

2005

THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY

WATER AND SEWERAGE AMENDMENT REGULATION 2005 (No 2)

EXPLANATORY STATEMENT

Circulated by authority of Simon Corbell MLA
Minister for Planning

Provisions of the Determination

The regulation is called the Water and Sewerage Amendment Regulation 2005 (No 2).

The regulation amends the *Water and Sewerage Regulation 2001* and commences on the day after notification.

The Regulation provides for the insertion of new subsections 16E (6) to (9).

New subsection (6) provides an exemption from 16E(1)(b) if certain conditions are met. 16E(1)(b) provides that taps installed for kitchen sinks, laundry basins or other basins inside a building for domestic water supply shall have a flow capacity of not more than nine litres per minute.

The exemptions to this provision apply if a **secondary device** is fitted that reduces the flow capacity or, if a secondary device for the tap is not available in the ACT.

New subsection (7) provides that a secondary device for a tap is not compatible if it would void the manufacturer's warranty. This provision prevents plumbers from needing to insert secondary devices if a manufacturer's warranty would become void as a result of doing so, while still allowing the tap to be installed in the ACT.

New subsection (8) provides that subsection (7) does not limit when a secondary device is not compatible.

New subsection (9) provides that subsections (6), (7), (8) and (9) expire on 1 July 2006.

Background and Outline

Section 16E of the *Water and Sewerage Regulation 2001* (the Regulations) deals with water efficiency requirements for water supply and sanitary plumbing work. Section (1)(b) provides that taps which are the subject of work, shall not have a flow capacity of more than nine litres per minute.

As there was a shortage of compliant taps following the introduction of the provisions, exemptions to 16E(1)(b) were introduced through provisions made in 16E(6)-(9). These sections expired on 2 July 2005. As there continues to be a shortage of compliant taps in the market, it is necessary to extend the exemptions for a further year.

The Commonwealth Water Efficiency Labelling Scheme commences on 1 July 2006 and will introduce a mandatory standard which will remove the need to the Australian Capital Territory's nine litre/minute flow capacity.