**Reform of Plumbing Regulation in Western Australia**

**CONSULTATION RESPONSE FORM**

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| **Name** |  |
| **Organisation and job title** |  |
| **Postal address** |  |
| **Email address** |  |
| **Contact phone number**  |  |

| **Proposal**  | **Questions for consultation** | **Your comments** |
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| **Proposal One:**A new funding model for plumbing regulation | 1. Do you support the proposal that a levy on water/sewerage service providers be introduced to fund plumbing regulation as an alternative to the current system of charging compliance fees? If yes, please tell us why.
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| 1. If you answered no, please provide details about why you do not support a levy and whether there is an alternative funding mechanism that you prefer.
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| **Proposal Two:**A revised scope for the meaning of “plumbing work” in the *Plumbers Licensing Act 1995*:1. work prescribed [in the Plumbing Regulations] as the design, construction, testing, installation, alteration, extension, replacement, repair or maintenance of pipes, fixtures, fittings, devices or apparatus used or intended to be used to convey water, wastewater and other wastes; or
2. other prescribed work,

but does not include work of a kind prescribed for the purposes of this definition as not being plumbing work. | 1. Do you support the proposed approach and revised wording for the definition of ‘plumbing work’ in the Plumbing Act? If not, please say why.
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| **Proposal three:**A new definition of **‘water supply plumbing work’** that divides such work into **‘drinking water supply plumbing’** and **‘non-drinking water supply plumbing’** | 1. Do you support the following as the definition of ‘drinking water supply plumbing’? If not, please say why.

“Work involving the design, construction, installation, replacement, connection, disconnection, repair, alteration or maintenance of any part of a cold water service or a heated water service that is connected to the drinking water supply, from the point of connection to the points of discharge.”  |  |
| 1. Do you agree that owner-occupied private properties located in remote parts of the State with limited access to a licensed plumber should be exempt from the proposed scope of ‘drinking water supply plumbing work’? If no, please say why.
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| 1. Are there any other circumstances where an exemption from the proposed scope of ‘drinking water supply plumbing work’ should apply? If yes, please say what they are and why you think an exemption should apply.
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| 1. Do you support the proposal to regulate non-drinking water supply plumbing work? If yes, do you agree with the following definition of ‘non-drinking water supply plumbing work’?

 “Work involving the design, construction, installation, replacement, connection, disconnection, repair, alteration or maintenance of any part of a non-drinking water service, from the point of connection to the points of discharge.”  |  |
| 1. If you answered no to either or both of the questions in 7 above, please tell us why. If possible, please provide alternatives for consideration.
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| 1. Would you support an exemption from the proposed scope of ‘non-drinking water supply plumbing work’ for owner-occupied private properties located in remote parts of the State with limited access to a licensed plumber? If no, please say why.
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| **Proposal four:**A new definition of **‘sanitary plumbing work’** | 1. Do you support the following as the definition of ‘sanitary plumbing work’? If not, please say why.

“Work involving the design, construction, installation, replacement, connection, disconnection, ventilation, repair, alteration or maintenance of above ground pipes, fittings and fixtures used or intended to be used to collect and convey wastewater or other waste to a sanitary drainage system or an on-site wastewater management system or an approved disposal system.” |  |
| **Proposal five:**A new definition of **‘drainage plumbing work’** | 1. Do you support the following as the definition of ‘drainage plumbing work’? If not, please say why.

“Work, other than exempt work, involving the design, construction, installation, replacement, connection, disconnection, repair, alteration or maintenance of underground pipes and other fittings used or intended to be used to convey discharge from a sanitary plumbing system to a sewer or an on-site wastewater management system or an approved disposal system.” |  |
| **Proposal six:**Garden reticulation plumbing work | 1. For systems using drinking water (i.e. scheme water): do you support the proposal that garden reticulation work downstream of a backflow prevention device be treated as outside the scope of the plumbing laws? If not, please say why.
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| 1. For systems using non-drinking water: do you support the proposal that garden reticulation work downstream from the point of connection to the non-drinking water supply be treated as outside the scope of the plumbing laws? If not, please say why.
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| **Proposal seven:**Requirements for testing and maintaining plumbing safety devices | 1. Would you support the introduction of a mandatory requirement that property owners/managers of high-risk buildings must test and maintain backflow prevention devices in accordance with AS 2845.3 and manufacturers’ specifications? Please provide reasons for your view, together with any supporting evidence.
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| 1. Do you support the proposal to require owners/occupiers of the above types of high-risk facility to put in place a maintenance and testing regime for TMVs, in accordance with manufacturers’ specifications and Australian Standard AS 4032.3? Please provide reasons for your answer.
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| 1. Are there any other plumbing safety devices besides backflow prevention devices and TMVs that you believe should be included in this proposal? If yes, please provide details
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| **Application of the PCA** | 1. Do you believe that Part B4 of the PCA (fire-fighting water services) should be regulated as a branch of plumbing work in WA? If yes, please provide as much evidence as possible to support your view. This evidence should include specific examples of cases where issues have arisen because this type of work is not currently regulated as plumbing work.
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| 1. Would you support an expansion to the scope of drainage plumbing work to include the installation/construction of apparatus for the on-site treatment of sewage, such as septic systems and aerobic treatment units. Please provide reasons for your answer.
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| **Proposal eight:**Plumbing repairs by private homeowners and occupiers | 1. Do you support the proposal to allow private homeowners/occupiers, and non-plumbers engaged by private homeowners/occupiers, to carry out certain basic plumbing tasks in their own homes? Are there risks to consumer safety if this proposal is implemented? If yes, please explain what those risks are.
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| 1. If you support the proposal, do you agree with the following proposed scope of work to be covered by the exemption? If no, please say why and provide evidence to support your view.
* Repairing or replacing a shower head;
* Repairing a tap or tap mixer valve;
* Replacing an inlet or outlet washer in a toilet cistern;
* Replacing a domestic water filter cartridge; and
* Clearing a blocked waste pipe by the use of a plunger, flexible hand rod or hand-held water hose only (that is, by non-mechanical and non-electrical means).
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| **Modular Plumbing Installations** | Please tell us about:1. The extent to which pre-fabricated bathroom and kitchen ‘pods’ are being used in the residential construction sector in WA;
2. What issues plumbers are experiencing with this emerging trend; and
3. What solutions stakeholders would like to see implemented by plumbing regulators.
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| **Proposal nine:**Authorisation of designers and verifiers | 1. Do you think there should be regulations prescribing who can **verify** a Performance Solution? If yes, what are the qualifications or other requirements that would make a person suitable for verifying a Performance Solution?
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| 1. Do you think there should be regulations prescribing who can design a plumbing installation in a complex building?
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| 1. If you answered yes to question 22, should different levels of competency be required, based on the complexity of the project?
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| 1. Are there any types of projects where a designer should not need to have particular competencies or qualifications?
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| 1. Should a LPC be permitted to design a project at any level of complexity?
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| 1. Of the four options presented below for the regulation of plumbing designers and verifiers, which do you prefer, and why?

Option 1 – Self-assessment by the designer or verifierOption 2 – Designer/verifier must be a ‘competent person’Option 3 – Designer/verifier must be authorised by the regulatorOption 4 – Designer/verifier must be licensed 1. Is there an alternative option you would like considered? If yes, please provide details.
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| **Proposal ten:**Should a category of business licence be introduced? | ACIL Allen recommended extending the licensing scheme to include a class of plumbing licence for companies and partnerships. They saw no reason why a plumbing business could not be operated by a non-plumber (so long as the plumbing work itself is carried out by a licensed plumber) and argued that the current arrangements were a barrier to entry into the plumbing industry. They therefore recommended that a business licence model be implemented.Do you agree with ACIL Allen’s recommendation? |  |
| **Proposal eleven:**Remove business training as a prerequisite for a Plumbing Contractor’s Licence | 1. Do you agree that the requirement to undergo business training should be removed as a criterion for obtaining a plumbing contractor’s licence? If not, why not?
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| **Proposal twelve:**Liability insurance for LPCs | 1. Do you agree that LPCs should not be required to carry public liability insurance and professional indemnity insurance as a condition of their licence? If not, please tell us why you think mandatory insurance should be introduced for LPCs.
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| **Proposal thirteen:**Scope of work under a Restricted Plumbing Permit (RPP) | 1. Do you agree that the scope of work permitted under a RPP should be amended to make it more useable? If no, why not.
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| 1. If you answered yes to Question 30, which of the following options would you prefer, and why

**Option one**Amend the Regulations to allow a RPP holder in the course of replacing a water heater, to install an approved flexible hose where the plumbing standards allow.**Option two**Amend the plumbing regulations as per option 1 and replace a water heater isolation valve.**Option three**Amend the Plumbing Regulations as per Option 2, and replace a minimal amount of pipework.**Option four**Amend the Plumbing Regulations as per Option 3, and alter a relief valve overflow pipe to meet the required standards.**Option five**Amend the Plumbing Regulations as per Option 4, and replace a tempering valve. |
| **Proposal fourteen:**Transition from apprentice to tradesperson | It is proposed to amend the Plumbing Regulations to provide that an apprentice who has successfully completed his or her training contract may carry out plumbing work (under direction and control) until either:1. the graduate plumber gains his or her tradesperson’s licence; or
2. a period of [x] months expires from the time the training contract was successfully completed.
3. Do you agree that two months is an appropriate period of time for paragraph (b)? If no, please say why and, if possible, suggest an alternative timeframe for consideration.
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| **Proposal fifteen:**Advertising plumbing services | 1. Do you consider it appropriate for unlicensed persons or companies to be prohibited from advertising plumbing services? Please provide reasons.
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| 1. Do you support a requirement that non-plumbing companies must keep records of any plumbing work carried out by the company? Please provide reasons.
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| **Proposal sixteen:**Expanding the list of disciplinary matters | It is proposed to make amendments to the Plumbing Regulations to:1. provide greater clarity on the requirement for a LPC to exercise general direction and control; and
2. introduce a modified penalty provision for situations where it is found that a LPC has failed to exercise adequate supervision, direction or control in cases where it was appropriate for him or her to do so.

These changes would be accompanied by guidelines setting out the factors that would be taken into account by the regulator when assessing whether supervision, direction or control has been adequately exercised in any particular case. |  |
| **Proposal seventeen:**Increasing the statutory penalty amount | It is proposed to increase the maximum penalty in the Plumbing Act from $5,000 to $50,000. |  |
| **Proposal eighteen:**Timeframe for taking prosecution action | It is proposed to increase the timeframe within which a prosecution for an offence may be commenced from one year to two years. |  |
| **Proposal nineteen:**Compliance notification for ‘minor plumbing work’ | It is proposed to make amendments to the Plumbing Regulations to no longer require the submission of multi-entry certificates to the Plumbers Licensing Board for ‘minor plumbing work’. The requirement for LPCs to keep a record of all minor plumbing work will, however, be retained.  |  |
| **Proposal twenty**Amending the definition of ‘minor plumbing work’ | 1. Do you agree that work to maintain or repair a water heater should be excluded from the scope of the plumbing laws? If no, please tell us why.
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| 1. Do you agree that work to connect a garden reticulation system downstream of a backflow prevention device should be excluded from the scope of the plumbing laws? If no, please say why.
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| 1. Do you agree that theinstallation or replacement of a testable backflow prevention device should be classed as ‘major plumbing work’? If no, please say why.
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| 1. Do you agree that the replacement of a non-testable backflow prevention device should be classed as ‘minor plumbing work’? If no, please say why.
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| **Proposal twenty-one**Revising the structure of the plumbing regulator | 1. Which of the four options below would you support? Please provide reasons for your view.

**Option one** – Maintain the status quo**Option two** – A plumbing technical regulator and a plumbing technical registration board supported by an office of the plumbing technical regulator**Option three** – Plumbers Licensing Board as the licensing administrator; Building Commissioner / Director of Energy Safety as the technical regulator **Option four** – Building Commissioner/Director Energy Safety as the licensing administrator and the technical regulator, supported by an industry advisory group. |  |