is satisfied there is no other practical or economic way of giving mobility to the disabled person.

(4) In this section—

“hydraulic powered equipment” means plant, apparatus or machinery using water supply for hydraulic power.

Air cooling equipment

58.(1) A person must not connect air cooling equipment to a supply pipe if—

- (a) the local government has not approved the connection; or
- (b) the equipment is not fitted with the means of recovering and recycling water or with an appropriate backflow prevention device.

Maximum penalty—40 penalty units.

(2) Subsection (1) does not apply to a person if the local government has approved the connection and use, on premises occupied by the person, of air cooling equipment in the form of a domestic evaporative air conditioner, whether or not the equipment is fitted in the way required under subsection (1)(b).

(3) The local government may give an approval under subsection (2) only if the local government is satisfied that it is reasonable in the circumstances to allow the equipment's use.

CHAPTER 4—MISCELLANEOUS

PART 1—APPEALS

Definitions for pt 1

59. In this part—

“decision” means—

- (a) a direction, order or action of a decision maker given, made or done under, or purportedly given, made or done under, this law, including the attachment of a particular condition to an approval; or
- (b) a failure (including a refusal) of the decision maker to give a

direction, make an order or do an action under this law.

“decision maker” means a local government.

Appeals to court

60. A person aggrieved by a decision may appeal against it to a Magistrates Court.

Starting appeals

61.(1) A person must start an appeal by—

- (a) filing a written notice of appeal with a Magistrates Court; and
- (b) serving a copy of the notice on the decision maker.

(2) The appeal may be made to a Magistrates Court in the Magistrates Court district in which the person resides or carries on business.

(3) However, subsection (2) does not limit the jurisdiction of another Magistrates Court to hear the appeal.

Time for making appeals

62.(1) An appeal may be started at any time.

(2) However, if written notice is given of a decision, and reasons for the decision are included in the notice, an appeal against the decision by a person to whom the notice was given must be started within 28 days after the person receives the notice.

(3) A Magistrates Court may at any time extend the period for filing a notice of appeal.

Stay of operation of decision

63.(1) An appeal does not affect the operation or carrying out of a decision, but a Magistrates Court may grant a stay of the operation of the decision to secure the effectiveness of the appeal.

(2) A stay—

- (a) may be granted on the conditions the court considers appropriate;

and

- (b) applies for the period the court states, but must not extend beyond when the court makes a decision on the appeal; and
- (c) may be revoked or amended by the court.

Powers of court on appeal

64.(1) In deciding an appeal, a Magistrates Court—

- (a) has the powers of the decision maker; and
- (b) is not bound by the rules of evidence; and
- (c) must comply with natural justice; and
- (d) may hear the appeal in court or in chambers.

(2) An appeal is by way of rehearing.

(3) The court may—

- (a) confirm the decision; or
- (b) set aside the decision and substitute another decision the court considers appropriate; or
- (c) set aside the decision and return the decision to the decision maker with the directions the court considers appropriate.

Effect of decision of court on appeal

65. If a Magistrates Court substitutes another decision, the substituted decision is, other than for appealing against the decision, taken to be that of the decision maker.

Appeal to District Court on question of law only

66. An appeal to a District Court may be made from a decision of a Magistrates Court made under this part, but only on a question of law.

PART 2—OTHER MATTERS

Interaction with IPA

67.(1) A person is not required to obtain an approval or other authority from a local government under this law to the extent that the person has a development permit that either expressly or by necessary implication incorporates the substance of the approval or other authority otherwise required under this law.

(2) A person must not seek to obtain an approval or other authority from a local government under this law to the extent that the person has been refused a development permit under IPA that either expressly or by necessary implication, if it had been granted, would have incorporated the substance of the approval or other authority.

(3) In this section—

“development permit” means a development permit under IPA for development mentioned in schedule 8, part 1, item 2⁴ of IPA, and includes the conditions in the permit, and any preliminary approval relating to the development the permit authorises, including any conditions in the preliminary approval.

PART 3—TRANSITIONAL

Definitions for pt 3

68. In this part—

“existing” means existing immediately before the commencement of this law.

“repealed law” means the Standard Water Supply Law in force immediately before the commencement of this law.

⁴ Schedule 8 (Assessable, self-assessable and exempt development), part 1 (Assessable development), item 2 (Carrying out plumbing or drainage work that is not self-assessable or exempt development)

Existing product authorisations by the Joint Committee

69. An authorisation by the Joint Committee under sections 15 or 16A⁵ of the repealed law, in force immediately before the commencement of this law, continues in force to the greatest practicable extent as a MAP certification, but only until the authorisation expires at the time stated by the Committee in giving its authorisation.

Existing approvals by local government

70.(1) A local government approval under the repealed law, in force immediately before the commencement of this law, continues in force to the greatest practicable extent as an approval under this law, until the approval would have expired under the repealed law.

(2) In this section—

“approval” includes anything that is, or that has effect as, or is the equivalent of—

- (a) approval to connect to a water supply system; or
- (b) approval to install water plumbing; or
- (c) a certificate of completion of water plumbing work.

Existing restrictions of supply

71. A water limitation, prohibition or restriction lawfully imposed by a local government under section 5⁶ of the repealed law, and in force immediately before the commencement of this law, is taken to be imposed under the authority of this law.

Work planned, approved or lawfully started before commencement

72.(1) This section applies to water plumbing work or water supply system work (the **“work”**) if—

⁵ Section 15 (Standard of materials) and section 16A (Applications for authorisation by Joint Committee)

⁶ Section 5 (Restriction of supply)

- (a) the lawful carrying out of the work had started before the commencement of this law; or
- (b) approval of a local government to the carrying out of the work had been granted before the commencement of this law, but the work had not started before the commencement of this law; or
- (c) approval of a local government to the carrying out of the work had been sought before the commencement of this law; or
- (d) planning for the carrying out of the work had started before the commencement of this law and the local government is satisfied that to require the work to be replanned to conform with this law would cause hardship to the person for whom the work is to be carried out, having regard to 1 or more of the following—
 - (i) the stage the planning had reached;
 - (ii) the nature of the work;
 - (iii) the means and circumstances of the person.

(2) If subsection (1)(a) or (b) applies, the work may be carried out lawfully if the work is carried out and completed under the law in force—

- (a) for subsection (1)(a)—at the time the work started; or
- (b) for subsection (1)(b)—at the time at which approval was given by the local government.

(3) If subsection (1)(c) or (d) applies—

- (a) the local government may give its approval for the work; and
- (b) if the local government gives its approval, the work may be carried out lawfully if the work is carried out and completed under the law in force—
 - (i) for subsection (1)(c)—at the time at which approval was sought from the local government; or
 - (ii) for subsection (1)(d)—at the time at which the planning for the carrying out of the work started.

Changes to existing work

73.(1) This section applies to water plumbing or a water supply system (the “**work**”) built before the commencement of this law.

(2) All changes of, including additions to, the work made after the commencement of this law must conform with this law unless—

- (a) the local government is satisfied that the protection of public health and safety would not be impaired if the local government's approval to all or part of the changes were given under the repealed law; and
- (b) the changes are carried out in compliance with the local government's approval.

Certain unsafe existing work to be changed to comply with this law

74.(1) This section applies to water plumbing or a water supply system (the “**work**”) built before the commencement of this law.

(2) If the approval of the local government is sought to the carrying out of changes of, including additions to, the work and the local government is satisfied on reasonable grounds the work may be a risk to public health or safety, the local government may require as a condition of its approval that—

- (a) the whole or part of the work be brought into conformity with this law; or
- (b) the whole or part of the work be brought into conformity with certain provisions of this law to make sure the work is not a risk to public health and safety.

Carrying out of work approved under this part

75.(1) This section applies to the approval of a local government under this part to—

- (a) the carrying out of work for which approval is sought after the commencement of this law; or
- (b) changes to work built before the commencement of this law.

- (2) The local government must include as a condition of the approval—
- (a) if the work is associated with the demolition of a building or other structure or the removal, or rebuilding after removal, of a building or other structure—a requirement that the work start within 2 months after the approval; or
 - (b) if paragraph (a) does not apply—a requirement that the work start within 1 year after the approval.
- (3) The person holding the approval must complete the work—
- (a) if the work is associated with the demolition of a building or other structure or the removal, or the rebuilding after removal, of a building or other structure—within 6 months after the work is started; or
 - (b) if paragraph (a) does not apply—within the time (if any), of not more than 18 months, stated by the local government in its approval after considering the extent of the proposed work; or
 - (c) if paragraph (a) does not apply and the local government does not state a time for completion under paragraph (b)—
 - (i) if the work is for a class 1 or class 10 building—18 months; or
 - (ii) if the work is for a building of a class other than class 1 or class 10—3 years.

PART 4—REPEAL

Repeal

76. The Standard Water Supply Law in force immediately before the commencement of this law is repealed.

PART 5—MINOR AMENDMENT

Regulation amended in pt 5

77. This part amends the *Justices Regulation 1993*.

Amendment of sch 1 (Nominated laws for infringement notice offences)

78. Schedule 1, part 30A, column 1, ‘s 5’—

omit, insert—

‘s 18(5)’.

SCHEDULE

DICTIONARY

section 4

“air cooling equipment” see glossary.

“air gap” see glossary.

“air test” see glossary.

“apparatus”, for water plumbing, includes a backflow prevention device, cistern, pump, domestic water filter, meter, siphon, tap, valve, water heater or water softener, but does not include an appliance, fitting or straight pipe.

“appliance” see glossary.

“applied provisions” see section 6.

“automatically operating flushing cistern” means a flushing cistern which discharges a measured quantity of water automatically at intervals regulated by the rate at which water is fed to the cistern.

“backfill” means fill.

“backflow” see glossary.

“backflow prevention device” see glossary.

“BCA” means the edition, current at the relevant time, of the Building Code of Australia (including the Queensland Appendix) published by the body known as the Australian Building Codes Board and includes the edition as amended from time to time by amendments published by the Australian Building Codes Board.

“BCCMA” means the *Body Corporate and Community Management Act 1997*.

“boiler” see glossary.

“break tank” see glossary.

SCHEDULE (continued)

“BUGTA” means the *Building Units and Group Titles Act 1980*, but only to the extent of its continued application for a specified Act.

“bypass” see glossary.

“cistern” see glossary.

“class”, for a building, means the building’s classification under BCA.

“component”, of water plumbing, means apparatus, or an appliance, fitting or straight pipe, forming part of the water plumbing.

“connected to a water supply system” includes connected to a supply pipe which, in turn, is connected to a water supply system.

“connection point” means the point for the connection to a local government’s water supply system of—

- (a) a supply pipe or premises main for premises; or
- (b) a premises group main for a premises group.

“cover” see glossary.

“double check valve” see glossary.

“engineer”, of a local government, means a person holding appointment as an engineer of the local government.

“evaporative air conditioner” see glossary.

“fill” see glossary.

“filter” see glossary.

“fire hydrant” see glossary.

“fire service” see glossary.

“fitting” see glossary.

“float valve” see glossary.

“flushing cistern” see glossary.

“glossary” see section 6.

“ground level” see glossary.

“hydrostatic test” see glossary.

SCHEDULE (continued)

“infiltration” see glossary.

“inspector”, of a local government, means a person holding appointment as an inspector of the local government.

“installation” see glossary.

“interfere with” includes dig up, expose and damage.

“IPA” means the *Integrated Planning Act 1997*.

“isolating valve” see glossary.

“joint” see glossary.

“jumper valve” see glossary.

“MAP” means the manual of authorisation procedures for plumbing and drainage products, designated as SAA MP52.⁷

“MAP certification”, for a component, means StandardsMark, WaterMark or TypeTestMark certification of the component under MAP.

“meter” see glossary.

“meter assembly” see glossary.

“minor necessary work” means water plumbing work that is—

- (a) emergency work; or
- (b) repairing or replacing a supply pipe that is broken or damaged, but not if the work involves repairing a supply pipe at a connection point or replacing more than 3 m of a supply pipe; or
- (c) necessary for performing the maintenance, repair or replacement of a fitting; or
- (d) other work of a minor nature for repairing water plumbing.

⁷ The manual is published by Standards Australia. It gives information on authorisation procedures for plumbing products based on the national StandardsMark, WaterMark and TypeTestMark scheme administered by Standards Australia. These marks are part of the National Certification of Plumbing and Drainage Products Scheme.

SCHEDULE (continued)

“occupier” of premises means—

- (a) if the premises are occupied—the person who occupies the premises; or
- (b) if the premises are not occupied—the person entitled to possession of the premises.

“outlet” see glossary.

“owner”, of premises, means the person (including, if the premises is leased from the State, the lessee) for the time being entitled to receive the rent for the premises, or who would be entitled to receive the rent for the premises if it were let to a tenant for a rent.

“part 1.2” see section 6.

“part 4.2” see section 6.

“pipe” see glossary.

“plug” see glossary.

“premises” means a lot as defined in section 1.3.5 of IPA,⁸ and includes a lot that has a building situated on it, or that is wholly or partly contained in, or that wholly or partly contains, a building.

“premises group” means the land comprised in 2 or more premises all the owners of which have mutual rights and obligations under BCCMA or BUGTA for the purpose of their respective ownerships, and includes

⁸ The *Integrated Planning Act 1997*, section 1.3.5 (Definitions for terms used in “development”) defines a lot in the following way—

“lot” means—

- (a) a lot under the *Land Title Act 1994*; or
- (b) a separate, distinct parcel of land for which an interest is recorded in a register under the *Land Act 1994*; or
- (c) common property for a community titles scheme under the *Body Corporate and Community Management Act 1997*; or
- (d) a lot or common property to which the *Building Units and Group Titles Act 1980* continues to apply; or
- (e) a community or precinct thoroughfare under the *Mixed Use Development Act 1993*; or
- (f) a primary or secondary thoroughfare under the *Integrated Resort Development Act 1987* or the *Sanctuary Cove Resort Act 1985*.

SCHEDULE (continued)

the common property forming part of—

- (a) if the premises are lots included in a community titles scheme under BCCMA—the scheme land for the scheme; or
- (b) if the premises are lots under BUGTA—the parcel of which the premises form part.

“premises group main” see section 50.

“premises main” see section 49.

“pressure type vacuum breaker” see glossary.

“property main” means a premises main or a premises group main.

“property service” means a short length of pipe installed for connecting premises to a water main, whether or not built to the standard of a water main.

“public office”, of a local government, means the local government’s public office under the *Local Government Act 1993*.

“pump” see glossary.

“reduced pressure zone device” see glossary.

“registered air gap” means an air gap complying with the requirements for a registered air gap in part 1.2.

“registered break tank” means a break tank complying with the requirements for a registered break tank in part 1.2.

“sewered area” see Standard Sewerage Law.⁹

“siphon” see glossary.

“specified Act” means—

- (a) the *Integrated Resort Development Act 1987*; or

⁹ The Standard Sewerage Law, schedule 2 (Dictionary) defines **“sewered area”** as follows—

‘ **“sewered area”**, of a local government, means a part of the local government’s area declared by resolution of the local government to be a part of its local government area in which it is prepared to accept sewage and effluent into a sewerage system of the local government.’.

SCHEDULE (continued)

- (b) the *Mixed Use Development Act 1987*; or
- (c) the *Registration of Plans (H.S.P. (Nominees) Pty. Limited) Enabling Act 1984*; or
- (d) the *Registration of Plans (Stage 2) (H.S.P. (Nominees) Pty. Limited) Enabling Act 1984*; or
- (e) the *Sanctuary Cove Resort Act 1985*.

“standpipe” see glossary.

“stop tap” see glossary.

“stop valve” see glossary.

“supply pipe” means a pipe for supplying and conveying water within premises.

“tap” see glossary.

“test” see glossary.

“this law” means the regulation named in section 1.

“unregulated work” means water plumbing work that is only—

- (a) installing or maintaining an irrigation or lawn watering system downstream from an isolating valve, tap or backflow prevention device on the supply pipe for the irrigation or lawn watering system; or
- (b) replacing a jumper valve or washer in a tap; or
- (c) changing a shower head; or
- (d) replacing, in a water closet cistern, a drop valve washer, float valve washer or suction cup rubber.

“utility infrastructure” means cables, wires, pipes, sewers, drains, ducts, plant and equipment by which utility services are supplied.

“utility service” means—

- (a) water reticulation or supply; or
- (b) gas reticulation or supply; or
- (c) electricity supply; or

SCHEDULE (continued)

- (d) a telephone service; or
- (e) a computer data or television service; or
- (f) a sewerage system; or
- (g) stormwater drainage; or
- (h) another system or service designed to improve the amenity, or enhance the enjoyment, of premises or other land.

“valve” see glossary.

“water area”, of a local government, means a part of the local government’s area declared by resolution of the local government to be a part of its local government area in which it is prepared to supply water to premises from the local government’s water supply system.

“water closet cistern” means a water closet (WC) cistern.

“water closet (WC) cistern” see glossary.

“water heater” see glossary.

“water main” see glossary.

“water meter” means meter.

“water plumbing” means apparatus, fittings, and pipes for carrying water within premises.

“water plumbing work” includes installing, changing, extending, disconnecting, taking away, repairing and maintaining water plumbing, including hot water plumbing.

“water storage tank” see glossary.

“water supply system” means infrastructure used to reticulate and supply water (whether or not used also to store or treat water), and consisting of water mains, property services and some or all of the following—

- (a) valves;
- (b) engines;
- (c) pumps;
- (d) structures;

SCHEDULE (continued)

(e) machinery;

(f) works not mentioned in paragraphs (a) to (e).

“water supply system work” includes the building, change, extension, repair and maintenance of a water supply system.

“wrapping” see glossary.

ENDNOTES

1. Made by the Governor in Council on 23 April 1998.
2. Notified in the gazette on 24 April 1998.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Natural Resources.