

Plumbing and Drainage Amendment Regulation 2025

Explanatory notes for Subordinate Legislation 2025 No. 01

made under the

Plumbing and Drainage Act 2018

General Outline

Short title

Plumbing and Drainage Amendment Regulation 2025

Authorising law

Sections 7, 65 and 157 of the *Plumbing and Drainage Act 2018*

Policy objectives and the reasons for them

The policy objective of the *Plumbing and Drainage Amendment Regulation 2025* (Amendment Regulation) is to amend the *Plumbing and Drainage Regulation 2019* (PDR) to extend the transitional period for testing of on-site sewerage treatment plants (OSTP). The extension is to provide additional time for manufacturers to complete testing of their products against Australian Standard (AS) 1546.3:2017.

The PDR was amended in 2019 (section 19) to adopt AS1546.3:2017 as the eligibility criteria for issuing Treatment Plant (TP) approvals (previously AS1546.3:2008). Industry was originally given until 31 December 2023 to have all existing TP approvals certified against the updated standard. This period was subsequently extended by 12 months to 31 December 2024.

Some manufacturers have not yet been able to complete testing of certain systems against the updated standard within the stated transitional period.

A further extension of the transitional period for an additional 12 months, to 31 December 2025, is required to enable this testing to be undertaken.

Achievement of policy objectives

Section 65(1)(b) of the *Plumbing and Drainage Act 2018* prohibits the installation of a secondary OSTP unless a treatment plant approval has been granted.

Under the current legislation, the transitional period for manufacturers to obtain compliance against the 2017 standard ends on 31 December 2024. After this date the associated transitional treatment plant approval will not be valid. If a manufacturer has not obtained a new treatment plant approval by 31 December 2024:

- a system cannot be legally sold as an OSTP and,
- a plumber legally cannot install a an OSTP as part of a plumbing and drainage system in Queensland, even if a plumbing installation permit was issued by a local government regulator prior to the expiration date.

The Amendment Regulation achieves the policy objective by extending the transition period to 31 December 2025, which:

- (a) provides more time for manufacturers to complete testing and obtain a treatment plant approval and,
- (b) allows systems previously approved for installation as part of a sanitary drainage system to be installed during the transitional period.

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with the *Plumbing and Drainage Act 2018* and its objectives to regulate carrying out of plumbing or drainage work in a way that reduces risks to public health and safety, and the environment.

Approval of the extension to the transitional period will provide certainty for customers, plumbers and local governments about approved OSTP installations.

Inconsistency with policy objectives of other legislation

No inconsistencies with the policy objectives of other legislation have been identified.

Benefits and costs of implementation

The benefits and costs of implementing the proposed changes are not significantly different from the benefits and costs of the operation of the current PDR.

Consistency with fundamental legislative principles

The amendment regulation has sufficient regard to the rights and liberties of individuals, and to the institution of Parliament. It is made in accordance with the power and policy objectives of the *Plumbing and Drainage Act 2018* and only contains matters appropriate to subordinate legislation. Therefore, the Amendment Regulation is consistent with fundamental legislative principles as outlined in the *Legislative Standards Act 1992*.

Consultation

Industry consultation was specific to the three manufacturers who have OSTP approvals impacted by the transitional period. Local governments were also consulted, noting they have responsibility for plumbing approvals which may include OSTP installation.

The Office of Best Practice Regulation has been notified of the proposed amendment. In accordance with the Queensland Government Better Regulation Policy, a summary Impact Analysis Statement was undertaken by the department, which assessed the proposed amendment as not imposing a financial burden on manufacturers and as such, not requiring regulatory impact analysis. The amendments do not represent a change in policy.