

Plumbing and Drainage Amendment Regulation (No. 2) 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 (No.2) 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 HR Act. I base my opinion on the reasons outlined in this statement.

Overview of the Subordinate Legislation

The National Construction Code (NCC) Volume Three (also known as the Plumbing Code of Australia), the *Plumbing and Drainage Regulation 2019* (PD Regulation) and Queensland Plumbing and Wastewater Code (QPWC) provide the overarching legislative framework for plumbing and drainage in Queensland.

These legislative instruments prescribe the minimum requirements for plumbing and drainage work in Queensland and aim to protect public health and the environment and meet industry and community expectations for plumbing and drainage work.

Section 7 of the Act provides the head of power for the QPWC to be made by the Director-General and published on the department's website as amended from time to time. The QPWC must be approved by regulation to take effect.

Section 65(1) of the Act relevantly provides that a person must not install, as part of plumbing or drainage work, a thing unless the thing complies with subsections 65(1)(a) to (e) or is prescribed by regulation as a thing that is approved for installation as plumbing or drainage.

Sections 157(1) and (2)(d) of the Act provides that the Governor in Council may make regulations under the Act for matters relating to plumbing and drainage work.

The Amendment Regulation amends the PD Regulation to:

- a) approve installation of urine diverting toilets (UDTs) for the purposes of a urine diversion trial; and
- b) approve a new version of the QPWC which includes:
 - i. minimum technical requirements or installing UDTs under the UDT trial.
 - ii. minor typographical corrections.

The installation of the proposed facility for the urine diversion toilet trial will not engage or limit a human right as it will not restrict any person from using that facility for its intended purpose.

Human Rights Issues

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

During the development of the Amendment Regulation, due regard was given to its compatibility with the *Human Rights Act 2019* (HR Act).

Conclusion

I consider that the Plumbing and Drainage Amendment Regulation (No. 2) 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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