

Water and Sewerage (ACT Appendix to the Plumbing Code) Determination 2023

Disallowable instrument DI2023–68

made under the

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

1 Name of instrument

This instrument is the *Water and Sewerage (ACT Appendix to the Plumbing Code) Determination 2023*.

2 Commencement

This instrument commences on 1 May 2023.

3 ACT Appendix

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

Note 1 The *Water and Sewerage Act 2000*, s 44C, provides that the *plumbing code* means 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, and a document prescribed by regulation.

Note 2 The ACT has adopted the 2022 edition of the Plumbing Code of Australia effective from 1 May 2023.

Note 3 The Plumbing Code of Australia is contained in Volume 3 of the National Construction Code.

4 Application

Schedule 1 of this instrument applies to:

- (a) All applications for plumbing plan approvals determined on or after 1 May 2023.
- (b) All plumbing and drainage work that does not require a plumbing plan approval started on or after 1 May 2023.

5 Disapplication of notification requirement

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

Note 1 Australian Standards are available for purchase at www.standards.org.au and are available for inspection by members of the public at the National Library of Australia.

Note 2 A copy of the National Construction Code, which incorporates the Plumbing Code of Australia, is freely available for inspection at www.abcb.gov.au.

6 Revocation

This instrument revokes the *Water and Sewerage (ACT Appendix to the Plumbing Code) Determination 2019 (No 3) (DI2019-177)*.

Rebecca Vassarotti MLA
Minister for Sustainable Building and Construction
28 April 2023

Schedule 1

**Australian Capital Territory
Appendix to the
Plumbing Code of Australia**

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The Plumbing Code of Australia is amended as follows.

Section B Water Services

Part B2 Heated water services

DEEMED-TO-SATISFY PROVISIONS

Delete B2D2 (1), (3) and (4) and insert ACT B2D2 (1), (3), (4), (5), and (6) as follows

ACT B2D2 Water heater in a heated water supply system

(1) In a new Class 1 or Class 10 building, a water heater in a heated water supply system must be—

- a) a solar water heater complying with (2); or
- b) a heat pump water heater complying with (2); or
- c) a gas water heater complying with (3); or
- d) an electric resistance water heater;

[Note: No amendments are being made to B2D2 (2)]

(3) In a new Class 1 or Class 10 building a gas water heater that is —

- a) the only gas water heater installed in the building; and
- b) not prohibited by the *Climate Change and Greenhouse Gas Reduction Act 2010* or other ACT legislation.

(4) In a new Class 1 or Class 10 building a water heater must comply with (1) to (3);

(5) A water heater determined by the Minister need not comply with (1) to (4) if—

- a) 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 (1) (a) to (d); and
- b) 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.

- (6) A water heater need not comply with (1) to (5) if—
- a) the water heater consists of solid fuel-burning equipment such as a wood fired thermosiphon water heater or direct fired water heater, that complies with AS/NZS 3500.4.;
 - i. 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
 - ii. is installed for use during construction of the building and is removed when the work is completed.
 - b) the water heater is undergoing repairs including:
 - i. like for like replacements that are the result of manufacturer, supplier or installer warranty arrangements; or
 - ii. if temporary, for a period not exceeding 60 days, pending installation of a complying water heater

Part C2 Sanitary draining systems

DEEMED-TO-SATISFY PROVISIONS

Delete C2D4 (1) insert ACT C2D4 (1):

ACT C2D4 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) All new property connections must –
 - (i) Be consistent with AS/NZS 3500.2 Clause 4.4.2, providing the option for either an Inspection Shaft or a Boundary Trap; or
 - (ii) 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.

Schedule 1 Definitions

In Definitions insert the following definitions:

Building has the same meaning as in the *Building Act 2004* dictionary.

Class, of building has the same meaning as in the *Building Act 2004* dictionary.

Corresponding provision means 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—

(a) has the same meaning as in the —

(a) Territory Plan as amended from time to time; or

(b) means 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 same meaning as in the *Water Efficiency Labelling and Standards Act 2005*, dictionary.

Schedule 2 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 B2D2

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.