

Background

The inquiry

- 1.1 On 15 June 2007, the Minister for the Environment and Water Resources, The Hon Malcolm Turnbull MP, requested that the House of Representatives Standing Committee on Environment and Heritage inquire into the regulation of plumbing product quality in Australia.
- 1.2 While the quality of the evidence received in the 29 submissions and the roundtable discussion would allow for a more extensive report, given the timeframe of the inquiry the Committee decided to focus on key issues associated with the regulation of plumbing product quality, and develop conclusions that could feed into reviews currently being undertaken in these areas, and potentially contribute to more coordinated and effective regulatory arrangements.
- 1.3 A roundtable discussion was held in Canberra on 13 September 2007 and included representatives from key stakeholder groups; the Department of the Environment and Water Resources, National Plumbing Regulators Forum (NPRF), Standards Australia (SA), National Plumbing Association Alliance (NPAA), the Plumbing Products Industry (PPI) Group and the Australian Electrical and Electronic Manufacturers' Association (AEEMA).

Outline of relevant schemes and standards

1.4 Given the complicated nature of the plumbing product regulatory environment, a brief outline of the main schemes and standards governing and guiding plumbing product quality in Australia is included below.¹

1.5 There are two enforceable schemes:

■ **WaterMark Certification Scheme (WMCS)**

The WMCS is currently owned and administered by Standards Australia, whose duties include ensuring registration and licensing of products, ensuring CAB adherence to principles, managing a committee to oversee performance, and maintaining a national database of approved products.²

■ **Water Efficiency Labelling Standards (WELS) Scheme**

The WELS Scheme was established under the *Water Efficiency Labelling Standards Act 2005*. It is a joint initiative of the Australian, State and Territory Governments, that is administered by the Australian Government. It focuses on the water efficiency performance of plumbing products. It does not cover other aspects of product quality or public health and safety requirements.³

The purpose of the scheme is to:

- ⇒ conserve water supplies by reducing water consumption;
- ⇒ provide information for purchasers of water-use and water-saving products; and
- ⇒ promote the adoption of efficient and effective water-use and water-saving technologies.⁴

The products that must be registered and labelled under the scheme are dishwashers, urinal and lavatory equipment, tap equipment, showers and washing machines. Flow controller products can also be registered on a voluntary basis.⁵

1 See also Appendices C, D and E for more details on, respectively, stakeholder relationships, State/Territory plumbing regulations and water efficiency regulations.

2 Standards Australia, Submission 23, p. 4 and National Plumbing Regulators Forum, Submission 21, p. 5.

3 Standards Australia, Submission 23, p. 6.

4 Department of the Environment and Water Resources, Submission 28, p. 2.

5 Water Rating website, <http://www.waterrating.gov.au/products/index.html#plumbing>, accessed 5 September 2007.

1.6 Relevant schemes and standards include:

■ **Plumbing Code of Australia (PCA)**

The PCA, developed and maintained by the NPRF, outlines the provisions and requirements of the WMCS, including the categories of plumbing products covered by the scheme. It is a reference document and is only given legal effect when invoked by legislation in the relevant state or territory.

Currently, the PCA had only been adopted, in part, by Queensland and South Australia, and, in full, by Tasmania, and the Australian Capital Territory (the latter with local variations).⁶

■ **State Plumbing regulations**

States and Territories are responsible for the regulation of plumbing practices and products. While the national mandatory schemes apply, and the PCA may be adopted, the States/Territories retain power to regulate for local variations as they deem necessary or geographically appropriate. This includes state water authorities and to some degree state health departments; for example, in cases where materials are in contact with drinking water.

■ **Australian Standards**

- ⇒ **AS 6400** is the basis for the rating and labelling of products under the WELS Scheme. It sets out the criteria for each product.
- ⇒ **AS 5200** contains technical specifications for plumbing and drainage products. It provides the criteria for accreditation of plumbing products under the WMCS.
- ⇒ **AS 3500** is the National Plumbing and Drainage Code which covers standards for the materials, fittings and fixtures that can be used in plumbing and sanitary installations. It is used by all States and Territories, even if they have not yet adopted the PCA.⁷
- ⇒ Standards Australia committees are responsible for developing these Standards. For example, the WS-032 Committee developed the AS 6400 standards. These Committees generally include wide representation from a range of government and industry groups.⁸

6 As per advice from the National Plumbing Regulators Forum, dated 7 September 2007.

7 National Plumbing Regulators Forum, Submission 21, p. 8. Standards Australia refers to it as the 'de facto regulation' used by industry and regulators, Submission 23, p. 4.

8 Standards Australia, Submission 23, p. 6.

⇒ **Australian Technical Standards (ATS)**

ATS is a scheme that allows for the introduction of new product technologies that are not currently covered by an Australian Standard. An ATS is developed by an SA Committee and is ratified by the NPRF. The product then has two years in which to register under the WMCS.

1.7 Stakeholder or administering organisations include:

■ **Department of the Environment and Water Resources**

The Commonwealth Department of the Environment and Water Resources administers the WELS Scheme through its Water Resources Division.⁹

■ **National Plumbing Regulators Forum (NPRF)**

There is no national regulator for plumbing. The NPRF, formed in 2002, is a cooperative arrangement of different groups with statutory responsibility for plumbing regulations in the various states and territories. It also provides a forum to discuss and address public health, safety, water conservation and other environmental issues. It works closely with COAG.

The NPRF is not a statutory authority and has no executive power. However, it is in the process of formalising its arrangements through an intergovernmental agreement.¹⁰

■ **Standards Australia (SA)**

SA is Australia's peak standards body that works to develop standards with a view to public benefit and the national interest. Overall, the organisation maintains around 7,000 standards through 1,500 Committees.¹¹ It is also responsible for developing and administering Australian Standards for plumbing products in Australia. Under a Memorandum of Understanding SA works in cooperation with the NPRF to codify standards developed for plumbing products.

9 Department of the Environment and Water Resources website, <http://www.environment.gov.au/about/structure/wrd/index.html>, accessed 5 September 2007.

10 National Plumbing Regulators Forum, Submission 21, p. 5.

11 Standards Australia website, <http://www.standards.org.au/cat.asp?catid=21>, accessed 5 September 2007.

- **Conformity Assessment Bodies (CABs)**

These are registered and licensed to certify products under the WMCS. This assessment process is monitored by Standards Australia.

