

# Proclamation – Plumbing and Drainage Act 2018

Explanatory notes for Subordinate Legislation 2019 No. 41

made under the

*Plumbing and Drainage Act 2018*

## General Outline

### Short title

Proclamation commencing particular provisions of the *Plumbing and Drainage Act 2018*.

### Authorising law

Section 2 of the *Plumbing and Drainage Act 2018*.

### Policy objectives and the reasons for them

The *Plumbing and Drainage Act 2018* (the Act) received Royal Assent on 11 September 2018. Section 2 of the Act provides for the commencement of provisions that did not commence on assent. A number of provisions of the Act commenced by proclamation on 19 October 2018.

The provisions that are not in force, other than part 9, division 3 of the Act, will commence on 1 July 2019. On that day, section 158 of the Act will repeal the *Plumbing and Drainage Act 2002* (PD Act 2002) and therefore will also repeal the *Plumbing and Drainage Regulation 2003* (PDR 2003) and the *Standard Plumbing and Drainage Regulation 2003* (SPDR 2003) which were made under the PDA Act 2002.

The objective of the Proclamation is to ensure provisions required to establish the State's new legislative framework for plumbing and drainage that are not in force will commence on 1 July 2019.

### Achievement of policy objectives

The Proclamation will ensure all provisions of the Act required to establish the State's new legislative framework for plumbing and drainage will be in force as of 1 July 2019.

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

The Proclamation is consistent with the objectives of the Act.

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

The Proclamation is consistent with the policy objectives of other legislation.

## **Alternative ways of achieving policy objectives**

The policy objectives can only be achieved by making the Proclamation.

## **Benefits and costs of implementation**

Any costs arising from implementation of the Act will be met from existing resources.

## **Consistency with fundamental legislative principles**

The Proclamation is consistent with fundamental legislative principles.

## **Consultation**

The Department of Housing and Public Works assessed that the proposal for the Proclamation was exempt from the requirement for a regulatory impact analysis to be undertaken because it is of a 'machinery nature'.

The Act resulted from a review of Queensland's plumbing laws over the past five years.

The policy objectives reflected in the Act have been informed and refined in partnership with industry and the community and formed part of the Queensland Building Plan discussion paper consultation process.

Over 112 representatives from 46 organisations, and representatives of relevant government agencies and community stakeholders participated in the review of Queensland's plumbing legislative framework and were also consulted on the 1 July 2019 proclamation date. These stakeholders include:

- Advanced Enviro-Septic
- Association of Hydraulic Consultants Services Australia
- Australian Industry Group
- Australian Institute of Building Surveyors
- Australian Wastewater Treatment Association
- Backflow Prevention Association of Australia Inc.
- Brisbane City Council
- Cairns Regional Council
- Evergreen Wastewater

- Fraser Coast Regional Council
- Gold Coast City Council
- Gympie Regional Council
- Housing Industry Association
- Institute of Plumbing Inspectors Queensland
- Ipswich City Council
- Isaac Regional Council
- Livingstone Shire Council
- Local Government Association of Queensland
- Lockyer Valley Regional Council
- Logan City Council
- Master Builders Queensland
- Master Plumbers' Association of Queensland
- Members of the Public
- Moreton Bay Regional Council
- National Fire Industry Association, Queensland and Victoria
- Noosa Shire Regional Council
- Plumbers Union Queensland
- Plumbing and Drainage licensees
- Queensland Building and Construction Commission
- Queensland Fire and Emergency Services
- Queensland Health
- Queensland Urban Utilities
- Queensland Water Directorate
- Redland City Council
- Royal Institution of Chartered Surveyors
- Scenic Rim Regional Council
- Service Trades Council
- Services Trades Queensland
- Seqwater
- Sunshine Coast Regional Council
- TAFE Queensland SkillsTech
- Toowoomba Regional Council
- Townsville City Council
- Unity water.

The comprehensive consultation process conducted for the Act, included:

- preliminary consultation workshops with key plumbing and building stakeholders;
- an online survey published on the 'Get Involved' website;
- state-wide information forums held across Queensland between 20 June and 17 July 2014;
- the release of an exposure draft of the Regulation in November 2016 for a three-month consultation period as part of the Queensland Building Plan (QBP) consultation process;
- 15 public consultation sessions held throughout Queensland to encourage participation in the QBP which were attended by over 1100 participants

representing key industry stakeholders, including licensees, local governments and consumers;

- the release of a second consultation draft of the Regulation on 17 November 2018 for a three-week public consultation period;
- over 27 consultation workshops conducted with industry stakeholders by the Department of Housing and Public Works throughout the review in the period from February 2014 to November 2018.

All feedback received throughout the consultation process was considered by the department and the Regulation reflects much of that feedback.