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INQUIRY INTO THE REGULATION OF PLUMBING PRODUCT QUALITY IN AUSTRALIA

TERMS OF REFERENCE

The committee will inquire into the regulation of plumbing product quality in Australia, examining in particular:

- The appropriateness and effectiveness of the current plumbing product quality regulatory arrangements
- Scale of environmental benefits from controlling plumbing product quality
- Trade implications of controlling plumbing product quality
- Potential improvements to the plumbing quality regulatory system

The appropriate level of government to administer plumbing product quality regulation, that is, the states (as is now) or the Commonwealth.

Summary

The regulatory framework for plumbing product can be segregated into several small groups, each of these groups have their significance derived from a different sector of the water industry. For example; the manufacturers of plastic pipes and associated products draw their references from such areas as pipe strengths, residual taste of potable water after passage through the pipes, color coding etc. whereas the manufacturer of a toilet bowl has significantly different considerations.

Regardless of what the purpose of the product each of the responsible manufacturers measure their product against a particular Australian Standard and are able to achieve an appropriate accreditation.

To those who have researched the procedure it becomes a reasonably logical process.

It also demonstrates that these Standards are in place to protect public health and welfare.

In the construction sector there are emerging a smaller range of reference "Marks" that are becoming more relevant in a nations sense these are;

- **CodeMark**, an accreditation for compliance with the Building Code of Australia
- **WaterMark**, a similar national form of accreditation relative to the plumbing industry
- **WELLS**, a performance based accreditation based on a water usage criteria

Each of these accreditations measure the product against a series of Australian Standards and the assessment process must be undertaken by use an appropriately accredited testing agency.

The issues that continue to hamper the process can be readily found and loosely classified as ;

1. Commercially calculated intent,
 - The manufacturer, importer or supplier knowingly provides a “stamped” product that doesn’t have the supporting approvals.
 - Where the same group supply the product to the market at a reduced cost and knowingly do not provide a certified product.
2. Unwittingly,
 - A product is certified to an incorrect standard released into the marketplace.
 - Assume that a similar European or American certification applies to the Australian market.
 - Assume that an approval from one State has reciprocal recognition in another State.
3. Unable to comply
 - Because the “new” product may not have a standard that it can be measured against.

The third classification, from our experience, is the most frustrating and definitely applies to the emerging technologies that have been developed as part of the drive towards sustainable water recycling technologies.

There are two main areas where I believe the process fails to adequately address the potential risks from non-compliance.

- Where there is an intention from the outset to circumvent the process.
- Where the technology has advanced beyond the Standard’s measures.

The basic framework as it currently exists has the ability to adequately manage the assessment and subsequent certification of plumbing product provided that the regulatory bodies that administer the process are appropriately resourced and that the technical support for the same administrators can provide valued judgment.

Currently, and in particular in the water industry, this is not the case. I am able to provide several examples of where there are documents written in the 1970’s and 60’s that are being still used to administer regulators where it is clearly no longer appropriate.

Recommendation.

General

- Review the regulatory structure across the states to bring parity to the process
- Provide adequate resources to the selected regulators that are to undertake the administration of the approval process.

Water Recycling

- Implement a range of administrative changes to facilitate the uptake of sustainable recycling measures (refer to the attached conference paper for details)
- Continue with but accelerate the due process of review of current regulations

Attachments

Conference paper, On-site '07; Addressing the Long Term Public Health Concerns of Responsible Authorities when Implementing On-Site Treatment Systems.

Prior Activities;

Workshop participant with Victorian DSE & EPA, Alternative Urban Water Supply – Regulatory Review (Feb'2006 and on-going)

Stakeholder participant, Department of Environment and Heritage Product Standards for Water Recycling (Dec' 2006)