

SUMMARY OF SUBMISSIONS

PROPOSED AMENDMENTS TO THE PLUMBERS, GASFITTERS, AND DRAINLAYERS (SELF-CONTAINED VEHICLES) REGULATIONS 2023

MAY 2024



Executive summary

From 16 April to 30 April 2024, The Ministry of Business, Innovation and Employment (MBIE) (on behalf of the Government) publicly consulted on two proposed amendments to the Plumbers, Gasfitters, and Drainlayers (Self-contained vehicles) Regulations 2023.

These were:

- The direct venting requirement for wastewater storage tanks.
- The levy refund process in the instance where a vehicle fails its self-containment inspection.

The discussion document that supported the consultation was sent to 26 selected stakeholders, targeted for their expert views and/or their representation of the sector. 24 submissions were received. This included submissions from the Plumbers, Gasfitters and Drainlayers Board (PGDB), NZ Motor Caravan Association (NZMCA), Rental Vehicle Association, Tourism Industry Aotearoa (TIA), NZ Lifestyle Camping, and Master Plumbers, Gasfitters and Drainlayers New Zealand Inc.

On the direct venting requirement, there is strong support for Option 2, where only fixed wastewater storage tanks are required to be directly ventilated to the exterior of the motor vehicle. This support was consistent across all the different stakeholder groups, including 5 out of the 6 membership organisations included in the consultation.

On the levy refund process, while only half of submitters responded to this question, there is strong preference to delegate refund powers to Certification Authorities to manage.

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Background

From 16 April to 30 April 2024, MBIE (on behalf of the Government) publicly consulted on two proposed amendments to the Plumbers, Gasfitters, and Drainlayers (Self-contained vehicles) Regulations 2023 (the Regulations). These were:

- The direct venting requirement for wastewater storage tanks. Three options were consulted on:
 - Option 1: Maintain the status quo that all wastewater storage tanks are required to be directly ventilated to the exterior of the motor vehicle.
 - Option 2: Only fixed wastewater storage tanks are required to be directly ventilated to the exterior of the motor vehicle. This would exclude removable blackwater holding tanks for cassette-style toilets and waterless toilets.
 - Option 3: Fixed wastewater storage tanks and removable blackwater holding tanks used for waterless toilets are required to be directly ventilated to the exterior of the motor vehicle. This would only exclude removable blackwater holding tanks for cassette-style toilets.

Additionally, submitters were asked if they are aware of any public health concerns with any of the options, if any of the options would have other implications on the Regulations, and if there were other options that should be considered.

- The levy refund process in the instance where a vehicle fails its self-containment inspection. Three options were consulted on:
 - Option 1: Maintain the status quo that only the Regulator has the power to process individual refunds. This requires the Regulator to assess each request and determine the individual levy was unreasonable to recover in this instance before processing.
 - Option 2: Delegate power to self-containment certification authorities to assess and process individual refunds. This means the Regulator do not need to be involved in the refund process.
 - Option 3: Add an automatic power for the Regulator to refund all vehicles that fail their inspection. This removes the requirement for the Regulator to assess each individual refund application but still requires the Regulator to process the refund.

Additionally, submitters were asked if there were other options that should be considered for improving the levy refund process.

Purpose

The discussion document sought to understand the benefits and drawbacks of the proposed two amendments to the Plumbers, Gasfitters, and Drainlayers (Self-contained vehicles) Regulations 2023 and which options for each were preferred by stakeholders.

Other changes to the Regulations and the Self-contained Motor Vehicles Legislation Act 2023 were out of scope for this consultation.

This paper is a summary of the submissions received by MBIE. Feedback from submitters has been segmented in the following stakeholder groups:

- Individuals

- Vehicle rental businesses
- Other businesses (e.g. toilet manufacturers/suppliers, tourism companies, etc)
- Certification Authorities
- The Regulator (the Plumbers, Gasfitters and Drainlayers Board)
- Social media groups
- Membership organisations.

Consultation methodology

The consultation discussion document was sent out to a targeted group of 26 key stakeholders. The full list of stakeholders that submitted is at **Annex One**. Twenty-four submissions were received.

For the purposes of analysis, MBIE categorised submissions into groups. Some submitters fell into more than one group category. These submissions have only been counted once. Each submission was then read in full and assessed against the questions. Each assessment done was then peer reviewed.

In three cases, further clarification was sought from the submitter and the updates received were assessed.

Proposed amendment 1: The direct venting requirement

What we asked

Three options for the direct venting requirement for wastewater storage tanks were consulted on:

- Option 1: Maintain the status quo that all wastewater storage tanks are required to be directly ventilated to the exterior of the motor vehicle.
- Option 2: Only fixed wastewater storage tanks are required to be directly ventilated to the exterior of the motor vehicle. This would exclude removable blackwater holding tanks for cassette-style toilets and waterless toilets.
- Option 3: Fixed wastewater storage tanks and removable blackwater holding tanks used for waterless toilets are required to be directly ventilated to the exterior of the motor vehicle. This would only exclude removable blackwater holding tanks for cassette-style toilets.

The government also asked for any alternative approaches for changing the direct venting requirement for wastewater storage tanks.

What we heard

Option 2 is the most preferred option

There is strong support for Option 2 with 74 per cent¹ of submitters who responded to this question preferring this option. Support came from a broad range of the submitters, including five of six membership organisations.

Option 1 (17 per cent) and Option 3 (9 per cent), were less supported, particularly with just one membership body (Master Plumbers, Gasfitters and Drainlayers New Zealand Inc. supporting Option 1).

Table 1: Preferred choice for the direct venting requirement for wastewater storage tanks, by submitter type

	Individual	Rental vehicle business	Other business	Certification Authority	Regulator	Social media groups	Membership organisation	Total
Option 1: All wastewater storage tanks are required to be directly ventilated to the exterior of the motor vehicle		1	1	1			1	4
Option 2: Only fixed wastewater storage tanks are required to be directly ventilated	4		5	1	1	1	5	17
Option 3: Fixed wastewater storage tanks and removable blackwater holding tanks used for waterless toilets are required to be directly ventilated			1	1				2
Unclear		1						1

¹ All percentages have been rounded up to the nearest whole number.

Reasons submitters gave for supporting their preferred option was varied, but cost savings, practicality and following the installation specifications were the most commonly cited.

Table 2: Reason(s) submitters gave for preferring an option, by reason²

	Cost	Installation specifications	Practicality	Safety	Other	No response	Total
Preferred Option 1			1		2	1	4
Preferred Option 2	9	6	10	3	3	2	33
Preferred Option 3		1		1	1		3

Supporters of Option 2 argued that the Status Quo: that fixed wastewater storage tanks be directly ventilated externally for all vehicles, would incur significant costs and that such a requirement was simply unnecessary.

“To require ventilation for all these vehicles will impose a significant cost per vehicle and very large cost across the sector.” – Tourism Industry Aotearoa

Several submitters estimated that the cost of converting the toilet in a freedom camping vehicle, to the status quo requirement, could be in the hundreds. The Rental Vehicle Association estimated \$600-\$700 (or more) per vehicle, when including installation.

The New Zealand Motor Caravan Association (NZMCA) pointed out that Option 2 *“aligns with what has been acceptable industry practice for the past 30 years (or so)”*.

Additionally, those who supported Option 2 highlighted concerns about risks of leakage if the venting system was not maintained properly or fails with a poor system modification.

Tourism Holdings Limited felt that modifying an already working cassette system by retrofitting a vent could provide a weakness in the cassette structure or an opportunity for hazardous contents to leak into the toilet base and then into the vehicle.

NZ Lifestyle Camping expressed concerns about the potential invalidation of product warranties through modifications to toilet systems.

The Plumbers Gasfitters and Drainlayers Board (PGDB) felt that beyond extra costs and health, if the status quo requirement stayed, there was a risk of failure of the entire system.

“If Option 1 (no change) remains, a large number of vehicles would require modifications to meet requirements which the industry is not equipped to do within the timeframes allowed [and would be] putting the scheme at risk of failure.”

Some backers of Option 1 supported it conditionally, contingent upon the viability of alternative proposals they put forward (see below). Others felt that deviating from the status quo was unnecessary.

The Master Plumbers, Gasfitters and Drainlayers New Zealand Inc. supported Option 1 on principle that other options would create a separate plumbing standard just for motor homes, but they also acknowledged a direct venting requirement may be impractical for smaller vehicles.

² Some submitters gave more than one reason for their choice of option.

Submitters that supported Option 3 (9 per cent) felt it was a healthier and safer option than the others. One submitter said that because human waste is made up of mostly water, airflow is needed to aid evaporation, and so *“waterless (composting) toilets [should] be vented directly to the exterior of the vehicle...”*.

Environmental reasons were also cited by one submitter who supported Option 3.

The government asked specifically if submitters were aware of any public health concerns with removing the direct venting requirement. Most said there was not.

As per Table 3, 87 per cent of submitters who responded to this question were not aware of any public health concerns if the direct venting requirement was removed, although some specifically mentioned foul odours or smells could occur regardless.

Table 3: Are there public health concerns with removing the direct venting requirement, by response type

	Yes	No	Unsure	No response
Any public health concerns with removing the requirement	2	20	1	1

One submitter summed up what a number of others said:

“If [the] toilet is installed [correctly], odour from sewerage and chemical additives via the cassette pressure relief valve is minimised and taken care of by normal vehicle ventilation.” – ToiletsNZ

Master Plumbers, Gasfitters and Drainlayers New Zealand Inc. were unsure, but not aware of any public health concerns:

“[W]e do not have any evidence of public health issues. [T]he same aspects of cassette toilets apply to the plumbing industry where the point of venting is to take away odour from the motor home...”

NZMCA said in its decades of operation under the voluntary standard that they had not seen evidence of public health concerns related to venting.

Those who felt there was a public health concern with moving away from the status quo included a membership organisation and a Certification Authority. They described a current lack of public facilities for safe disposal of waste products, and risk of negative pressure build-up without venting, respectively.

The government asked if submitters thought would changing the requirements have other implications on the Regulations.

As per Table 4, of submitters that responded to this question (half), 83 per cent felt there was no implication on the Regulations to changing the venting requirement.

Table 4: do changing venting requirements have any impact on other regulations, by response type

	Yes	No	Unsure	No response
Does changing the requirement have any other implications on the Regulations	1	10	1	12

Only one submitter said that there would be implications, but positive:

“[C]hanges to existing installations would result in campers better meeting the intent of the Self-containment Vehicle regulations, to raise the standard of vehicles with self-containment certification.” – Thomas Plumbing and Gas Ltd.

However, the Master Plumbers, Gasfitters and Drainlayers New Zealand Inc. felt that changes would:

“[Create] a quasi-code outside of the [Plumbers, Gasfitters, and Drainlayers Act 2006] and the plumbing standards that doesn’t align with existing industry standards and will only cause confusion.”

Alternative proposals

Three alternative proposals were made by submitters, all from businesses. These were:

- A vented room could qualify as a requirement for chemical toilets as an alternative to venting the toilet itself unless the toilet itself is already vented.
- Standards need to specify that a cassette style toilet is installed only in a suitable compartment separate from the living area which saves the need for a separate vent.
- Some homemade waterless (composting) toilets do not divert urine to either a container or waste tank. In this case it is essential that fan assisted venting is used due to the much greater need for evaporation of water/urine.

Proposed amendment 2: The levy refund process

What we asked

The government identified the following options for the levy refund process in the instance where a vehicle fails its self-containment inspection:

- Option 1: Maintain the status quo that only the PGDB has the power to process individual refunds. This requires the PGDB to assess each request and determine the individual levy was unreasonable to recover in this instance before processing.
- Option 2: Delegate power to self-containment certification authorities to assess and process individual refunds. This means the PGDB do not need to be involved in the refund process.
- Option 3: Add an automatic power for the PGDB to refund all vehicles that fail their inspection. This removes the requirement for the PGDB to assess each individual refund application but still requires the PGDB to process the refund.

The government also asked for any alternative approaches for changing the levy refund process.

What we heard

Option 2 is the preferred option

As per Table 5 (below), of the submitters that responded, 75 per cent support Option 2, including four of six membership organisations. Reasons cited for supporting Option 2 were its cost savings, time savings, and the removal of an unnecessary administrative burden on the Regulator.

The Regulator itself is supportive of this option:

“[Option 2] would remove [a] time consuming, highly administrative burden on [the Regulator], as currently the levy refund process involves [the Regulator] regardless of whether a vehicle passes or fails its certification inspection.”

Tourism Industry Aotearoa felt that a more streamlined process *“[Would] ensure reduction of administrative burden.”*

Only one submission supported Option 1, who felt the Regulator should maintain oversight of refunds. Those who supported Option 3 felt this option safeguarded the levy payee from disputes, and would be a useful and manageable solution, respectively.

Table 5: Preferred choice for the levy refund process, by submitter type

	Individual	Rental vehicle business	Other business	Certification Authority	Regulator	Social media groups	Membership organisation	Total
Option 1: Only the Regulator has the power to process individual refunds			1					1
Option 2: Delegate power to self-containment certification authorities to assess and process individual refunds			2	1	1	1	4	9
Option 3: Add an automatic power for the PGDB to refund all vehicles that fail their inspection	1			1				2
No response	3	2	4	1			2	12

Alternative proposals to amendment 2

The government heard one alternative proposal to amendment 2, which was to delay paying the certification fee only after the inspection outcome was known.

Next steps

What happens next?

Any policy changes resulting from this consultation will require Cabinet agreement before the Plumbers, Gasfitters and Drainlayers (Self-Contained Vehicles) Regulations 2023 can be amended.

Annex One: List of submitters

Some names have been withheld on submitter's request (on a case-by-case basis). Some submitters fall into more than one category. These submissions have only been counted once.

Individuals	Four individual submitters
Certifying Authorities	B2B RV Ltd., Thomas Plumbing and Gas Ltd., ZDT Ltd.
Rental vehicle businesses	Lucky Rentals, Mad Campers
Other businesses	Wendekreisen Travel Ltd., Waterless Composting Toilets NZ Ltd., ToiletsNZ, Tourism Holdings Ltd., Wilderness Motorhomes Ltd., Action Manufacturing, Travel Cars NZ
Social media groups	Various
Membership organisations	Rental Vehicle Association, Master Plumbers, Gasfitters and Drainlayers NZ Inc., NZ Motor Caravan Association, NZ Lifestyle Camping, All Points Camping, Tourism Industry Aotearoa
Regulator	The Plumbers, Gasfitters and Drainlayers Board