

2002

LEGISLATIVE ASSEMBLY OF THE AUSTRALIAN CAPITAL  
TERRITORY

Building (Water Efficiency) Amendment Bill 2002

EXPLANATORY MEMORANDUM

CIRCULATED BY THE AUTHORITY OF  
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# Building (Water Efficiency) Amendment Bill 2002

## Explanatory Memorandum

### OUTLINE

The purpose of this Bill is to amend *Building Act 1972* and the *Building Regulations 1972* to institute a new system of water efficiency measures which must be complied with before a set of plans can be approved. The aim of the Bill is to provide for a number of simple measures that can easily be complied with to ensure that as a community we can reduce our water consumption in domestic situations.

### CLAUSE NOTES

#### Part 1

**Clauses 1 and 2** are formal requirements. They refer to the short title and specify when the Act will commence.

#### Part 2

This Part amends the Building Act 1972

**Clause 4** inserts into the regulation-making power of S 110 a new subsection (4) which makes it clear that section 47 (3) of the Legislation Act 2001 does not apply to the water efficiency requirements in the *Building Regulations 1972*.

Normally regulations may apply other documents only as in force at the date of the making of the regulations, not as amended from time to time. The water efficient standard Australian Standard MP64 (Manual of assessment procedures for water efficient products) may be amended from time to time and it is the aim of this Bill to ensure that the regulations require the most water efficient appliance available. In order to have the Standard as in force from time to time, it is necessary to specifically set aside the provision of the section 47 (3) of the Legislation Act.

#### Part 3

This Part amends the Regulations 1972.

**Clause 6 (1)** inserts a new Regulation 14 A in the Building Regulations 1972 which requires that in accordance with section 34(1) (c) of the *Building Act 1972*. There are new prescribed requirements for building work that involves a new erection or alteration which involves plumbing work. The New Requirements are:

1. for a shower, the shower head must have the highest efficiency rating under the Australian Standard MP64 in force at the time;
2. all new water taps must be fitted with aerators;
3. all new taps over a shower or a bath must be mixer taps;
4. for all other taps, if it is a mixer tap, it must have a spring loaded default setting to cold water;

5. for all new toilets it must be a dual flush mechanism designed to provide:
  - (a) a flush of not more than 6L of water; and
  - (b) a separate flush of not more than 3L of water
1. for a sink, a garbage disposal unit may not be connected.

**Clause 6 (2)** dispenses with the need to publish the Australian Standard MP64 (Manual of assessment procedures for water efficient products) on the ACT legislative database because it is widely available elsewhere.