



# Building Newsflash

## ***Plumbing and Drainage Act 2002,***

A new *Plumbing and Drainage Act 2002* has been passed by Parliament. The Act:

- introduces a modern legislative framework for plumbing and drainage to replace the *Sewerage and Water Supply Act 1949* and implement the recommendations of the National Competition Policy review of that Act;
- amends the *Building Act 1975*, *Integrated Planning Act 1997*, and *Local Government Act 1993* to improve the performance of the building certification system and implement the recommendations of the National Competition Policy review of the Building Act;
- strengthens the pool fencing inspection requirements of the Building Act to prohibit any person from filling a swimming pool until the fencing has been inspected and certified by a building certifier;
- transfers to the Local Government Act controls over stormwater drainage; and
- provides minor transitional amendments to the Integrated Planning Act, Local Government Act, and the *Water Act 2002*.

Apart from the consequential amendments to the Water Act under part 15, the new Act will not take effect until later in 2003. Further information and where necessary specific training programs will be provided before the various sections of the Act commence.

### **Plumbing matters**

The new Act provides a modern framework for plumbing and drainage, that provides for:

- modern standards of accountability and protection of individual rights;
- a new Plumbers and Drainers Board to license plumbers and drainers, with a right of appeal to the Queensland Building Tribunal against certain decisions of the Board;
- local governments to continue to inspect and approve the majority of plumbing and drainage work;
- State Government entities to assess plumbing and drainage works on land under their control;
- stronger enforcement powers and creates new offences such as unlicensed persons advertising they are licensed plumbers.

## **Building matters**

The Act also addresses concerns of local government, certifiers and the community about the system of private certification of building work. Key changes are:

- increasing the minimum competency standards for private certifiers;
- providing a more efficient disciplinary system for dealing with complaints made against certifiers;
- providing additional powers for authorities to order certifiers to correct faulty certification;
- addressing concerns about the potential for a conflict of interest between builders and certifiers;
- introducing a complaints mechanism to enable persons to lodge complaints against councils for anti-competitive conduct.

The *Plumbing and Drainage Act 2002* and associated explanatory notes are available on the website [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au).

Please contact the following officers if you have any further queries on this Act:

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