

Plumbing and Drainage Amendment Regulation (No.2) 2025

Explanatory notes for SL 2025 No. 66

made under the

Plumbing and Drainage Act 2018

General Outline

Short title

Plumbing and Drainage Amendment Regulation (No.2) 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 (No. 2) 2025* (Amendment Regulation) is to enable the installation of urine diverting toilets (UDTs) to support a UDT research trial in Queensland.

The Australian Research Council Hub for Nutrients in a Circular Economy (NiCE Hub) is a research partnership aimed at advancing nutrient recovery technologies from waste. Queensland Urban Utilities, a partner of the NiCE Hub, has identified an opportunity to harvest an under-utilised nitrogen resource and a mechanism to reduce downstream waste processing.

The research project seeks to bring urine processing technologies to commercial readiness and to produce new regulations and business models for the circular economy. This will add resilience to the wastewater and farming industries and will create market opportunities for new Australian technologies.

A UDT is a type of toilet that separates urine from solid waste, allowing for more efficient waste management.

Achievement of policy objectives

Section 65(1)(a) of the *Plumbing and Drainage Act 2018* prohibits the installation of a thing as part of plumbing or drainage work unless the thing is a WaterMark product or is approved for installation by the *Plumbing Regulation 2019*.

There are no WaterMark compliant UDTs available on the market in Australia.

The Amendment Regulation achieves the policy objectives by approving the installation of UDTs for the UDT trial.

The Queensland Plumbing and Wastewater Code (QPWC) forms part of the legislative framework for plumbing and drainage in Queensland. Section 7 of the PDA provides that the QPWC is the document made by the chief executive and published on the department's website which does not take effect until it is approved by regulation. The QPWC sets out Queensland specific plumbing and drainage standards that are not covered by the National Construction Code (NCC). There are currently no minimum technical requirements in the NCC or QPWC for the installation of a urine diverter toilet.

The Amendment Regulation amends the PDR to approve a new version of the QPWC which includes installation standards for UDTs aimed at ensuring the health and safety of persons installing, using, repairing and maintaining UDTs.

Consistency with policy objectives of authorising law

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

Approving UDTs as plumbing or drainage work will support the development of initiatives to advance a circular economy. These initiatives will encourage the design of resilient wastewater infrastructure to address challenges such as urban intensification, waterway pollution, and climate change.

Inconsistency with policy objectives of other legislation

There are no inconsistencies with the policy objectives of other legislation.

Benefits and costs of implementation

The Amendment Regulation supports the NiCE Hub's research, offering potential environmental and commercial benefits for wastewater and farming.

There are no costs incurred by Government for implementation.

Consistency with fundamental legislative principles

The Amendment Regulation is consistent with the fundamental legislative principles in the *Legislative Standards Act 1992*.

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 amends a statutory instrument and contains matters appropriate to subordinate legislation.

Consultation

The Office of Best Practice Regulation has been consulted about the preparation of an Impact Analysis Statement.

Impact Analysis established that the Regulation is deregulatory (removes regulation) and does not increase costs or regulatory burden on business or the community.

The Queensland Petroleum & Gas Inspectorate have been consulted on the proposed amendments and were supportive.

Queensland Urban Utilities, Griffith University and the University of Melbourne were all consulted as proponents of the UDT trial.

Master Plumbers Queensland and the Local Government Association of Queensland were consulted as representatives of the plumbing and drainage industry responsible for maintaining public health and safety. These parties support the proposed Amendment Regulation.