

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 Bill 2012*, which amends the *Plumbing and Drainage Act 2002* and the *Building Act 1975*, was passed by the Queensland Parliament. An updated newsflash will be issued when the Bill receives royal assent and these amendments take 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 5 March 2013, the *Housing and Other Legislation Amendment Bill 2012* was passed by Parliament and introduced a number of amendments to the *Plumbing and Drainage Act 2002*. These 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 4 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 homeowner 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

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