

# Water and Sewerage (ACT Appendix to the Plumbing Code) Determination 2019 (No 3)

Disallowable instrument DI2019—177

made under the

**Water and Sewerage Act 2000, s 44C (Plumbing code)**

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## 1 Name of instrument

This instrument is the *Water and Sewerage (ACT Appendix to the Plumbing Code) Determination 2019 (No 3)*.

## 2 Commencement

This instrument commences on 1 July 2019.

## 3 Making of ACT appendix

I make the ACT Appendix to the Plumbing Code of Australia at schedule 1.

Note The *Water and Sewerage Act 2000*, s 44C (Plumbing code), provides that the plumbing code means a document prescribed by regulation, and the Plumbing Code of Australia, prepared and published by the Australian Building Codes Board, as amended from time to time by that Board, and the ACT Appendix to the plumbing code.

## 4 Disapplication of notification requirement

The *Legislation Act 2001*, section 47 (5) does not apply to this instrument.

## 5 Revocation

This instrument revokes the *Water and Sewerage (ACT Appendix to the Plumbing Code) Determination 2019 (No 2)* (DI2019-56).

## 6 Access to the Australian Capital Territory appendix

A copy of the Australian Capital Territory Appendix is available for inspection by members of the public between 8:30am and 4.30pm on business days at the ACT Environment, Planning and Sustainable Development Directorate shopfront, Dame Pattie Menzies House, 16 Challis Street, Dickson, ACT.

**7 Access to Plumbing Code of Australia**

A copy of the Plumbing Code of Australia is available for inspection by members of the public between 8:30am and 4.30pm on business days at the ACT Environment, Planning and Sustainable Development Directorate shopfront, Dame Pattie Menzies House, 16 Challis Street, Dickson, ACT, or can be accessed for free at <https://ncc.abcb.gov.au/ncc-online/NCC>.

**8 Access to Australian Standards**

Australian Standards referenced in this document are available for inspection by members of the public between 8:30am and 4.30pm on business days at the ACT Environment, Planning and Sustainable Development Directorate shopfront, Dame Pattie Menzies House, 16 Challis Street, Dickson, ACT, or can be purchased at [www.standards.org.au](http://www.standards.org.au).

Gordon Ramsay MLA  
Minister for Building Quality Improvement  
27 June 2019

**Schedule 1 to the Water and Sewerage (ACT Appendix to the Plumbing Code)  
Determination 2019 (No 3)**  
(See section 3)

ACT Appendix to the Plumbing Code of Australia

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The Plumbing Code of Australia is amended as follows.

### History of PCA Adoption, History of adoption, 7.0 Adoption of PCA 2019

#### *Substitute*

- (1) All provisions, other than Part B4, are adopted on 1 June 2019.
- (2) Part B4 is adopted on 1 September 2019.
- (3) Notwithstanding (1) —
  - a. for applications for plumbing plan approvals determined from 1 June 2019 to 31 August 2019, plumbing and drainage work may comply with the provisions mentioned in (1) or the corresponding provisions in the Plumbing Code of Australia 2016 edition; or
  - b. for plumbing and drainage work that does not require a plumbing plan approval started on or after 1 June 2019 and before 1 September 2019 — the work may comply with the provisions mentioned in (1) or the corresponding provisions in the Plumbing Code of Australia 2016 edition.
- (4) For (3), if a project demonstrates compliance using the 2016 edition and there is no corresponding provision for a particular provision in the 2019 edition, the plumbing work must comply with all relevant and applicable provisions in the 2016 edition.

Note 1 These adoption dates and transitions were first made in DI2019-56 *Water and Sewerage (ACT Appendix to the Plumbing Code) Determination 2019 (No 2)*, effective 9 May 2019. The adoption dates and transitions are the same as in that instrument.

Note 2 Provisions of the 2016 edition of the PCA continue in force until the 2019 edition of the PCA is adopted.

Note 3 A transition is provided by section (3) for work commenced prior to the previous adoption date of 1 September 2019. During the transition period, compliance can be demonstrated either by complying with the 2016 edition, or the 2019 edition (other than those provisions yet to be adopted).

Note 4 For the definition of a corresponding provision, see Schedule 3 Definitions. For some new provisions in the 2019 PCA, there may not be a corresponding provision covering the same subject matter in the 2016 PCA.

## Part B Water Services

### Part B2 Heated water services

#### DEEMED-TO-SATISFY PROVISIONS

Delete B2.2(c) and (d) and insert ACT B2.2 (c) to (g) as follows:

#### **ACT B2.2 Water heater in a heated water supply system**

- (c) a gas water heater that is—
  - (i) rated not less than 5 stars in accordance with AS 4552; and
  - (ii) the only gas water heater in the installed in the building.
  
- (d) an electric resistance water heater may be installed—
  - (i) in a new class 1 or 10 building if the electricity used to heat the water is sourced in part, or in full, directly from a solar photovoltaic system, or another form of onsite renewable energy;
  - (ii) in a new class 1 building if it is the only electric resistance water heater in the building; or
  - (iii) in a new class 10 building if it is the only electric resistance water heater in the building and—
    - (A) the water heater has no storage or a heated water delivery of not more than 50 litres in accordance with AS 1056.1; and
    - (B) the building is not attached to, or sharing a heated water supply with, a building of another class.
  
- (e) a water heater determined by the Minister need not comply with (a) to (d) if—
  - (i) the greenhouse gas emissions associated with the water heater are not more than the greenhouse gas emissions associated with the operation of any of the water heaters mentioned in (a) to (d); and
  - (ii) the water heater is required to enable the heated water system in which it is to be installed to operate effectively and it is not reasonable to require the heated water system to be altered in another way.
  
- (f) a water heater need not comply with (a) to (e) if—
  - (i) the water heater consists of solid fuel-burning equipment; and
  - (A) the water heater is installed in a heated water system in a new class 1 building located in an area of non-urban land; or

(B) is installed for use during construction of the building and is removed when the work is completed.

**Part B2 Fire-fighting water services**

**DEEMED-TO-SATISFY PROVISIONS**

After B4.2 (2) insert ACT B4.2 (3) and (4) as follows:

**ACT B4.2 Identification of FPAA101D fire sprinkler systems and connected drinking water supply for maintenance**

- (3) For a FPAA101D fire sprinkler system, if a sprinkler/drinking water isolation valve installed on a floor is not required to have a sign by FPAA 101D clause 5.3.1 each floor level in accordance, and is not in a cupboard with a location plate meeting FPAA101D clause 5.3.4, the isolation valve must have a sign or tag affixed to the isolation valve that is —
- (i) Made of a durable material; and
  - (ii) Marked permanently with text that includes “This valve isolates the sprinkler system and drinking water supply system on this floor level”.

Note This wording is consistent with FPAA 101D 5.3.1, which requires signage on isolation valves that serve more than one floor that reads “This valve isolates the sprinkler system and drinking water supply system on this floor level AND level XX”.

## Part C Sanitary plumbing and drainage systems

### Part C2 Sanitary plumbing and drainage systems

#### DEEMED-TO-SATISFY PROVISIONS

Delete C2.4 (1) and insert ACT C2.4 (1) as follows:

#### ACT C2.4 General requirements

- (1) The design, construction, installation, replacement, repair, alteration and maintenance of a sanitary *drainage* system must be in accordance with AS/NZS3500.2 with the following variations and additions:
  - (a) Substitute clause 4.5.2 as follows:

4.5.2 A reflux valve cannot replace an overflow relief gully (ORG) at any time.
  - (b) The drainage of a dwelling or building on a single parcel of land cannot be combined with a drainage of a dwelling or building on another parcel of land, unless the construction occupations registrar approves the combined drainage system, if satisfied that a special reason exists for having the combined drainage system.
  - (c) An interceptor trap and access hole must—
    - (i) be carried to ground level; and
    - (ii) fitted at that level with approved cast-iron airtight covers.
  - (d) All new property connections shall include an inspection shaft, where the difference in elevation between the drain and the sewer tie warrants a graded jump-up, they will rise at 45 degrees unless constricted by space or specified to be vertical. The base of the vertical jump-ups shall be located immediately upstream of the inspection opening which must be as close to the property boundary as possible or adjacent to the tie. If located in a driveway, a trafficable lid must be provided over the shaft.
  - (e) **Building over drains**
    - (i) Before building work that will result in a building, or part of a building, being constructed over, or restricting access to, an existing drain in a currently operational drainage system is carried out, the relevant part of the drain, must be tested for soundness in accordance with section 15 of AS/NZS 3500.2.
    - (ii) If the drain is found not be sound after testing in accordance with (i), it must be made sound before the building work commences.



### Schedule 3 Definitions

In Definitions insert the following definitions:

**Building** has the meaning ascribed to it in the *Building Act 2004* dictionary.

**Class, of building** has the meaning ascribed to it in the *Building Act 2004* dictionary.

**Corresponding provision** is a provision in one edition of the PCA that covers the same subject matter as that in another edition of the PCA. Corresponding provisions do not need to have the same numbering or name.

**Fuel-burning equipment** means a furnace, boiler, fireplace, oven, retort, incinerator, internal-combustion engine, chimney or any other apparatus, device, mechanism or structure, in the operation of which combustible material is, or is intended to be, used or that is, or is intended to be, used in relation to the burning of combustible material.

**New Class 1 building** means a Class 1 *building* for which a certificate of occupancy for the whole *building* has not been issued under the *Building Act 2004* (except a *building* completed before 2000), and includes a *building* built to replace demolished premises.

**Non-urban land** means—

(a) territory land in 1 of the following zones under the territory plan—

- (i) broadacre zone;
- (ii) rural zone;
- (iii) hills, ridges and buffer area zones;
- (iv) river corridor zone;
- (v) mountains and bushlands zone;
- (vi) transport and services zones TS1-TS2; or

(b) land other than land in an area identified under the national capital plan as—

- (i) an urban area; or
- (ii) the Central National Area.

**Solid fuel-burning equipment** means fuel-burning equipment that is designed to burn hard wood, soft wood or briquettes and to which AS 4013 applies.

**WELS standard** has the definition ascribed to it under the *Water Efficiency Labelling and Standards Act 2005* dictionary.

## Schedule 4 Referenced documents

### Schedule of referenced documents

In Table 1, insert additional references as follows:

No.	Date	Title	Volume One	Volume Two	Volume Three
AS/NZS 4013	2014	Domestic solid fuel burning appliances - Method for determination of flue gas emission	N/A	N/A	ACT B2.2

Note: Other standards mentioned in this instrument are referenced directly in Schedule of referenced documents in the Plumbing Code of Australia.

### Notes

- Roof drainage systems; surface and subservice drainage systems; and heating, ventilation and air-conditioning are regulated under the ACT *Building Act 2004*.
- On-site waste management systems are regulated under the ACT *Health Act 1993*. The *Water and Sewerage Act 2000* applies for the plumbing or drainage system.
- On-Site liquid trade waste systems are regulated under the ACT *Utilities Act 2000*. The *Water and Sewerage Act 2000* applies for the plumbing or drainage system.