



Queensland

Standard Plumbing and Drainage Amendment Regulation (No. 1) 2013

Subordinate Legislation 2013 No. 138

made under the

Plumbing and Drainage Act 2002

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1 Short title

This regulation may be cited as the *Standard Plumbing and Drainage Amendment Regulation (No. 1) 2013*.

2 Regulation amended

This regulation amends the *Standard Plumbing and Drainage Regulation 2003*.

3 Amendment of s 3 (Status)

Section 3(3), ‘or on-site sewerage work’—
omit.

4 Amendment of s 6C (Notifiable work—Act, sch, definition notifiable work)

(1) Section 6C(3)(b), ‘as part of a single transaction’—
omit.

(2) Section 6C(3), note—
omit, insert—

Notes—

1 Notice of notifiable work that has been completed must be given within 10 business days after completion of the work. See the Act, section 87.

2 See also the Act, section 81A for when notifiable work must be assessed for compliance with this regulation.

(3) Section 6C(4)—
omit.

(4) Section 6C(5)—
renumber as section 6C(4).

[s 5]

5 Amendment of pt 3, hdg (Compliance assessment)

Part 3, heading, after ‘assessment’—

insert—

and inspection of notifiable work

6 Amendment of s 13 (Application of pt 3)

(1) Section 13(1), ‘, on-site sewerage work,’—

omit.

(2) Section 13(2), ‘assessment’—

omit, insert—

inspection

(3) Section 13(2), note, ‘87(4)’—

omit, insert—

87(8)

7 Amendment of s 14 (General requirements for plans the subject of a compliance request)

(1) Section 14(2), ‘or on-site sewerage facility’—

omit.

(2) Section 14(3)(a)(iv)—

omit, insert—

(iv) for compliance assessable work for an on-site sewerage facility—sections 14A and 14D; and

(3) Section 14(4)(a), ‘or on-site sewerage facility’—

omit.

8 Amendment of s 14D (Additional requirements for plans for on-site sewerage facilities)

(1) Section 14D(1), ‘on-site sewerage work’—

omit, insert—

compliance assessable work for an on-site sewerage facility

(2) Section 14D(2)(a)(i)—

omit.

(3) Section 14D(2)(a)(ii) and (iii)—

renumber as section 14D(2)(a)(i) and (ii).

9 Amendment of s 15 (Certificates for plan given by competent person)

(1) Section 15(1), ‘or on-site sewerage work’—

omit.

(2) Section 15(3), ‘or an on-site sewerage facility’—

omit.

10 Amendment of pt 3, div 3, hdg (Assessing plumbing and drainage work or on-site sewerage work)

Part 3, division 3, heading, ‘or on-site sewerage work’—

omit.

11 Omission of s 17 (Definition for div 3)

Section 17—

omit.

12 Amendment of s 18 (Request for compliance assessment of compliance assessable work or on-site sewerage work)

Section 18, ‘or on-site sewerage work’—

omit.

[s 13]

13 Amendment of s 19 (Stages for assessment of compliance assessable work)

Section 19—

insert—

- (4) For the purposes of this section, compliance assessable work is completed when the work becomes operational.

14 Amendment of s 19A (Stages for assessment of on-site sewerage work)

Section 19A, before ‘on-site sewerage work’—

insert—

compliance assessable work that is

15 Amendment of s 19B (Obligations of responsible person for on-site sewerage work)

Section 19B, before ‘on-site sewerage work’—

insert—

compliance assessable work that is

16 Amendment of s 20 (Assessment of stages of work by local government)

- (1) Section 20(1), ‘or on-site sewerage work’—

omit.

- (2) Section 20(4), ‘or on-site sewerage facility’—

omit.

17 Amendment of s 21 (Covering plumbing and drainage or on-site sewerage facility)

- (1) Section 21, ‘or on-site sewerage facility’—

omit.

(2) Section 21(1), ‘or on-site sewerage work’—
omit.

18 Amendment of s 23 (General requirements for plans for assessed work)

(1) Section 23(1), ‘or on-site sewerage work’—
omit.

(2) Section 23(2), ‘or the relevant on-site sewerage facility’—
omit.

19 Amendment of pt 3, div 4, hdg (Assessing compliance assessable work or on-site sewerage work in remote areas)

Part 3, division 4, heading, ‘or on-site sewerage work’—
omit.

20 Amendment of s 24 (Application of div 4)

Section 24, ‘or on-site sewerage work’—
omit.

21 Amendment of s 25 (Meaning of *remote area*)

Section 25(2)(b), ‘or on-site sewerage facility’—
omit.

22 Amendment of s 26 (Request for compliance assessment of compliance assessable work or on-site sewerage work)

Section 26, ‘or on-site sewerage work’—
omit.

[s 23]

23 Amendment of s 28 (Plan of completed work)

(1) Section 28(1), ‘or on-site sewerage work’—

omit.

(2) Section 28(2)(d)—

omit, insert—

(d) for compliance assessable work for an on-site sewerage facility—under sections 23 and 23D.

24 Amendment of s 29 (Notice of compliance)

(1) Section 29(4)—

renumber as section 29(5).

(2) Section 29—

insert—

(4) For the purposes of subsection (2)(b), compliance assessable work is completed when the work becomes operational.

25 Amendment of pt 3, div 5, hdg (Assessing notifiable work)

Part 3, division 5, heading, ‘Assessing’—

omit, insert—

Inspecting

26 Replacement of s 29A (Requests for assessment of notifiable work)

Section 29A—

omit, insert—

29A Requests for inspection of notifiable work

- (1) A responsible person for notifiable work may request the local government to inspect the work for compliance with this regulation.
- (2) If a responsible person makes a request under subsection (1), an inspector must start inspecting the work within—
 - (a) 1 hour after the time agreed between the responsible person for the work and the local government; or
 - (b) if a time is not agreed—48 hours after the local government receives the request.

Notes—

- 1 Under the *Local Government Act 2009*, section 97 and the *City of Brisbane Act 2010*, section 99, a local government may fix a cost-recovery fee for the performance of a responsibility imposed on the local government under the Act.
 - 2 An inspector for the local government may only enter private property with the permission of the occupier of the property or with a warrant. See the Act, section 114(3), the *Local Government Act 2009*, chapter 5, part 2 and the *City of Brisbane Act 2010*, chapter 5, part 2.
- (3) The responsible person must give the inspector the help the inspector reasonably requires to inspect the work.
 - (4) An inspector does not fail to comply with subsection (2) merely because the inspector is unable to enter the place where the work was performed to inspect the work.

27 Amendment of s 29B (Rectification notices for assessments under s 29A or the Act, s 87(4))

- (1) Section 29B, heading, from ‘assessments’ to ‘s 87(4)’—
omit, insert—

[s 27]

inspections under s 29A or the Act, s 87(8)

- (2) Section 29B(1), from ‘assessment’ to ‘section 87(4)’—

omit, insert—

inspection under section 29A, or section 87(8)

- (3) Section 29B(2), ‘the responsible’—

omit, insert—

a responsible

- (4) Section 29B(4)(c)—

omit, insert—

- (c) if the local government reasonably believes an inspection of the rectification work is required—that a responsible person must, before the end of the rectification period, request the local government to inspect the rectification work;

Note—

See section 29A for requests for inspection of notifiable work.

- (5) Section 29B(4)(d), example, ‘assessed’—

omit, insert—

inspected

- (6) Section 29B(4)(e), ‘the responsible person’—

omit, insert—

a responsible person who is given a rectification notice

- (7) Section 29B(8)—

renumber as section 29B(10).

- (8) Section 29B—

insert—

- (8) Subsection (9) applies if a licensed contractor directs or supervises the performance of the work mentioned in subsection (2).

- (9) For the purposes of this section, the licensed contractor is taken to be a responsible person for the work regardless of whether the contractor is also a licensed person for the work.

- (9) Section 29B(10), as renumbered—

insert—

contractor's licence see the *Queensland Building Services Authority Act 1991* section 30(1).

licensed contractor means a person who holds a contractor's licence issued under the *Queensland Building Services Authority Act 1991*.

28 Amendment of s 54A (Notice to water service provider about installation of meters)

Section 54A(3)—

omit.

29 Amendment of sch 6 (Dictionary)

- (1) Schedule 6, definitions *48 hours* and *responsible person*—

omit.

- (2) Schedule 6—

insert—

48 hours, for a provision about assessing compliance assessable work or inspecting notifiable work—

- (a) means a 48 hour period; but
- (b) if a day that is not a business day occurs within the 48 hour period—does not include the day in the calculation of the 48 hour period.

Example—

A local government receives a request for compliance assessment of work on Friday at

[s 29]

10a.m. The following Tuesday at 10a.m. is 48 hours after receiving the request.

responsible person, for compliance assessable work, notifiable work or minor work, means a person who—

- (a) is a licensed person for the work; and
 - (b) performs, directs the performance of, or supervises, the work.
- (3) Schedule 6, definition *competent person*, ‘drainage or on-site sewerage’—
omit, insert—
drainage
- (4) Schedule 6, definition *competent person*, paragraph (a), ‘or an on-site sewerage facility’—
omit.
- (5) Schedule 6, definition *competent person*, paragraph (a), ‘or on-site sewerage work’—
omit.

ENDNOTES

- 1 Made by the Governor in Council on 11 July 2013.
- 2 Notified in the gazette on 12 July 2013.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Housing and Public Works.

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