

# Plumbing and Drainage Amendment Regulation 2025

## Human Rights Certificate

### Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019* (HR Act), I, the Honourable Sam O'Connor MP, Minister for Housing and Public Works and Minister for Youth, provide this human rights certificate with respect to the *Plumbing and Drainage Amendment Regulation 2025* (Amendment Regulation) made under the *Plumbing and Drainage Act 2018* (the Act).

In my opinion, the Amendment Regulation, as tabled in the Legislative Assembly, is compatible with the human rights protected by the *Human Rights Act 2019*. I base my opinion on the reasons outlined in this statement.

### Overview of the Subordinate Legislation

Onsite sewerage treatment plants (OSTP) treat human waste, bathroom and kitchen wastewater, and are required where reticulated sewerage is not available to manage wastewater within the boundaries of a property.

Part 4 of the *Plumbing and Drainage Regulation 2019* (PDR) currently provides the legislative framework for applicants seeking approval for a domestic OSTP in Queensland.

The PDR was amended in 2019 (section 19) to adopt AS1546.3:2017 as the eligibility criteria for issuing a treatment plant approval (instead of AS 1546.3:2008). This updated standard sets minimum water quality standards and more stringent testing protocols. Industry was initially given a 5-year transition period until 31 December 2023 to have OSTP certified against the updated standard.

Only two OSTP testing facilities are operational Australia-wide. This limited market capacity has inhibited the ability for all manufacturers to have their products tested against the new standard during the transition period.

Following a request from some industry participants, the PDR was amended on 26 April 2024 to extend the transition period to 31 December 2024. However, some manufacturers have not yet been able to have their products tested.

The Amendment Regulation will amend the PDR to further extend the transition period to 31 December 2025. This will provide an additional 12 months for affected manufacturers to undertake the required testing.

There will be a period of time, between the expiry of the existing transitional approvals and the approval of the Amendment Regulation, where OSTP that does not meet the 2017 standard cannot be installed.

The manufacturers who hold temporary approvals are aware that the existing approvals lapse on 1 January 2025, and that installation of OSTP that does not meet the 2017 standard cannot occur until the Amendment Regulation has been approved.

The Department has prepared an Impact Analysis Statement (IAS) in accordance with the Queensland Government Guide to Better Regulation. This IAS indicates no further regulatory impact analysis is required as the proposed amendments are not expected to result in additional costs to industry and will continue to deliver a competitive market.

## **Human Rights Issues**

### **Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 *Human Rights Act 2019*)**

In my opinion the Amendment Regulation does not limit or otherwise affect human rights protected under Part 2, Division 2, HR Act.

## **Conclusion**

I consider that the *Plumbing and Drainage Amendment Regulation 2025* is compatible with the *Human Rights Act 2019* because it limits human rights only to the extent that is reasonable and demonstrably justified in a free and democratic society based on human dignity, equality and freedom.

**SAM O'CONNOR MP**  
MINISTER FOR HOUSING AND PUBLIC WORKS AND MINISTER FOR YOUTH

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