

1993—No. 136

**LOCAL GOVERNMENT ACT 1919—ORDINANCE**

(Relating to the adoption of the New South Wales Code of Practice Plumbing and Drainage)

NEW SOUTH WALES



*[Published in Gazette No. 34 of 8 April 1993]*

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Local Government Act 1919, has been pleased to make the Ordinance set forth hereunder.

WAL MURRAY, M.P.,  
Minister for Public Works.

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**Commencement**

**1.** This Ordinance commences on 1st May, 1993.

**Amendment of Ordinance No. 45**

**2.** Ordinance No. 45 under the Local Government Act 1919 is amended by omitting Parts 8A and 8B and by inserting instead the following Part:

**8A—CODE OF PRACTICE FOR PLUMBING AND DRAINAGE**

65A. In this Ordinance, “**the Plumbing and Drainage Code**” means the code entitled “New South Wales Code of Practice Plumbing and Drainage” as published in Gazette No. 89 of 17 July 1992 (at pages 5098–5146).

65B. In this Ordinance, references to the Plumbing and Drainage Code do not include references to:

- (a) sections 2.3 and 2.5 of that Code relating to sanitary plumbing and sanitary drainage and stormwater drainage respectively; or

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- (b) the provisions of Part 3 of, and the Appendix to, that Code which relate to AS 3500 Part 2 Sanitary Plumbing and Drainage and Part 3 Stormwater Drainage; or
- (c) Figures 7 and 8 in the Appendix to that Code.

65C. A person commits a breach of this Ordinance if the person fails to comply with the provisions of the Plumbing and Drainage Code except as provided by clause 65D.

65D. A person does not commit a breach of this Ordinance:

- (a) only because the person does an act that is:
  - (i) prohibited to be done under the Plumbing and Drainage Code but permitted or required to be done under this Ordinance; or
  - (ii) prohibited to be done under this Ordinance but permitted or required to be done under the Plumbing and Drainage Code; or
- (b) only because the person omits to do an act that is:
  - (i) required to be done under the Plumbing and Drainage Code but prohibited, or permitted to be omitted, to be done under this Ordinance; or
  - (ii) required to be done under this Ordinance but prohibited, or permitted to be omitted, to be done under the Plumbing and Drainage Code.

**Amendment of Ordinance No. 46**

3. Ordinance No. 46 under the Local Government Act 1919 is amended by omitting clauses 2, 2A, 2B and 2C and by inserting instead the following clause:

**Code of Practice for Plumbing and Drainage**

2. (1) In this Ordinance, “**the Plumbing and Drainage Code**” means the code entitled “New South Wales Code of Practice Plumbing and Drainage” as published in Gazette No. 89 of 17 July 1992 (at pages 5098–5146).

(2) In this Ordinance, references to the Plumbing and Drainage Code do not include references to:

- (a) sections 2.2, 2.5 and 2.6 of that Code relating to water supply, stormwater drainage and hot water supply respectively; or

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(b) the provisions of Part 3 of, and the Appendix to, that Code which relate to AS 3500 Part 1 Water Supply, Part 3 Stormwater Drainage and AS 3500 Part 4 Hot Water Supply Systems; or

(c) Figures 1 to 6 in the Appendix to that Code.

(3) A person commits a breach of this Ordinance if the person fails to comply with the provisions of the Plumbing and Drainage Code except as provided by subclause (4).

(4) A person does not commit a breach of this Ordinance:

(a) only because the person does an act that is:

(i) prohibited to be done under the Plumbing and Drainage Code but permitted or required to be done under this Ordinance; or

(ii) prohibited to be done under this Ordinance but permitted or required to be done under the Plumbing and Drainage Code; or

(b) only because the person omits to do an act that is:

(i) required to be done under the Plumbing and Drainage Code but prohibited, or permitted to be omitted, to be done under this Ordinance; or

(ii) required to be done under this Ordinance but prohibited, or permitted to be omitted, to be done under the Plumbing and Drainage Code.

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**EXPLANATORY NOTE**

The object of this Ordinance is to amend Ordinance 45 (Water Supplies) and Ordinance 46 (Sewerage) made under the Local Government Act 1919 to adopt the New South Wales Code of Practice Plumbing and Drainage (except the provisions relating to stormwater drainage). The Code was produced by the Committee on Uniformity of Plumbing and Drainage Regulations in New South Wales and published in the Gazette on 17 July 1992.

This Ordinance is made under the Local Government Act 1919, including sections 407 and 407A.

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