

Building and Plumbing Newsflash 517

Amendments to the *Plumbing and Drainage Act 2002* and *Building Act 1975*

Purpose

To advise that the *Housing and Other Legislation Amendment Act 2013*, which amends the *Plumbing and Drainage Act 2002* and the *Building Act 1975* was assented on 14 March 2013 and is now in effect.

Notifiable work amendments

Plumbing and Drainage Act 2002

On 1 November 2012, a new category of plumbing and drainage work called 'notifiable work' came into effect, reducing red tape, costs and delays in the plumbing and drainage industry.

On 14 March 2013, the *Housing and Other Legislation Amendment Act 2013* commenced and introduced a number of amendments to the *Plumbing and Drainage Act 2002*. The amendments primarily clarify requirements for licensees and local governments in relation to notifiable work. The key amendments include:

- clarifying that notifiable work is 'completed' when the work becomes operational (in working order and ready for use) or when an invoice is issued, whichever is earlier. This will avoid licensees having to lodge a separate notice for multiple pieces of notifiable work on one job where different aspects of the work are completed on different days
- allowing a licensee proposing to undertake a combination of notifiable and compliance assessable work, or just notifiable work, to apply to a local government for compliance assessment
- requiring public sector entities (for example, local governments and Queensland Government departments) to lodge a Form 4A to the Plumbing Industry Council. The previous requirement was for a 'written notification' only
- clarifying who is responsible for notifying the Plumbing Industry Council where there is more than one licensee involved in the performance of the notifiable work
- including a provision for the Plumbing Industry Council to disclose licensee and home owner information relating to a notifiable work notification to local governments to facilitate audits.

Building Act 1975

The *Building Act 1975* has also been amended in relation to the notifiable work reforms. The key amendments include clarifying that a building certifier may rely on a Form 4 as proof that the plumbing and drainage aspects of a building are complete for the purposes of issuing a Certificate of Classification.

Other amendments

Plumbing and Drainage Act 2002

Further amendments were also made to the *Plumbing and Drainage Act 2002* which are not specifically related to notifiable work. These amendments include:

- clarifying that on-site sewerage work is a subset of drainage work
- specifying which aspects of on-site sewerage work are compliance assessable, notifiable work and minor work
- changing the timeframe for commencement of proceedings relating to an offence under the *Plumbing and Drainage Act 2002*. A proceeding may now start within two years after the work was completed, or within one year of the defect coming to the attention of the complainant, whichever is the later.

Consequential amendments to the *Standard Plumbing and Drainage Regulation 2003* are also currently being progressed.

If you require any further information on the amendments to the plumbing legislation, please contact the Notifiable Work Hotline on 1800 264 585 or email notifiablework@qld.gov.au

Building Act 1975

Section 71 of the Building Act 1975 has also been amended to:

- extend the lapsing period of six months for building development approvals that involve demolition, removal and rebuilding. The period allowed to complete the work will be increased to one year.
- allow the relevant local government to grant a one off extension of this time period for up to six months.

Contact for further information

Building Codes Queensland
Department of Housing and Public Works
telephone +61 3239 6369
free-call 1800 534 972
buildingcodes@qld.gov.au

If you have not received this Building and Plumbing Newsflash directly from 'Enquiries (BCQ)', you can subscribe via buildingcodes@qld.gov.au

15 March 2013

DISCLAIMER: The information contained in this Newsflash is provided by the State of Queensland in good faith. The material is general in nature and before relying on the material in any important matter, users should carefully evaluate its accuracy, currency, completeness and relevance for their purpose. It is not intended as a substitute for consulting the relevant legislation or for obtaining appropriate professional advice relevant to your particular circumstances. The State of Queensland cannot accept responsibility or liability for any loss, damage, cost or expense you might incur as a result of the use of or reliance on information contained in this Newsflash. It is not intended to be, and should not be relied upon as the ultimate and/or complete source of information.