

# Standard Plumbing and Drainage (Solar Heated Water Systems) Amendment Regulation 2017

Explanatory notes for SL 2017 No. 221

made under the

*Plumbing and Drainage Act 2002*

## General Outline

### Short title

*Standard Plumbing and Drainage (Solar Heated Water Systems) Amendment Regulation 2017.*

### Authorising law

Section 145 of the *Plumbing and Drainage Act 2002*.

### Policy objectives and the reasons for them

The *Standard Plumbing and Drainage Regulation 2003* (SPD Regulation) commenced on 1 November 2003. It complements the *Plumbing and Drainage Act 2002* (PD Act) to set standards for plumbing and drainage work undertaken in Queensland. Under the SPD Regulation, plumbing and drainage work must comply with the *Plumbing Code of Australia* (PCA), and the Queensland Plumbing and Wastewater Code (QPW Code), which provides performance criteria and solutions to meet the statutory requirements of the PD Act.

For plumbing installations to comply with the PCA, they must meet minimum technical standards. This can be achieved by either a performance solution or a Deemed to Satisfy (DTS) solution. The Australian Standard (AS/NZS 3500) is called up in the PCA as a technical standard for DTS solutions for plumbing installations.

Prior to the adoption of the 2016 edition of the PCA, on 1 May 2016, collectors of a solar heated water system were oriented in accordance with the manufacturer's instructions. AS/NZS 3500.4:2015 section 6.5.1.2 now requires solar collectors to be installed 'no more than 45 degrees east or west of true north'.

Performance of solar heated waters systems are optimised when facing north. However, the importance of orientation decreases the closer the installation is to the equator. Given Queensland's northern position, solar collectors orientated within 90 degrees of true North can still deliver satisfactory efficiency outcomes.

Therefore, although appropriate for the southern states of Australia, the imposition of the national standard is inappropriate in Queensland, and imposes an unnecessary burden on consumers through increased installation costs and regulatory requirements. These burdens present the risk of significantly reducing the number of solar hot water systems installed throughout the state. Therefore, a Queensland standard should be introduced to allow for a 90-degree panel orientation.

Where the PCA is inconsistent with the QPW Code, the QPW Code prevails to the extent of the inconsistency. By inserting the new Part 7 of the QPW Code to introduce a Queensland specific DTS solution, the national standard will be overridden to allow installations of solar collectors for solar heated water systems to be oriented within 90 degrees of true north.

The *Standard Plumbing and Drainage (Solar Heated Water Systems) Amendment Regulation 2017* (Amendment Regulation) amends the SPD Regulation to replace the reference to the QPW code published by the Department of Housing and Public Works on 15 January 2013, with the new QPW code dated 26 October 2017.

Key industry stakeholders have been consulted on this issue under the Queensland Building Plan. Submissions to date support the proposal.

### **Achievement of policy objectives**

The application of the national revised as it applies to Solar Hot Water Systems standard is inappropriate in Queensland, and imposes an unnecessary burden on consumers through increased installation costs and regulatory requirements. These burdens present the risk of significantly reducing the number of solar hot water systems installed throughout the state as the current installation standard does not take into consideration Queensland's unique environmental circumstances.

The policy objectives of the Amendment Regulation will be achieved by significantly reducing the regulatory burden, costs and delays associated with installing solar hot water systems in Queensland while continuing to deliver satisfactory efficiency outcomes.

### **Consistency with policy objectives of authorising law**

The Amendment Regulation is consistent with the objectives of the PD Act, particularly to reduce the regulatory burden on consumers, industry and local government and meet industry and community expectations to include improved regulatory requirements for plumbing and drainage work.

### **Inconsistency with policy objectives of other legislation**

The Amendment Regulation is consistent with the policy objectives of other State laws.

### **Benefits and costs of implementation**

It is not anticipated that any costs will be incurred in implementing the Amendment Regulation. The Amendment Regulation is intended to significantly reduce the regulatory burden, costs and delays associated with installing solar hot water systems while continuing to deliver satisfactory efficiency outcomes.

### **Consistency with fundamental legislative principles**

The Amendment Regulation is consistent with the policy objectives of the PD Act. The amendment regulation is consistent with fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992*.

### **Consultation**

The Office of Best Practice Regulation within the Queensland Productivity Commission was consulted in relation to the regulatory proposal and has confirmed that a Regulatory Impact Statement is not required for this proposal.