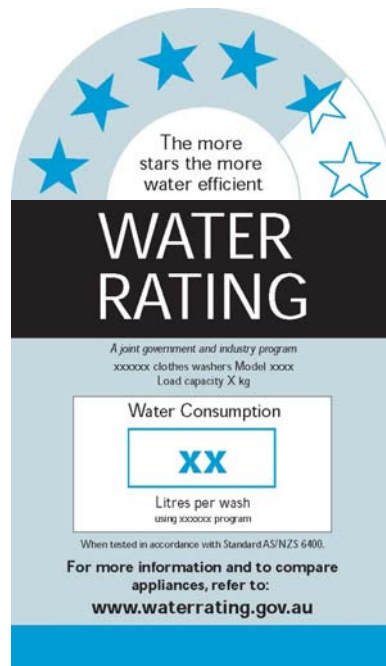


WATER EFFICIENCY LABELLING AND STANDARDS SCHEME

INDEPENDENT REVIEW

DISCUSSION PAPER 8 April 2010



INDEPENDENT REVIEW OF THE WATER EFFICIENCY LABELLING AND STANDARDS SCHEME

The Water Efficiency Labelling and Standards Scheme (the Scheme) has been established by the Commonwealth *Water Efficiency Labelling and Standards Act 2005* (the Act). The Scheme is a co-operative legislative arrangement, with mirroring state and territory legislation. Under Section 76 of the Act, an independent review of the Scheme is to be undertaken after five years of its operation.

Following consultation with all states and territories, the Commonwealth Minister for Environment Protection, Heritage and the Arts, the Hon Peter Garrett AM MP, appointed Dr Chris Guest to conduct the Review (the Terms of Reference for the Review appear at the end of this section).

This Discussion Paper has been prepared by Dr Guest. The Paper:

1. outlines each of the elements of the Scheme;
2. identifies issues in relation to each of these elements; and
3. presents possible options for addressing the issues.

The issues presented in the Paper have two sources. One is the stakeholder consultations that were conducted as the first step in the Review. The consultations yielded a set of recurring, credible issues that fell within the Terms of Reference for the Review. Second, the Review itself has identified some additional issues, particularly in relation to the governance of the Scheme and the objects of the Act. These two sources yielded an extensive set of issues. All of them are presented in the interests of informing and stimulating a comprehensive and concrete discussion about the Scheme.

Discussions with stakeholders about issues almost inevitably led to consideration of options that might address the issues that were being raised. For completeness, and to assist the way forward from the Discussion Paper to the Review Report, options are presented in the Paper.

The Paper does not assess any of the options. None of the options should be construed as being in any way a recommendation. All the issues and options presented in the Discussion Paper are contestable.

Individual and groups of stakeholders have different views about what the Scheme's issues are and how best to address them. The purpose of the Discussion Paper is to present a set of issues and options that are credible, but arguable, to stimulate discussion in a way that is comprehensive, concrete and constructive.

Submissions in response to the Discussion Paper are encouraged.

In particular, your views are sought on the following:

1. Do you agree that the issue identified needs to be addressed? If so, is the issue correctly described? Alternatively, do you disagree with the point of view reflected in the issue?
2. What is your view of the option presented to address the issue? Is there another, better option?
3. Are there other issues that have not been identified? What are they?
4. If there are other issues, what do you propose to address these other issues?
5. What is your view of the three Bundled Options presented at the end of the Discussion Paper? Do you favour one bundled option over the other two? Are there any changes you would like to make to the bundled option you favour?

The closing date for submissions is by the close of business 7 May 2010.

Once submissions have been received, the Reviewer is required to prepare a Report to the Minister with recommendations that address the Terms of Reference.

All submissions will be published on the Review website (www.environment.gov.au/welsreview), unless you request that yours not be published. If you consider that all or part of your submission should not be published, please identify the relevant parts when making your submission and state the grounds for withholding the material. A completed cover sheet must be included with your submission (the cover sheet is at Attachment C). Copyright will continue to reside in the author/s of a submission. Note that all submissions are subject to the *Freedom of Information Act 1982* in Australia and the *Official Information Act 1982* in New Zealand.

Stakeholder submissions and further research will shape the Review Report that will be presented to the Commonwealth Minister for Environment Protection, Heritage and the Arts. An evidence-based approach will be used in reviewing submissions and considering options to ensure that the Report's recommendations are well-based.

A number of roundtable meetings with stakeholders will be conducted by Dr Guest during April and May to consider the issues and options presented in the Discussion Paper.

Submissions should where possible be lodged electronically to:
welsreview@environment.gov.au

Submissions can also be submitted by post to:

WELS Review Secretariat
Department of Environment, Water, Heritage and the Arts
WELS Scheme
GPO Box 787
CANBERRA ACT 2601

Further information can also be obtained by calling the WELS Review Secretariat on 1800 218 478.

Terms of Reference

Purpose

An independent review of the operation of the Water Efficiency Labelling and Standards (WELS) scheme is required, consistent with Section 76 of the WELS Act 2005.

The review will examine the appropriateness, effectiveness and efficiency of the operation of the WELS scheme to date, consider opportunities for improvement and make recommendations where considered appropriate. In particular, the review will:

Appropriateness

- Examine the objectives and underlying context of the existing WELS scheme; and
- Assess the consistency and continued relevance of the WELS scheme and relevant legislation in the context of current national water policy.

Effectiveness

- Examine progress and the contribution of the existing WELS scheme toward its objectives and what has contributed to these outcomes;
- Consider and make recommendations if appropriate on any possible alternative operating arrangements for the WELS scheme that may be more effective in achieving the scheme's objectives. Areas to consider may include (but should not be necessarily limited to) alternative arrangements for:
 - administration policies and processes, including those applying to registration, compliance and enforcement;
 - technical and testing requirements (to the scheme's current use of and interaction with Australian standards and Standards Australia committees);
 - funding and other resources;
 - stakeholder communication and consultation; and
- Explore any relevant linkages, lessons and opportunities (particularly for improving regulatory outcomes for both industry and consumers) with similar efficiency rating programs such as Australia's energy efficiency rating and labelling programs and make recommendations if appropriate.

Efficiency

- Assess whether funding for the operation of the scheme has been used efficiently and make recommendations on whether any possible alternative operating arrangements may achieve the scheme's objectives more efficiently. Areas to examine include:
 - administration policies and processes, including those applying to registration, compliance and enforcement;
 - the use of and interaction with Standards Australia and its committees;
 - funding and other resources; and
 - stakeholder communication and consultation.

In undertaking the review, consideration is also to be given to the current program of investigation into the possible inclusion of further products and minimum

performance standards. Any potential additional operational issues, or longer term program requirements, arising from an expansion of the scheme are to be identified.

Intergovernmental Agreement

In conjunction with the review of the operation of the WELS scheme, States, Territories and the Australian Government will also be reviewing the WELS Intergovernmental Agreement (IGA). Accordingly, the review of the scheme is to also consider the operation of the IGA and, in the context of the scheme's review, provide any advice and recommendations thought appropriate regarding possible changes to the IGA.

Consultation

The review will invite public submissions and be conducted in consultation with the Minister, the Regulator, the WELS Advisory Committee and other relevant stakeholders, including consumer, environmental and industry groups considered appropriate.

Deliverables

A report, including executive summary and any relevant recommendations, will be provided to the Minister for the Environment, Water, Heritage and the Arts by 30 June 2010.

The WELS Act requires a copy of the report to be tabled in each House of the Parliament within 15 sitting days of the day on which the report is given to the Minister.

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1.0 OVERVIEW

1.1 The WELS Scheme

The genesis of WELS was a voluntary water efficiency labelling scheme established in 1988, initially managed by the Melbourne Metropolitan Board of Works, and later also by Sydney Water. In 1999, responsibility for the scheme was transferred to the Water Services Association of Australia. The scheme used an “A” rating structure.

A commitment to establishing a government national water efficiency labelling scheme was made in the 2004 National Water Initiative (Paragraph 91(i)), by the Commonwealth, state and territory governments.

In 2005, the Australian Government and state and territory governments entered into the Water Efficiency Labelling and Standards Intergovernmental Agreement (IGA). The IGA agreed to create the WELS Scheme (the Scheme) by complementary Commonwealth, state and territory legislation.

The Scheme was established by the Commonwealth *Water Efficiency Labelling and Standards Act 2005* (the Act). It is a co-operative legislative arrangement, with mirroring state and territory legislation. The Act commenced on 18 March 2005. Following a phase-in period, the Scheme became mandatory on 1 July 2006.

The Scheme’s objects are to conserve water by reducing consumption, through providing information to consumers about the water efficiency of products and by promoting the adoption of water efficient technologies, including by setting minimum efficiency standards.

WELS is designed to improve the performance of the market for water-using products by increasing the sale of water efficient products and contributing to water conservation. On the demand side, WELS purpose is to guide consumers to more water efficient appliances and fittings, by providing information about water efficiency and use that could otherwise be difficult to obtain. Indirectly, this may encourage the supply of water efficient appliances by increasing consumer demand. On the supply side, the Scheme aims to improve the performance of products above what they would otherwise be, by setting minimum standards.

To achieve these objects, the Scheme requires that designated water-using products display at the point of sale, a star rating of their water efficiency and information about the volume of water used. Currently, the products covered by the Scheme are toilets, clothes washing machines, dishwashers, urinals, taps and showers. Minimum water efficiency standards apply only to toilets at present. Flow controllers can be registered and labelled under the Scheme on a voluntary basis.

1.2 Application of WELS by States and Territories

All states and territories either currently offer or have offered rebates on the purchase of water-using appliances, most commonly washing machines, showerheads and toilets. An attraction of encouraging water efficient products is that they “hardwire”

water savings for long term water conservation, because the savings generally do not depend on consumer behaviour. WELS ratings provide a convenient, independent and authoritative reference for setting rebates.

Rebates appear to have strongly affected the composition of appliance sales. The number of water efficient models on offer has expanded, and sales of these models have increased strongly. However, there is some evidence that, once a rebate program ends, consumers revert to cheaper, less water efficient models.

In recent years, state and territory planning frameworks have also sought to address water conservation by prescribing water efficiency standards for new residential and non-residential buildings, by reference to the WELS ratings of appliances and fittings. Although the extent of water efficiency prescriptions varies between jurisdictions, there is a clear trend to increasing prescriptions about water efficiency, along with energy efficiency, for new building work.

The application of WELS by states and territories in rebate programs and planning frameworks is presented in detail at Attachment A.

1.3 The Results of WELS

A cost effectiveness study undertaken for the Commonwealth Department of Environment, Water, Heritage and the Arts (DEWHA) found that the Scheme has generated water savings at a cost of \$0.08KL to \$0.21KL. This compares favourably with other demand management and supply augmentation measures. For instance, desalination can cost between \$1.19KL to \$2.55KL. On the other hand, the scope for new water savings from WELS will diminish as the adoption of water efficient appliances becomes widespread.

The study projected that over the period 2005-06 to 2020-21, WELS will reduce national water consumption by a total of 800GL, which is almost double the annual water consumption of greater Sydney. The main savings were estimated to come from showerheads (290GL) and washing machines (280GL).

1.4 Equipment Energy Efficiency Program

The Equipment Energy Efficiency (E₃) Program is the energy counterpart of the WELS Scheme. The two schemes operate in parallel but separately. Clothes washers and dishwashers are subject to both WELS and E₃.

The E₃ Program commenced nationally in 1992, and includes a range of measures to increase the energy efficiency of products used in the residential, commercial and manufacturing sectors. The two main policy tools are minimum energy performance standards (MEPS) and mandatory energy efficiency rating labelling. Labelling is required for household refrigerators and freezers, clothes washers, clothes dryers, dishwashers, air conditioners (single phase) and televisions.

In July 2009, COAG released a National Strategy for Energy Efficiency. The Strategy includes developing Commonwealth legislation for energy labelling and appliance and equipment MEPS. As part of the process for developing new legislation, a

Consultation Regulation Impact Statement was released in January 2010. There followed a six week period for public consultations, which closed on 1 March 2010.

1.5 Stakeholder Consultations

The first stage of the Review has included an extensive round of stakeholder consultations to seek a comprehensive and representative set of experiences and views. Fifty three stakeholder meetings were conducted during February and early March 2010 in Sydney, Melbourne, Brisbane, Hobart, Adelaide, Perth and Canberra. Consultations with Northern Territory stakeholders and some others were held by teleconference. The meetings provided a thorough understanding of the perspectives of these stakeholders about the issues and options in relation to the effectiveness, efficiency and appropriateness of WELS.

The meetings were with the following groups of stakeholders:

- WELS Advisory Committee (WELSAC) – state and territory government officials, and officials from the New Zealand Government, which is an observer member of WELSAC;
- Other state and territory government agencies that deliver programs (such as rebates) or regulate activities (such as building and planning codes) using WELS ratings
- Industry associations
- Major urban water utilities
- Manufacturers, importers, wholesalers and retailers
- Non-Government Organisations
- Individual Experts

A list of the stakeholders with whom meetings occurred is at Attachment B.

1.6 Outline of the Discussion Paper

The Discussion Paper presents the 12 elements of the Scheme one by one. Following an outline of each of these elements, a number of issues are presented.

The issues presented in the Paper have two sources. One is the stakeholder consultations that were conducted as the first step in the Review process. The consultations yielded a set of recurring, credible issues that fell within the Terms of Reference for the Review. Second, the Review itself has identified some additional issues, particularly in relation to the governance of the Scheme and the objects of the Act. These two sources yielded an extensive set of issues. All of them are presented in the interests of informing and stimulating a comprehensive and concrete discussion about the Scheme.

Discussions with stakeholders about issues almost inevitably led to consideration of options that might address the issues that were being raised. For completeness, and to assist the way forward from the Discussion Paper to the Report, options are presented in this Discussion Paper.

The Discussion Paper does not assess any of the options. None of the options should be construed as being in any way a recommendation. All the issues and options presented in the Discussion Paper are contestable.

Individual and groups of stakeholders have different views about what the Scheme's issues are and how best to address them. The purpose of the Discussion Paper is to present a set of issues and options that are credible, but arguable, to stimulate discussion in a way that is comprehensive, concrete and constructive.

A package of recommendations will be presented in the Review Report. To facilitate a clear pathway from the Discussion Paper to the Review Report, three Bundled Options are presented in Section 3.0. The Bundled Options are:

1. Improving performance under the existing Act and IGA;

This Bundled Option aims to improve the implementation of the existing Act and IGA. The premise of this Option is that the model for the Scheme is sound, but that its delivery needs to be addressed. Only limited legislation would be required (in relation to compliance). Some policy changes would be required, such as in relation to cost recovery. Implementation could occur relatively quickly.

2. Governance and Administrative Reform;

This Bundled Option could include the elements of Option 1, but also with reforms to make WELSAC a decision-making body; to merge the administration of WELS and the Equipment Energy Efficiency Program; and once the responsibility for the administration of the Watermark Certification Scheme is decided as part of the Building Ministers' Forum process, delegate the administration of WELS rating for plumbing products to the same body.

3. Referral of Powers to the Commonwealth;

This Bundled Option would entail replacing the current co-operative Commonwealth/State WELS Scheme with a Commonwealth Scheme. For this to be done, the states would need to refer Constitutional power for the WELS Scheme to the Commonwealth. Option 3 could build on the administrative reforms of Option 2.

2.0 REVIEW OF WATER EFFICIENCY LABELLING AND STANDARDS SCHEME

The role of discussion papers is to identify issues that need to be addressed and stimulate discussion about how to achieve improvements. In doing so, they can, without intending it, give an unduly negative impression about the matter being reviewed. So it is worth emphasising that all stakeholders with whom consultations occurred regard the WELS Scheme as a good thing.

Stakeholders agree its objective of conserving water by assisting consumer decisions is sound, its use of market instruments is efficient and effective, and its national scope is appropriate. Thus, while there are some significant issues and disappointments about the way WELS is performing, there appears to be no desire to undo the Scheme. The disappointments are perhaps more acute because support for the Scheme is strong.

Principal Elements of the WELS Scheme – Issues and Options

1. Governance

The WELS Scheme is a co-operative national scheme. The Commonwealth, the states, the Northern Territory and the Australian Capital Territory have each passed complementary legislation. The states and territories have agreed that the Commonwealth administer the Scheme on their behalf. The Environment Protection and Heritage Council (EPHC) is the forum for discussion of WELS issues by Commonwealth, state and territory environment ministers.

The Commonwealth Minister determines that water-use or water-saving products are WELS products. To make the determination, the Minister needs the agreement of the majority of the states and territories. Consistent with the convention for ministerial councils, in practice agreement is reached by consensus.

As part of the 2005 Water Efficiency Labelling and Standards Intergovernmental Agreement (IGA) by which governments agreed to establish the Scheme, a WELS Advisory Committee (WELSAC) was established to “oversee the implementation of the Scheme”. WELSAC comprises officials from the Australian, state and territory governments, and a representative from the New Zealand Government as an observer.

While two open-invitation stakeholder forums have been conducted since the Scheme’s inception, there is no standing stakeholder advisory group.

<i>Governance</i>		
	<i>Issues</i>	<i>Options to address issues</i>
1.1	<p>There are some questions about the appropriateness of the EPHC as the decision-maker on WELS products and standards:</p> <ul style="list-style-type: none"> • Environment ministers often do not have responsibility for the Scheme within their jurisdiction – in these cases, responsibility is with water ministers; • WELS is a low priority for EPHC; • EPHC meets only twice per year; and • WELS matters that come to EPHC for decision can often be highly technical and inappropriate for a ministerial council. 	<ul style="list-style-type: none"> • WELSAC could be delegated the decision role on products and standards, and could provide an annual report to the EPHC; or • States could refer constitutional powers in whole or part (for example, for expansion of products covered by the Scheme) to the Commonwealth Minister, thus making the Minister the decision-maker.
1.2	<p>The IGA describes the role of WELSAC as being to “oversee the implementation of the Scheme”. This is seen by states and territories as not being sufficiently clear.</p>	<ul style="list-style-type: none"> • To address this issue would require revising the IGA to set out in detail the role of WELSAC. • The issue could also be addressed by developing a long term strategic plan for WELS, agreed by WELSAC. The plan would be used by WELSAC to review the performance of WELS administration. This would include monitoring expenditures against revenues and budget.
1.3	<p>Many stakeholders feel disengaged from WELS. They feel they have no formal capacity to have input to the administration of WELS, or be informed of its practice and plans.</p>	<ul style="list-style-type: none"> • Establishing a standing stakeholder advisory group to provide input and receive reports about WELS administration, compliance, product expansion and

		<p>minimum efficiency standards could address this issue.</p> <ul style="list-style-type: none"> • A further measure would be to strengthen the communication strategy, including revising the current InkWELS bulletin.
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2. Objects of the Act

The objects of the Act are to conserve water by reducing consumption, by providing information to consumers about the water efficiency of products and by promoting the adoption of water efficient technologies, including by setting minimum efficiency standards.

The Act seeks principally to achieve these objects by prescribing national water efficiency labelling requirements and standards.

In recent years, state and territory planning frameworks have sought to address water conservation by prescribing water efficiency standards for new residential and non-residential buildings. This is done by reference to the WELS ratings of appliances and fittings. Although the extent of water efficiency prescriptions varies between jurisdictions, there is a clear trend to increasing prescription about water efficiency, along with energy efficiency, within buildings. The arrangements in each state and territory are presented in Attachment A.

This application of WELS ratings in building and development codes does not appear to be contemplated by the objects of the Act.

<i>Objects of the Act</i>		
	<i>Issues</i>	<i>Options to address issues</i>
2.1	<p>WELS is a consumer information and standards Scheme: however, WELS rating of water-using products is now part of state and territory planning frameworks for new residential and non-residential buildings. WELS ratings are for individual appliances and fittings, whereas the intent of planning frameworks is to achieve a whole-of-building water efficiency:</p> <ul style="list-style-type: none"> • is the present WELS approach of individual rating of products appropriate for 	<ul style="list-style-type: none"> • A study could be undertaken to assess the extent of interdependence in the performance of appliances and

	<p>prescribing the water efficiency performance of a building? If not, is a holistic method of rating, which takes account of the interdependence between the water efficiency of appliances and fittings required?</p>	<p>the impact this has on their water efficiency. If the interdependence is found to be significant, then the next step would be to investigate a methodology for a holistic rating; or</p> <ul style="list-style-type: none"> • Planning is a state and territory responsibility, and the matter could be left to state and territory planning frameworks to address. Some planning frameworks (such as NSW BASIX) already seek to address the interdependence. There may need to be differences between jurisdictions in this regard, to reflect the specific needs and circumstances of each jurisdiction. • Either way, individual ratings would still be needed for new and replacement purchases for existing buildings.
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3. WELS Standards

The WELS standard sets out the criteria for rating products in relation to water efficiency and prescribes the way in which information about such ratings and water use is to be presented on a WELS label.

The standard requires that products must be registered for them to be offered for supply to the market.

If registration is required, then the standard may also require that products comply with specified minimum standards.

Currently there is only one minimum standard, which is for toilets. This standard predates the Scheme.

The WELS standard is set by reference to the Australian Standard: *AS/NZS 6400: 2005 Water efficient products - Rating and labelling*. The Standards Australia Committee WS-032 maintains the Australian Standard. The Committee has 36 voting members and one ex-officio member, and includes manufacturer, industry association, water utility, consumer and DEWHA WELS and state government representation. Decisions about the Standard are made by consensus. When changes are made to AS/NZS 6400, the Minister may make a new Determination to call up the revisions.

Many stakeholders commented on the suitability of the existing Australian Standard - AS/NZS6400 - and the Standards Australia process for standard setting. The Review's Terms of Reference include considering alternative arrangements for "technical and testing requirements (to the Scheme's current use of and interaction with Australian Standards and Standards Australia committees)". So while consideration of whether WELS should use the Standards Australia process to set standards is within the Review's Terms of Reference, it is arguable whether comments on AS/NZS6400 itself are within the Terms of Reference. However, they are included here for completeness. Ultimately, they are a matter for the WS-032 Committee.

<i>WELS Standards</i>		
	<i>Issues</i>	<i>Options to address issues</i>
3.1	There is a concern that the Standards Australia process is not working well and other ways of setting standards should be considered. These concerns include that the process is unduly slow and complex, that it is vulnerable to conflicts of interest for committee members, and that the user pays funding model is inappropriate.	<ul style="list-style-type: none"> • Other methods for developing standards are: <ul style="list-style-type: none"> - for DEWHA (perhaps assisted by consultants) to write the standards, and for the Minister to determine them after consultation; or - as above, but with the additional step of vetting a draft standard via a consultative committee of experts and stakeholders. <p>Alternatively,</p> <ul style="list-style-type: none"> • The Standards Australia process could be improved by: <ul style="list-style-type: none"> -assigning a strong role to the WS-032 Committee Chair to address potential conflicts of interest and expedite the process; -reducing the size of the WS-032 Committee; -utilising Standards Australia's funded contract model, with set timeframes and deliverables; and -drafting being undertaken by individual and working groups outside the Committee to speed up the process.

<p>3.2</p>	<p>Various issues have been raised about the appropriateness of AS/NZS 6400:</p> <p>3.2.1: it does not address all relevant aspects of the performance of clothes washers;</p> <p>3.2.2: there is some evidence of increasing consumer unhappiness with the performance of clothes washers – has water efficiency been at the cost of other aspects of performance?</p> <p>3.2.3: Star ratings do not properly take account of the size of the appliance – a three star appliance is not necessarily 60 per cent less efficient than a five star appliance</p> <p>3.2.4: Consumer behaviour may undermine the tested rating of the product. Rating tests should reflect the impact of user behaviour. For example, a consumer may wash a partial load of clothes and select a high water setting, thereby using considerably more water than the WELS label indicates. What assumptions are made about consumer behaviour in setting a standard?</p> <p>Two other issues are:</p> <p>3.2.5: a concern that standards are moving in wrong directions; for example, the Committee is currently examining a comfort rating for showers – the concern is that comfort is too subjective to be captured as a standard; and</p> <p>3.2.6: a general caution that AS/NZS6400 should not get out of line with overseas standards. Australia depends heavily on imports for whitegoods, sanitary ware and plumbing products, and Australia is a small market for overseas producers. If our standards move out of line with overseas, products may be withdrawn from the Australian market as manufacturers may not have sufficient incentive to meet Australian WELS requirements.</p>	<ul style="list-style-type: none"> • In each of these cases, the option would be to review AS/NZS6400 in the light of the specific issue.
<p>3.3</p>	<p>If there is a change in the standard adopted by WELS, retailers, importers and manufacturers may be left with stock that does not comply with the new standard that cannot be sold.</p>	<ul style="list-style-type: none"> • A way to address this issue would be to add a grandfathering provision to the Act to allow the sale of stock held at the time of a change to the standard.

4. The Regulator – WELS Administration

The Act establishes the function of the WELS Regulator, to be undertaken by the Secretary of the Commonwealth department (DEWHA).

The Regulator administers the Scheme on behalf of all governments, undertakes research and provides advice in relation to WELS products and standards.

The Department of Environment, Water, Heritage and the Arts administers the Scheme on behalf of all governments.

There are four main activities in the administration of the WELS Scheme. These are:

- Registration of products covered by the Scheme and maintain a Scheme data base;
- Compliance and enforcement undertaken by monitoring compliance with the Scheme and gathering evidence in relation to potential non-compliance matters;
- Standards and legislation by overseeing the drafting of legislation and determinations and advising the Minister on these matters. Staff also represent the Scheme on Standards Australia committees and support WELSAC;
- Communications by developing and implementing activities that raise awareness of WELS and compliance obligations; and
- WELS Expansion by overseeing a program of work to investigate new minimum water efficiency standards and new product types to be brought into the Scheme.

The WELS administration reports to an Assistant Secretary within the Water Group of DEWHA. Current staffing is 12 people, at a cost of about \$1.2 million per year.

As already noted, the E₃ Program is the energy counterpart of the WELS Scheme. The two schemes operate in parallel but separately. Clothes washers and dishwashers are subject to both WELS and E₃. The administration of E₃ was part of DEWHA until March 2010, when the role was transferred to the Department of Climate Change and Energy Efficiency. The current staff level is around 40 people.

The administration of WELS for taps, showers, toilets, urinals and flow controllers interfaces with the Watermark Certification Scheme. Under the Watermark Scheme, all plumbing products sold in Australia need to have Watermark certification to show that they are fit for purpose and can be installed. Watermark certification is presently administered by Standards Australia. However, Standards Australia has indicated its desire to divest itself of the role in June 2010.

The question of who should in future administer Watermark is being examined by the National Construction Code Working Group. The Working Group has been established under a COAG process, to report to the Building Ministers' Forum. The Working Group is also to recommend a new, single National Construction Code by merging the Building Code of Australia and the Plumbing Code of Australia. The new National Construction Code is expected to be published in May 2011.

<i>WELS Administration</i>		
	<i>Issues</i>	<i>Options to address issues</i>
4.1	There is a perception that the WELS administration is subject to high staff turnover. A high staff turnover potentially limits staff subject matter expertise and undermines the continuity of relationships with stakeholders, administration and issue management.	<ul style="list-style-type: none"> • Strengthen internal DEWHA WELS work processes to ensure new staff are adequately trained and improve records management to improve continuity of administration. • More fundamentally, the administration of the E₃ Program and WELS could be merged; and • In addition, the administration of plumbing products for WELS (taps, showerheads, toilets, urinals and flow controllers) could be transferred to the new administrator of the Watermark Certification Scheme.
4.2	Plumbing and white goods appliances are different kinds of products and there is a view that they should therefore be dealt with differently for WELS purposes.	<ul style="list-style-type: none"> • On the principle of putting like with like, the WELS administration of plumbing products could be administered under the new arrangements for Watermark (as above); and • Adopting the same principle, the remaining WELS appliance administration could be merged with the E₃ Program.

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5. Registration

All WELS products must be registered. An application for registration is generally made by the manufacturer for domestically produced products and the importer for overseas produced products.

Manufacturers and importers apply on-line for registration.

An application for registration must provide

- Test report(s) showing compliance with the WELS standard
- A sample label
- A registration fee of \$1500 for a primary registration (later registrations that are considered “like products” can be registered free by being added to the initial primary registration – the like products are referred to as a “family of models”).

Once an application is accepted, the product is registered by a notice in the *Commonwealth of Australia Gazette*.

The Act allows three months for consideration of an application. DEWHA advises that the average registration processing time is two to four weeks.

The Regulator may refuse registration if, among other things, the information is not accurate, or the product does not satisfy the required WELS standards.

A WELS product remains registered for five years, unless it is cancelled or suspended. The five year registration period may be extended by up to one year by the Commonwealth Minister.

Registered products can be searched on the public product search database.

At 31 December 2009, the Scheme had 3,621 registrations, covering 12,973 product models. These registrations relate to 513 organisations (who are individually identified by a unique number, referred to as a licence number). Around half of the registrations are registered free of charge under the family of models provision, whereby a number of products can be registered provided they have the same manufacturer, brand name and water efficiency.

All products subject to the E₃ Program must be approved by a regulatory authority and registered. Currently, energy labelling applications are accepted by New South Wales, South Australia, Victoria, Queensland and New Zealand. All states and territories accept any valid registration approval in another state. Applications for energy and water efficiency registration are almost identical: both require test reports, a sample label and registration fee.

<i>5. Registration</i>		
	<i>Issues</i>	<i>Options to address issues</i>
5.1	There is a perception that WELS registration is unduly slow, compared with the E ₃ Program.	<ul style="list-style-type: none"> • One option would be to contract out the registration function to a private provider, with a tender specifying performance requirements; or • An alternative would be to allow registration in a number of (competing) states, as for the E₃ Program. • Finally, the function could be retained within DEWHA, but with shorter processing times enforced.
5.2	The \$1500 registration fee compares unfavourably with the \$285 fee for E ₃ registration in Victoria.	<ul style="list-style-type: none"> • The WELS registration fee was intended to fund the administration of the Scheme, which is not the case for the E₃ Program. Lowering the fee would require a change of this policy (discussed further below).
5.3	The Act allows a period of 12 weeks for the assessment of registration. This is regarded as being too long as delays in registration can be costly to manufacturers, for starting production must await registration.	<ul style="list-style-type: none"> • The solution would be to set a shorter time limit, such as six weeks.
5.4	The requirement for gazettal seems unnecessary and adds to the time taken for registration.	<ul style="list-style-type: none"> • Discontinue gazettal requirement.
5.5	Currently, all WELS products brought into	<ul style="list-style-type: none"> • Allow for market

	Australia must be registered, so market testing of new products is not possible without registration. This is an unnecessary expense, for a product that may never be marketed in Australia.	testing without registration.
5.6	Appliances that require water and energy rating bear an unduly high compliance cost by having to complete two separate registration applications.	<ul style="list-style-type: none"> • Introduce one registration form for appliances with water and energy ratings. This would be easier to implement if the administrations were merged.
5.7	Applicants are required to pay for registration in advance, without receiving an invoice. This breaches industry internal audit requirements.	<ul style="list-style-type: none"> • Issue an invoice when the application for registration is lodged.
5.8	The requirement for the renewal of registration after five years is unnecessary, so long as there is no relevant change in the performance of the product.	<ul style="list-style-type: none"> • Rather than requiring a time based renewal, registration could remain valid so long as the product's water efficiency performance is unchanged.

6. Labelling

A WELS label must be displayed at the point of supply. The form and content of the label are prescribed by AS/NZS 6400. The label is a paper one, glued to the appliance. It shows the star rating out of six stars and the volumetric consumption of water, as well as the unique identifying number of the entity that registered the product.

<i>Labelling</i>		
	<i>Issues</i>	<i>Options to address issues</i>
6.1	Audits of building water efficiency are becoming more common; for example, some jurisdictions require a Sustainability Declaration on the sale of existing buildings. This Declaration states the water efficiency of the appliances and fittings being sold with the building. The current removable labels are not suitable for audits, which may be conducted well after the appliances are installed.	<ul style="list-style-type: none"> • This issue could be addressed by the WELS label being a permanent marking, such as a metal plate.
6.2	More appliances, particularly clothes washers, are getting near the maximum number of stars, so the stars are less helpful as a measure of comparative performance.	<ul style="list-style-type: none"> • Add extra stars to the current six star rating metric; or • Reconfigure the method for determining the star ratings.
6.3	Some retailers' experience is that consumers place more significance on the volumetric information rather than the star rating, so the prominence of the star rating on the label is inappropriate.	<ul style="list-style-type: none"> • Addressing this issue would require redesigning the label.
6.4	There is a view that information in addition to the current volumetric information and star rating is required to assist consumer choice.	<ul style="list-style-type: none"> • Useful additional information would need to be identified. One possibility is whole of product life cost information.
6.5	Combined clothes washers/dryers are not labelled for their full water use, as dryers are not a WELS product even though they are water-using.	<ul style="list-style-type: none"> • The water-using dryer mode of combined clothes washer/dryers would need to be included in the WELS Scheme.
6.6	Having different water and energy labels can create confusion and is considered by some to be unattractive for retail presentation.	<ul style="list-style-type: none"> • This would require combining the two labels.
6.7	Some products such as hot water services are water-using but are only rated for energy use.	<ul style="list-style-type: none"> • Where products are not rated for water

	This can create confusion for consumers.	use, the label could say so.
6.9	The licence number on the WELS label is of the entity registering the product, which need not be the manufacturer. This makes it hard to trace the manufacturer and so check the label against registration to determine whether the product is registered.	<ul style="list-style-type: none"> This could be addressed by conducting check testing at manufacturers' plants.

7. Compliance

Under the Act, it is an offence to supply a WELS product which:

- is not registered or which is registered but not WELS-labelled;
- where a registered product does not meet a minimum water efficiency requirement or minimum general performance requirements;
- uses a WELS standard or information included in a WELS standard, in a way that is inconsistent with the standard; or
- uses information in the supply of a WELS product inconsistent with the information in the applicable standard for the product.

The offences created by the Act are offences under the Criminal Code. Therefore, alleged offences must be proven beyond reasonable doubt. Four enforcement instruments are available: Penalty Infringement Notices, enforceable undertakings, injunctions and prosecutions. For some offences, the penalties are fines or imprisonment.

A WELS inspector may enter the public areas of WELS premises to inspect, observe practices and collect information, and requires the consent of the occupier to enter the other areas of WELS premises. Alternatively, a WELS inspector can enter premises with a warrant.

Compliance has been subject to resource constraints. The Regulation Impact Statement on the *Proposed National System of Mandatory Water Efficiency Labelling for Selected Products* (2004) allocated only \$100,000 per annum to compliance during the Scheme's first five years. Although the Australian Government has contributed additional funding to compliance activity, funding for compliance remains limited.

The focus of compliance has tended to be on retailers. There is only very limited check testing of ratings and water use information on labels.

No Penalty Infringement Notices have been issued. One matter is currently being considered for prosecution or alternative enforcement action.

There are some significant differences with the compliance arrangements under the E₃ Program. Around 120 compliance tests have been conducted each year up to 2007/08.

This number is expected to rise significantly with the tripling of the testing budget in 2009/10. The testing regime is targeted to products for which there is a reason to believe there is a compliance issue. As a result of compliance testing, there have been 56 de-registrations between 2005/06 and 2007/08. Market surveillance is also undertaken. Stores are chosen at random. Inspections at stores are undertaken without prior notice: a letter of authority is given to the store manager on arrival at the store.

<i>Compliance</i>		
	<i>Issues</i>	<i>Options to address issues</i>
7.1	There is limited visibility to the compliance program and minimal public information about compliance actions or responses to compliance allegations.	<ul style="list-style-type: none"> • Develop feedback mechanisms, through publicity and a new stakeholder industry advisory group.
7.2	The current criminal standard of proof - beyond reasonable doubt - may be inappropriate for the nature of the offences.	<ul style="list-style-type: none"> • The alternative would be to establish offences as civil offences, which would mean that the offence must be proven on the balance of probabilities – a lower standard of proof.
7.3	A warrant is required for inspections, and this can be time and resource consuming.	<ul style="list-style-type: none"> • The requirement for a warrant could be removed. Instead, inspectors could be required to have reasonable cause for a site visit.
7.4	The penalties may be inappropriate to the nature of the offences. Imprisonment may be inappropriate to the nature of the Scheme. New sanctions may be required to better address the nature of the offences.	<ul style="list-style-type: none"> • Additional sanctions could include deregistration of a product and requiring public statements by offenders.
7.5	There is a view that the compliance program is both too small and misdirected to retailers, when the compliance problem is in ratings accuracy and the robustness of tests.	<ul style="list-style-type: none"> • Additional compliance resources would be required to conduct check testing. <p>-check testing could be conducted at the</p>

		<p>time of registration application; or</p> <p>-an audit could be conducted at manufacturers' plants. Audits could be random or targeted to cases where there is a reason to believe there may be non-compliance.</p>
7.6	It is not clear if the current Act requires that product advertising must display the WELS rating. In any event, there is a perception this is not being enforced.	<ul style="list-style-type: none"> Investigate the value of requiring advertising to display the WELS rating, and then amend the Act to make it clear whether or not advertising must display the WELS rating.
7.7	The large volume of imported appliances and direct sale, particularly to commercial customers, makes compliance activity more difficult.	<ul style="list-style-type: none"> Introduce a customs requirement for a declaration to establish a data base to track entry and check compliance.
7.8	There is a view that compliance is very different from the other aspects of WELS administration, and may be better assigned to another body with an existing compliance role.	<ul style="list-style-type: none"> The compliance role could be transferred to the Australian Competition and Consumer Commission under its consumer protection function.

8. Communications

DEWHA undertakes a WELS communications program. The objective of the communications activities is to raise awareness of the WELS Scheme to:

- Enable consumers to make more informed choices in relation to the water efficiency of products; and

- Achieve a high level of voluntary compliance among product suppliers, by raising awareness of their legal obligations and the process and penalties for non-compliance.

The focus of communications has been on the latter. Communications to consumers have been limited to some advertising in major metropolitan newspapers.

<i>Communications</i>		
	<i>Issues</i>	<i>Options to address issues</i>
8.1	WELS is losing visibility among consumers and industry. WELS is regarded by many stakeholders as the poor cousin to the E ₃ Program.	<ul style="list-style-type: none"> • To address this issue would require relaunching WELS. • A new quarterly WELS Bulletin, to replace the existing InkWELS could assist relaunching WELS.
8.2	There is a perception that WELS could do more to assist retail sales staff help consumer decisions.	<ul style="list-style-type: none"> • WELS could develop and provide training modules for use by retailers for staff training.
8.3	The Scheme offers no incentives for good performance.	<ul style="list-style-type: none"> • Public awards could be introduced for outstanding retailer and manufacturer performance. These could be part of a communications strategy.

9. Product Expansion and setting new Minimum Efficiency Standards

EPHC Ministers agreed on 26 November 2006 to work being undertaken to examine raising the minimum WES for toilets and introducing minimum water efficiency standards for all other WELS products, and to investigate bringing additional products into WELS. These additional products are hot water circulators, evaporative air conditioners, domestic irrigation controllers, and instantaneous gas hot water heaters. DEWHA is also investigating labelling the water-using dryer component of combination washer dryers.

Funding of \$2.6 million was obtained from the Raising National Water Standards Program to undertake this work over four years until 30 June 2011.

Three regulation impact statements are underway. One is on minimum water efficiency standards for clothes washers, dishwashers and combined washer dryers. A Consultation RIS on this was released for public comment in November 2008. The Decision RIS is expected to be submitted for EPHC consideration in April 2010.

The second investigation is on water efficiency standards for showers, taps and urinals, and increasing the existing minimum water efficiency standard for toilets. A Consultation RIS is being developed and is expected to be released for public comment in the second half of 2010.

The third investigation is considering bringing additional products into the Scheme. Two reports relating to this work are scheduled for release in April 2010, to be followed by a Consultation RIS in the second half of 2010.

<i>Product Expansion and setting new Minimum Efficiency Standards</i>		
	<i>Issues</i>	<i>Option to address issues</i>
9.1	There is no standing process by which new products can be proposed and assessed for inclusion in the Scheme. There is a perception that this has meant there is no systematic examination of product expansion. This may be why commercial catering equipment has not been considered for inclusion.	<ul style="list-style-type: none"> The long term strategic plan would be a way of explicitly and systematically considering which products should be considered for inclusion in the Scheme.
9.2	There has been no expansion to the products covered by the WELS Scheme and no new minimum water efficiency standard been set in the five years since the Scheme's inception. Although there is currently an extensive program of work to investigate expansion and standards, there is a view that this work is unduly slow.	<ul style="list-style-type: none"> If resources continue to be limited, then a decision needs to be made about the priorities to be pursued. Having a process to actively monitor and manage the work could assist timely completion of work. This role could be done by WELSAC.
9.3	Zero rated products provide very poor water efficiency, but can be offered for sale.	<ul style="list-style-type: none"> One approach would be to not allow zero rated WELS products to be offered for sale. An alternative approach would be to set minimum water efficiency standards.

10. Cost Recovery

The WELS Scheme is deemed to be a cost recoverable program – all but core government costs are to be recovered by the Scheme. The core costs were to be met by contributions from the state, territory and Australian governments. The combined state and territory contribution has been \$635,000 over the first five years (shares are determined by the portion of population). There are no arrangements in place for state and territory contributions after 30 June 2010.

Expenditure for operating the Scheme during the four years to 2008-09 has been \$7.5 million (this figure does not include the expenditure on the product expansion and minimum efficiency standard work discussed above). Registration fees have been \$2.75 million over the same period. The Australian Government has matched the state government contributions of \$635,000. The other source of funding has been National Water Commission contributions of \$405,000 towards compliance activities. This has left a funding shortfall of \$3.08 million, which has been met by the Australian Government. It is expected the significant funding shortfall will continue into the future, in the absence of changes to funding arrangements. Registration fees are forecast to continue to be well below what was expected when the Scheme was established.

Expenditure on the E₃ Program was \$10.3 million in 2008/09. Registration fees are less than 5% of the budget. In 2008/09, registration revenue was \$450,000 (from around 3,000 registrations).

<i>Cost Recovery</i>		
	<i>Issues</i>	<i>Options to address issues</i>
10.1	The requirement of full cost recovery for all but core government costs may be inappropriate, to the extent that WELS is a public good program.	<ul style="list-style-type: none"> • Addressing this issue would require a change of the full cost recovery policy requirement. • If this were to occur, registration fees could also be reduced to recover only the cost of registration processes (as is the case for the E₃ Program). • All other Scheme activities (compliance, enforcement, standards and legislation, communications and expansion) would be funded by governments.

		<ul style="list-style-type: none"> • State and territory governments could seek funding from major urban water utilities.
10.2	Compared to the E ₃ Program, WELS appears to be under-funded.	<ul style="list-style-type: none"> • Funding requirements would need to be investigated. • If additional funding were found to be required, new funds would need to be secured. This may need to be from governments and major urban water utilities. • Joint administration arrangements with the E₃ Program may reduce administration costs for governments.

11. Trans Tasman Mutual Recognition Arrangement

Under the Trans-Tasman Mutual Recognition Arrangement (TTMRA), goods produced in New Zealand and sold in Australia or imported into Australia from New Zealand, having been produced in a third country, need only comply with the standards or regulations applying in New Zealand.

New Zealand introduced its own WELS scheme on 1 April 2010. The NZ WELS Scheme is part of the Fair Trading Act, under the consumer information provisions of the Act.

The New Zealand Scheme differs from the Australian WELS in two ways: there is no product registration requirement and the Commerce Commission (the New Zealand equivalent of the Australian Competition and Consumer Commission) is responsible for compliance. Offences are criminal matters. Unlike the Australian WELS Scheme, under the New Zealand Fair Trading Act, companies can take action against other companies.

The different New Zealand WELS requirements seem unlikely to have an impact on white goods, as there is no manufacture of white goods in New Zealand and white good appliances are too expensive to re-import from New Zealand to Australia. However, there could be an impact on plumbing products which are manufactured in New Zealand and sold in Australia.

<u>Trans Tasman Mutual Recognition Arrangement</u>		
	<i>Issues</i>	<i>Options to address issues</i>
11.1	Introduction of New Zealand WELS Scheme with different requirements, under the TTMRA means there may not be a level playing field.	<ul style="list-style-type: none"> • Investigate the consequence of different Australian and New Zealand WELS requirements under the TTMRA for plumbing products. • WELSAC could monitor the impact of the New Zealand WELS Scheme on plumbing products sold in Australia.

12. Relation to other Schemes

There are three schemes in relation to water using products – WELS, Watermark and Smart Approved Watermark.

Watermark is a certification scheme for plumbing products administered under state and territory legislation. It certifies that a product is fit for purpose: for instance, where the product is used for potable water, Watermark certification assesses whether it will affect water quality adversely. It also certifies in relation to the compatibility of a product with system water pressure. Certification is shown by a stamp on the product. Compliance with Watermark certification occurs at the point of installation. A product can be legally sold without being Watermark certified, but cannot legally be installed.

WELS rating is in relation to water efficiency, and not product quality. So WELS rated products need not be Watermark certified. There has been considerable concern expressed about this, as it means a product can be WELS rated, but not Watermark certified that it is fit for purpose. Proposed legislative amendments are to be brought to Parliament during 2010 making Watermark certification a prerequisite for WELS Scheme registration.

Smart Approved Watermark is a voluntary quality certification of water products and services not covered by WELS. It started with urban domestic outdoor products (such as pool covers), but now also includes commercial products and services (such as water efficient car washes), and products inside the house not covered by WELS (such as hot water recirculation systems). This scheme is managed by the Water Services Association of Australia. Certification is shown by a Smart Approved

Watermark label. Applications are assessed by an expert panel which meets every three months.

The E₃ Program, as already outlined in the Paper, is the energy counterpart of the WELS Scheme. The two schemes operate in parallel but separately. Clothes washers and dishwashers are subject to both WELS and to E₃.

E₃ includes a range of measures to increase the energy efficiency of products used in the residential, commercial and manufacturing sectors. The two main policy tools are minimum energy performance standards (MEPS) and mandatory energy efficiency rating labelling. Labelling is required for household refrigerators and freezers, clothes washers, clothes dryers, dishwashers, air conditioners (single phase) and televisions.

	<i>Other Schemes</i>	
	<i>Issues</i>	<i>Options to address issues</i>
<i>12.1</i>	Having three programs that certify or rate water using products and services - WELS, Watermark and Smart Approved Watermark - may make it difficult for the consumer to understand which scheme applies to which products and what they do or do not require.	<ul style="list-style-type: none"> • A joint communication program could be developed to explain what each of the three does. • A single web portal could be established to explain what each program is, and provide a link to the home pages for each of the three programs.

3.0 BUNDLED OPTIONS

Based on discussions with stakeholders and consideration by the Review, there seem to be three major issues with the present WELS Scheme: governance, compliance and administration. Underlying these issues is the question of the adequacy of the current level of resources.

The concern about governance is whether decisions are being made at the right level. There is also a feeling within industry and water utilities that they are not being engaged in the Scheme.

There is a strong industry perception that the WELS compliance program is insufficiently resourced, misdirected to point of supply labelling offences rather than checking the accuracy of ratings, and lacking appropriate sanctions.

On administration, the key question is whether the current arrangements for Watermark, WELS and the E₃ Program are optimal.

The Discussion Paper has presented a large number of options that could address these three issues, as well as the other issues identified in the discussions with stakeholders and by the Review. The options have been presented individually. However, the Review Report will be making a set of recommendations, so it is useful to consider some combinations of the individual options in ways that make sense collectively.

Three Bundled Options are presented here for consideration. These Bundled Options are largely directed to addressing the three major issues of governance, compliance and administration.

Option 1: Improving Performance under the Existing Act and IGA”

This Option aims to improve the implementation of the existing Act and IGA, through the WELS Group in DEWHA and WELSAC. The premise of this Option is that the model for the Scheme is sound, but that its delivery needs to be addressed. Only limited legislation would be required (in relation to compliance). Some policy changes would be required, such as in relation to cost recovery. Implementation could occur relatively quickly.

Implementation of this Option would not preclude reforms to the Scheme at a later time.

Option 1 could have the following elements:

Governance

- Adopt a five year strategic plan for the administration of WELS. The plan would be developed by DEWHA and presented to WELSAC for adoption. DEWHA would then report to WELSAC against the strategic plan;

- Agree to the funding required for the implementation of the plan. It is expected increased funding would be required from governments. In this context, state and territory governments could seek funding from major urban water utilities; and
- Establish a stakeholder body to meet quarterly to consider reports on the administration and plans for WELS and provide input on matters of concern and interest to stakeholders.

Compliance

- Make contravention of the Act a civil penalty matter and include a new sanction of deregistration; and
- Strengthen the WELS compliance program by enhancing the check test capacity for product performance.

Communication

- Publish a new quarterly WELS bulletin;
- Develop a retailer training module for use by retailers; and
- Relaunch WELS through a new communication program for consumers.

Registration

- Simplify the registration application and set the registration fee to recover only the costs of the registration process;
- Adopt one form for appliances that require water and energy registration;
- Remove the gazettal requirement for registration; and
- Remove requirement for five yearly renewal of registration: registration would remain current so long as the model is offered for sale with unchanged WELS performance.

Standards

- Request Standards Australia Committee WS-032 to review AS/NZS6400 to address specific matters.

Option 2: Governance and Administrative Reform

This Option could include the elements of Option 1, but with two structural reforms.

Governance

- Make WELSAC a decision-making body; as well as adopting a long run strategic plan, WELSAC would make decisions on product expansion and setting minimum efficient standards. WELSAC would provide an annual report to EPHC.

Administration

- Merge the administration of WELS and the E₃ Program.
- Once the responsibility for the administration of the Watermark Certification Scheme is decided under the Building Ministers' Forum

process, delegate the administration of WELS rating for plumbing products to the same body.

Option 3: Referral of Powers

Option 3 could build on the administration reforms of Option 2, by adding a new governance model.

Governance

- Replace the current co-operative Commonwealth/State WELS Scheme with a Commonwealth Scheme. For this to be done, the states would need to refer Constitutional power for the WELS Scheme to the Commonwealth.
- WELSAC would be retained but as an advisory body to the Regulator, along with the industry stakeholder body.

Administration

- Merge the administration of WELS and the E₃ Program.
- Once the responsibility for the administration of the Watermark Certification Scheme is decided under the Building Ministers' Forum process, delegate the administration of WELS rating for plumbing products to the same body.

ATTACHMENT A

STATE AND TERRITORY GOVERNMENTS' USE OF THE WELS SCHEME FOR WATER REBATE PROGRAMS AND BUILDING AND PLANNING REGULATIONS

New South Wales

The WELS scheme is used in both a prescriptive and general way, within overarching NSW policies and plans. Specific use of the WELS scheme exists in the NSW Government Sustainability Policy, which requires all NSW Government agencies to purchase products and appliances with a minimum of 4-star rating under the WELS scheme.¹ More generally, the WELS scheme is referred to in Sydney's Metropolitan Water Plan and the Hunter region's H250. In both cases, the WELS scheme is noted as a way of contributing to water savings.

The use of the WELS scheme is more prescriptive in policies directly affecting industry and urban development. The NSW energy industry, through the Independent Pricing and Regulatory Tribunal's (IPART) Energy Savings Scheme, is required to replace existing unrated showerheads with 3 star WELS rated showerheads.² WELS 3-star rated and above toilets, tap-ware and showerheads are recognised within the Building Sustainability Index (BASIX), a mandatory certification component of the NSW development approval process. In addition, the National Australian Built Environment Rating System (NABERS) refers to WELS water ratings as a way of assessing the water efficiency of residential, office, hotels and retail premises.

The WELS scheme ratings are used as a way of determining rebates by the various programs being run across the State. As part of the NSW Government's Climate Change Fund, the NSW Home Saver Rebates program provides up to \$1500 per household for purchases including WELS 5-star rated washing machines and 4-star dual flush toilets. A number of councils and water utilities, such as Rous Water³ and Goulburn Mulwaree Council,⁴ also offer varying rebates based on the WELS star ratings of specific products.

Rebates	Building/plumbing/planning Regulations and Policies
<p><u>Dept Environment, Climate Change & Water</u></p> <p>NSW Home Saver Rebates include</p> <ul style="list-style-type: none"> • \$150 rebate for 5 star washing machine • \$200 rebate for purchasing 4 star dual flush toilet suit <p>Low Income Household Refit Program includes</p>	<p><u>Department of Planning BASIX (Building Sustainability Index) planning regulation</u></p> <ul style="list-style-type: none"> • 3-4 star toilets • 3 star tap ware • 3 star showerheads <p><u>IPART</u> (Independent Pricing and</p>

¹ <http://www.environment.nsw.gov.au/resources/government/08453SustainabilityPolicy.pdf>

² <http://www.ess.nsw.gov.au/documents/ESSRule.pdf>

³ http://www.rouswater.nsw.gov.au/cmst/rw010/view_doc.asp?id=272&cat=83

⁴ <http://www.goulburn.nsw.gov.au/roads/1439/5104.html>

<ul style="list-style-type: none"> • Replacement of showerheads and tap fittings <p><u>Sydney Water</u> Water 4 Life Program includes:</p> <ul style="list-style-type: none"> • \$150 rebate for 5 star washing machine • Toilet replacement service – saving of up to \$370 on price and installation of 4 star toilet • \$200 Rebate on replacement of single flush toilet with 4 star dual flush toilet <p><u>Hunter Water</u> REFIT program, completed in 2009, with Department of Housing and Energy Australia replaced shower heads and tap fittings in 2500 Department of Housing properties. This program saved in the order of 55 million litres of water</p> <p><u>Midcoast Water</u> Water Smart Rebate Program – rebates work on points system \$100 = 1 point</p> <ul style="list-style-type: none"> • Up to \$100 showerhead • Up to \$200 toilet • Up to \$300 washing machine • Up to \$100 dishwasher <p><u>Rous Water</u></p> <ul style="list-style-type: none"> • \$50 rebate for replacement of single flush toilet with 1 star or 3 star dual flush toilet <p><u>Bathurst Regional Council</u></p> <ul style="list-style-type: none"> • Toilet replacement program with Caroma using WELS rated 4 star toilets. Applicant can chose from basic (\$335) to prestige toilet (\$860). Council offering \$100 rebate/discount to the first 100 customers <p><u>Kyogle Council</u></p> <ul style="list-style-type: none"> • \$50 rebate for replacing single flush toilets with efficient dual flush toilets • The applicants have to provide evidence that the new unit replaces a less efficient unit 	<p>Regulatory Tribunal) <u>Energy Savings Scheme</u> Mandatory energy efficiency scheme for industry such as electricity retailers. ESS rules refer to replacement of unrated showerheads with 3 star WELS showerheads for eligibility to the scheme</p> <p><u>Dept Environment, Climate Change & Water</u> <u>NSW Government Sustainability Policy</u> Funding available to Govt agencies to implement water saving projects to meet Sustainability Policy targets. Includes requirement to purchase products which have minimum 4 star WELS rating</p>
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<p><u>North Coast Water/Clarence Valley Council</u></p> <ul style="list-style-type: none"> • \$50 rebate on the installation of a dual flush toilet and free shower head worth \$50 <p><u>Goulburn Mulwaree Council</u></p> <ul style="list-style-type: none"> • \$20 rebate on showerheads • \$50 rebate for dual-flush toilet • \$200 rebate for 4-star or better washing machine <p><u>Coffs Harbour City Council</u></p> <ul style="list-style-type: none"> • \$25 rebate on showerheads. • \$30 rebate for dual-flush toilet <p><u>Eurobodalla Shire Council</u></p> <ul style="list-style-type: none"> • \$100 rebate for replacement of single flush toilet with 4 star dual flush <p><u>Clarence Valley Council NSW</u> North Coast Water scheme</p> <ul style="list-style-type: none"> • \$50 rebate for replacement of single flush toilet with 3 star dual flush • Swap old showerhead for new water efficient showerhead 	
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Victoria

The reference to the WELS scheme in the Victorian Government’s overarching water plan, *Our Water Our Future*, is both general and specific. In a general sense, the plan refers to the WELS scheme as a cost-effective way to reduce water use, and an important part of the State’s approach to changing water consumption behaviour and creating household awareness.⁵ The plan also prescribes the use of the WELS scheme star ratings as part of mandatory plumbing regulations for new buildings and renovations.

Programs such as Water Wise, the Water Smart Gardens and Homes Rebate Scheme and the Energy and Water Task Force provide incentives for households to move towards water efficient products (e.g. discounts, free home audits, exchange and rebates). However, these programs make very few specific references to the WELS scheme; for example the first two programs refer only to ‘3 star rated shower heads’,⁶ and the latter refers only to ‘water-saving’ or ‘water-efficient’ devices.⁷

⁵ http://www.ourwater.vic.gov.au/__data/assets/pdf_file/0007/12787/Chptr5.pdf

⁶ http://www.dhs.vic.gov.au/__data/assets/pdf_file/0003/364287/water-wise-brochure.pdf and http://www.target155.vic.gov.au/__data/assets/pdf_file/0016/736/Rebate-Claim-Form.pdf

⁷ <http://www.sustainability.vic.gov.au/www/html/1464-energy-task-force.asp>

Victorian water retailers, water authorities and some councils use the WELS scheme as a way of determining rebates or free product exchange. For example, under the Victorian Government’s Save Water Target 155, a Toilet Replacement Program is offered in conjunction with Melbourne’s water retailers and Caroma to replace single flush toilets with WELS 4 star rated models.

Rebates	Building/plumbing/planning Regulations and Policies
<p><u>Water Wise</u> Joint initiative between the Department of Human Services (DHS) and water corporations. Provides a free water audit and repair or replacement of inefficient water fittings</p> <p><u>Water Smart Gardens and Homes Rebate Scheme</u></p> <ul style="list-style-type: none"> • Rebates for households and not-for-profit organisations (i.e. sporting clubs) on water savings products • Products include water efficient showerheads, upgrading to eligible dual flush toilets, flow control devices, garden products, rainwater tanks and systems for reusing household waste water <p><u>South East Water Toilet replacement program</u></p> <ul style="list-style-type: none"> • \$100 up-front rebate on specified dual flush toilet • free old toilet removal and installation of new toilet • free installation of water saving showerhead and flow control valve in kitchen <p><u>City West Water and Yarra Valley Water Toilet replacement programs</u></p> <ul style="list-style-type: none"> • subsidising the costs to upgrade to a 4-star WELS rated Australian made dual flush toilet (a choice from three water efficient dual flush models) • free old toilet removal and installation of new toilet; • \$50 up front rebate 	<p><u>Target 155 campaign</u> Target 155 aims to encourage Melburnians to limit their personal water consumption to under 155 litres per person per day and is in place along with Stage 3a water restrictions</p> <p><u>Building Commission Victoria</u> 5 Star Standard – mandatory rating scheme, all new homes and apartments, renovations and relocations of homes must comply with standard, which includes:</p> <ul style="list-style-type: none"> • 3 star toilets • 3 star tap ware • 3 star showerheads <p>Refers to Plumbing Regulations specifications for water efficient taps and showerheads</p> <p>State Government’s water plan: <i>Our Water Our Future</i>, mentions the WELS scheme and states that water efficient appliances are a cheap way of saving water</p>

<p>All water authorities and some councils offer free showerhead exchange programs to replace existing shower heads with 3 star shower heads. Some authorities, such as Coliban Water, also provide free installation</p> <p>Some councils offer their own rebates for water efficient appliances, for example:</p> <ul style="list-style-type: none"> • Baw Baw Shire Council offers a 4 Star or above water efficient washing machine rebate of \$100 per machine per household • Hume City Council offer a one-off rebate of \$30 per household for purchases of one or more water saving products with a combined total of \$100; or more on eligible water-efficient products (such as trigger nozzles or temporary greywater diverters) and a core offer rebate ranging from \$10 for a three-star water efficient showerhead, \$50 rebate on a dual-flush toilet, up to \$50 for a water audit, and between \$150 - \$1000 rebates for rainwater and greywater tank systems 	
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Queensland

In Queensland, the WELS scheme ratings are used for specifying rebate program requirements, overarching water and sustainability planning, and within residential and non-residential building and tenancy regulations.

The Queensland Government’s sustainable housing laws require all new houses, townhouses and units to have installed toilets, tap ware and shower heads at specified minimum WELS star rating levels. The use of the WELS scheme is also prescriptive in regulatory requirements for non-residential water customers under the Water Efficiency Management Plan, where a minimum of WELS 3 star rated taps, showers, toilets and WELS 4 star rated urinals must be installed. The WELS scheme also underpins the water efficiency requirement of rental premises under the Residential Tenancies Act 1994, which requires showerheads and toilets to have a WELS rating of 3 star or higher. The State’s WaterWise education program also makes explicit reference to the WELS scheme in many of its fact sheets aimed at encouraging increased water efficiency in households and the accommodation industry. The WELS scheme is also used extensively to underpin rebate programs provided by local councils, such as Mackay Regional Council and Rockhampton Regional Councils.

Rebates	Building/plumbing/planning Regulations and Policies
<p><u>ClimateSmart Home Service (Old Govt)</u></p> <ul style="list-style-type: none"> Free 3 star showerhead installation with every \$50 home assessment service which provided advice, fixed leaks, etc <p><u>Brisbane City Council (BCC)</u></p> <ul style="list-style-type: none"> Climate Smart Home Service which includes home energy audit, and installation of 3 star showerhead – \$50 cost covered by BCC <p><u>Home Waterwise Rebate Program (Old Govt)</u></p> <ul style="list-style-type: none"> The Program commenced in July 2006 and concluded in December 2008 All appliances such as washing machines, dual flush toilets and shower heads were required to be WELS rated in order to qualify for a rebate \$200 rebate for washing machines with a 4 star rating or better 50% of the total purchase price or up to \$30 rebate for a shower head with a rating of 3 star \$150 rebate for a dual flush toilet 6/3 litre or better <p><u>Home Waterwise Service</u></p> <ul style="list-style-type: none"> LGIS delivered the Home WaterWise Service across 11 south east Queensland councils on behalf of the Department of Local Government, Sport and Recreation. The service included a licensed plumber visiting customers' homes and performing a range of water saving measures including the installation of a high-quality 3 star water efficient showerhead. The program concluded November 2008 <p><u>Mackay Regional Council</u></p> <ul style="list-style-type: none"> \$50 rebate for 3 star toilet \$20 rebate for 3 star shower head <p><u>Rockhampton Regional Council</u></p> <ul style="list-style-type: none"> \$100 rebate for 4 star washing machine \$25 rebate for 3 star shower head 	<p><u>BCA/Queensland Development Code</u></p> <p><u>Dept Infrastructure & Planning</u> Water efficiency requirements in houses, townhouses & units</p> <ul style="list-style-type: none"> 4 star dual flush toilets 3 star tap ware 3 star showerheads <p>A sustainability declaration must be completed by the seller (vendor) when selling a house, townhouse or unit</p> <p>This provision also covers residential properties undergoing renovations requiring a building development approval and a plumbing approval</p> <p><u>Queensland Water Commission</u> Water Efficiency Management Plan (non-residential)</p> <ul style="list-style-type: none"> 3 star dual flush toilets 4 star urinals 3 star tap ware 3 star showers <p>Also, if residents wish to fill a pool or spa from town water, under the permanent water conservation measures which are currently in place, QWC require that property owners install at least two of the following:</p> <ul style="list-style-type: none"> 3 star dual flush toilets 3 star tap ware 3 star showers <p><u>Residential Tenancies Act 1994</u> Under the Residential Tenancies Act, Landlords are allowed to pass on full water consumption charges where rental premises are individually metered, rental premises are water efficient and the tenancy agreement states the tenant must pay for water consumption. Water efficient premises means that internal cold water taps, showerheads and toilets</p>

<ul style="list-style-type: none"> • \$50 rebate for 3 star toilet • \$250 rebate for stand alone rainwater tank • \$500 rebate for internally plumbed rainwater tank <p><u>Toowoomba Regional Council</u></p> <ul style="list-style-type: none"> • \$500 rebate for rainwater tank • \$100 rebate for 4 star WELS toilet • Free 3 star shower heads (maximum 2 per household) • \$200 rebate for water saving recirculation device • Free pressure limiting device <p><u>Western Downs Regional Council</u></p> <ul style="list-style-type: none"> • \$20 rebate for 3 star shower heads • \$150 rebate for 3 star toilets 	<p>must be 3 star WELS rated or higher</p> <p><u>Waterwise Education Program</u> Waterwise educational material featured on the Department of Environment and Resource Management website makes numerous references to the use of WELS rated water efficiency devices in respect to water savings in and around the home and in the accommodation industry</p>
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South Australia

The WELS scheme is featured prominently in South Australia’s water plan, Water for Good.⁸ One of the key actions of the plan is to support the expansion of the WELS scheme to include additional products and minimum performance standards for existing products. Under the plan, the WELS scheme is seen as a key component of the State’s strategy to reduce potable water use by 2050.

The WELS scheme is used in determining the provision of rebates. Through the SA Government’s H₂OME rebate scheme, homeowners and tenants can receive rebates for showerheads with WELS rating of 3 stars or more, dual flush toilet systems with WELS ratings of 3 star or more, and washing machines above WELS 4.5 star ratings. Water for Good also includes a key action to expand the H₂OME rebate scheme in order to further accelerate the uptake of WELS scheme labelled water efficient products. In addition to the state rebate scheme, most councils across the State take part in the WaterWise Communities’ Swap and Save, a showerhead exchange program that offers free exchange of inefficient showerheads for WELS 3 star rated models.⁹

The WELS scheme ratings are specified in South Australia’s Energy Efficiency Scheme; when water heaters are installed or replaced, it is a requirement that all shower outlets connected to the water heater must be WELS 3 star rated. More general reference to the WELS scheme also exists in documents such as the South Australian Government’s Water Sensitive Urban Design (WSUD) Technical Manual for Greater Adelaide.

Rebates	Building/plumbing/planning
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⁸ <http://www.waterforgood.sa.gov.au/wp-content/uploads/2009/06/complete-water-for-good-plan.pdf>
⁹ <http://www.waterforgood.sa.gov.au/wp-content/uploads/2010/02/091214-showerheads.pdf>

	Regulations and Policies
<p><u>SA Water</u> H₂OME Rebate Scheme</p> <ul style="list-style-type: none"> • Rebate for 3 star showerhead • Rebate for 3 star toilet • Rebate for 4.5 star washing machine <p><u>‘Swap and Save’</u></p> <ul style="list-style-type: none"> • Shower exchange scheme – 3 star showerhead <p><u>Energy Efficiency Scheme</u></p> <ul style="list-style-type: none"> • When a water heater is installed or replaced, there is a requirement to ensure that all shower outlets connected to the installed water heater have a flow rate of nine litres per minute or less. This requirement is met by each shower outlet connected to the water heater having a low-flow shower head or flow restrictor with a 3-star rating under the WELS scheme; or, the installed water heater being a gravity fed (vented) hot water system 	<p><u>BCA/Plumbing</u> <u>Regulation/Waterworks Regulation</u></p> <ul style="list-style-type: none"> • 3 star showerheads • 3 star toilets • 3 star taps over basin, kitchen sink and laundry trough

Western Australia

Water Forever – Towards Climate Resilience is the water plan for Perth and surrounding areas. Water Forever includes the target of a 15 per cent reduction in per person water use by 2030, and the WELS Scheme and the exploration of work to establish minimum WELS ratings for water efficient products is an action required to meet this target.

The Department of Water provides monthly Waterwise tips for the community; some of this advice refers to WELS Scheme ratings, such as encouraging consumers to ‘look for appliances with a five or six star rating.’¹⁰

The WELS Scheme is used to underpin the water component of the Department of Housing and Works’ 5 Star Plus, which mandates the installation of WELS 4 star rated tap ware and toilets, and WELS 3 star rated showerheads for all new homes.¹¹

Rebates	Building/plumbing/planning
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<http://www.water.wa.gov.au/Managing+our+water/Community+information/Monthly+Waterwise+tips/January/default.aspx>

¹¹ http://www.5starplus.wa.gov.au/uploads/5_Star_Codes_Brochure.pdf

	Regulations and Policies
<u>WA Water</u> WaterWise rebate program 2003-09 (now ceased)	<u>BCA/Dept Housing and Works</u> 5 Star Plus – Water use in houses code <ul style="list-style-type: none"> • 4 star tap ware • 3 star showerheads • 4 star dual flush toilets <u>Building Management and Works (Public Building Management)</u> Uses the above standards in the building code (through Green Building Council of Australia’s green star system)

Tasmania

Tasmania has a requirement that WELS 3 star rated toilets be installed in new buildings. There are currently no rebate schemes in Tasmania.

Rebates	Building/plumbing/planning Regulations and Policies
<u>Hobart City Council</u> <ul style="list-style-type: none"> • Rebate scheme ceased 30 Jun 2009 	<u>BCA/Plumbing Regulation</u> <ul style="list-style-type: none"> • 3 star toilets

Australian Capital Territory

As part of the ACT Government’s water strategy, Think Water Act Water, the WELS scheme is referred to and prescribed as part of several water efficiency programs, such as the ToiletSmart Program for domestic customers, and for the Commercial Bathroom Retrofit program for commercial enterprises.

In terms of regulation, the WELS Scheme is used as the basis for prescribing the water efficiency requirements of all new residential, commercial and industrial buildings within the ACT.

Rebates	Building/plumbing/planning Regulations and Policies
<p><u>ToiletSmart Program</u></p> <ul style="list-style-type: none"> • Replace single flush toilets with 4 star dual flush toilet suits. The rebate amount is \$100 <p><u>Commercial bathroom retrofit program</u></p> <ul style="list-style-type: none"> • Rebate on replacement of single flush toilets, tap ware, urinals & showers. The maximum rebate amount is \$20,000 <p><u>Waterways Code</u></p> <ul style="list-style-type: none"> • From 31 March 2008 every new or major renovation project needs to show 40% water savings by adopting water efficient appliances and rainwater tanks <p>ACT water efficient programs refer and rely on WELS scheme water ratings</p>	<p><u>BCA/Plumbing Regulation</u></p> <p><u>Think Water Act Water</u> ACT's water strategy</p> <p><u>ACT Planning & Land authority</u> water efficiency requirements – residential, commercial, industrial</p> <ul style="list-style-type: none"> • Minimum 3 star on shower, washing machine, dishwasher, toilet <p><u>Department of the Environment, Climate Change, Energy and Water</u> <u>DECCEW</u> Administrator of the water efficient rebate schemes</p>

Northern Territory

The Northern Territory requires that WELS 3 star rated toilets are installed in new buildings.

The WELS scheme ratings are used to determine rebate eligibility through the NT Waterwise Rebate Scheme for the purchase of WELS star rated toilets, shower heads and washing machines in Alice Springs and Tennant Creek.

Rebates	Building/plumbing/planning Regulations and Policies
<p><u>Waterwise Central Australia Rebate Scheme</u></p> <p>Rebates for showers, flow controllers, washing machines, dual flush toilets</p> <ul style="list-style-type: none"> • \$50 – 3 star WELS rated showerheads; hose trigger nozzles, tap timers, flow controllers • \$150 – 4 star or higher WELS rated washing machines and 4 star or higher WELS rated dual flush toilet suites • \$100 indoor plumbing; \$200 toilet retrofit - GreenPlumber services 	<p><u>BCA/Plumbing Regulations</u></p> <ul style="list-style-type: none"> • 3 star toilets

ATTACHMENT B

Stakeholders consulted (as at 8 March 2010)

	Name	Organisation
<i>WELSAC Representatives</i>		
	Debra Carter Sally Sturgess	Department of Environment and Resource Management (Queensland)
	Carolyn Ferrier	Department of Primary Industries, Parks, Water and Environment (Tasmania)
	Phillip Johnstone Jessica Reid Les Walker	Department of Sustainability and Environment (Victoria)
	Marion White Jeff Major	Department of Water (Western Australia)
	Linda Carruthers Martin Allen Stuart Peevor	Office of Water Security (South Australia)
	Colette Grigg	NSW Office of Water
	Arifur Rahman	Department of Environment, Climate Change, Energy and Water (ACT)
<i>Other Government Agencies</i>		
	Carolyn Davies	Department of Environment, Climate Change and Water (NSW)
	Chris Harris	Department of Infrastructure and Planning (Queensland)
	Ken Guthrie	Sustainability Victoria
	Ben Goodsir	Department of Primary Industries, Parks, Water and Environment (Tasmania)
	Alan Humphreys	Department of Justice (Tasmania)
	Shayne LeCombre	Plumbing Industry Commission (Victoria)
	Kay Gardiner Chris Pfeffer Elizabeth Kellet	Queensland Water Commission
	Claire Gunning Andrew Harper	Standards Australia
	Tanya Howard	Water Conservation Officer, Department of natural resources, Environment, the Arts and Sport (NT)
	Robin Knox	Project Manager, Coolmob (NT)
	Hilton Taylor	Assistant Secretary, Equipment Energy Efficiency Program Branch, Department of Environment, Water, Heritage and the Arts (Commonwealth)
	Evelyn Cole Brendon Noonan	Ministry of Consumer Affairs (New Zealand)
<i>Industry Associations</i>		
	Andrew Speers	Australian Water Association

	Colin Doyle	Consumer Electronics Suppliers Association
	Stuart Henry	International Association of Plumbing and Mechanical Officials
	Adrian Hart	Master Plumbers' Association of Queensland
	Carmel Coate	Plumbing Products Industry Group
	Ross Young	Water Services Association Australia
<i>Water Utilities</i>		
	Des Horton	City West Water (Victoria)
	Lee Fitzpatrick	SA Water
	Chris Lee	South East Water (Victoria)
	Kerry Schott Nefley Hetherington	Sydney Water Corporation
	Cilla De Lacy John Brennan	Water Corporation (Western Australia)
	Anthony Brown	Yarra Valley Water (Victoria)
<i>Industry: Manufacturers , Importers, Retailers</i>		
	Leisa Entwistle Simon Strevens Jeff Anderson	Abey Australia Pty Ltd
	Nicolas Hermence Neil Ashton-Rickardt	Canterbury Sink and Tap
	Steve Cummings	Caroma Dorf
	David Fisher	Drainwave
	Terry Fogarty	Fisher & Paykel
	Jim Longley	Gemini Industries Pty Ltd
	Geoff Keogh	Imperial Ware Australia
	Evan Foster	Reece Pty Ltd
	Ian Forte	Regulatory Affairs Manager, Electrolux
	Wayne Jennings	The Good Guys
	Bob Stanley	NARTA
<i>Industry: Other</i>		
	Julian Gray David Cox	Smart Approved Watermark
	Jeff Patchell	Plumbing Connections Magazine
	Orjan Lundberg	Technical manager, Green Building Council Australia
<i>Non-Government Organisations</i>		
	Matthew Steen Martha Psiroukis	Australian Consumers Association
	Piers Verstegen	Conservation Council of Western Australia
	Rob Fearon	Queensland Water
	Leigh Martin	Total Environment Centre
	Gary Workman	Group Training Australia

<i>Experts</i>		
	George Wilkenfeld	George Wilkenfeld and Associates
	Bruce Taper	Kinesis
	David Sharp	Chair, National Construction Code Working Group

ATTACHMENT C

GUIDELINES FOR SUBMISSIONS

Cover Sheet

1. Submissions lodged by email or post must be accompanied by an attached cover sheet. The Cover sheet will require you to provide:
 - a. The name for publication for the submission
 - b. Your contact details should further information or clarification be required
 - c. Whether you wish for your submission to be confidential or anonymous
 - d. Whether your submission contains third party information relating to individuals
 - e. Evidence of consent if your submission contains third party information.

Lodgement of submissions

The closing date for submissions is 7 May 2010.

Submissions may be lodged via

Email: welsreview@environment.gov.au
Post: WELS Review Secretariat
Department of Environment, Water, Heritage and the Arts
WELS Scheme
GPO Box 787
CANBERRA ACT 2601

Format for submissions

2. Submissions should be clearly marked 'Submission'.
3. Submissions sent via post must be either typed or written clearly in black ink on A4 paper.
4. Submissions lodged via email must be in Microsoft Word (.doc), Rich Text Format (.rtf) or Portable Document Format (.pdf). If you send your submission as a pdf, please also include a word version.

Acknowledgement of submissions

5. You can confirm receipt of submissions by contacting the WELS Review Secretariat via email welsreview@environment.gov.au

Release/Publication of Submissions

6. The majority of submissions will be made available on the Review website and may be referred to in the Review's Report, along with the author's name and relevant state, unless confidentiality has been requested.
7. Submissions received via post will be available in PDF on the Review website.

Privacy

8. The personal information collected will be used for the purposes of informing the WELS Review.
9. If a submission contains information relating to a third party individual, the author of the submissions is taken to have obtained the expressed and informed consent of the relevant third party.

Discretion of Review Secretariat to refuse to publish material

10. The WELS Review Secretariat reserves the right to refuse to publish submissions, or parts of submissions, which contain offensive language, potentially defamatory material or copyright infringing material.

Conditions of submission

11. By making a submission, you will be taken to have read, understood and agreed to all conditions set out in this guideline document.

COVERSHEET FOR SUBMISSIONS

REVIEW OF THE WATER EFFICIENCY LABELLING AND STANDARDS SCHEME

This completed form must be included with your submission. If completing by hand, please ensure your writing is clear and legible.

DETAILS FOR PUBLICATION	
Individual/group/organisation name for publication on website	
CONTACT DETAILS	
We need to collect your contact details should further information or clarification be required on your submission. Contents of your submission may be included in subsequent publications. Please provide at least one contact address. If you are making a submission for a group or organisation, please provide information for one primary contact member.	
Title	
First Name	
Surname	
Postal Address	
Email Address	
Telephone Number	
INTERNET PUBLICATION	
Please tick this box if you wish for your submission to remain confidential and do not consent to having your submission published on the internet.	
If you wish for only parts of your submission to remain confidential and not be published, please outline the confidential section clearly below (with page numbers where possible).	
ANONYMITY	
Please tick this box if you want your submission to be treated as anonymous and you do not consent to having your name, or the name of your organisation published on the internet with your submission	
THIRD PARTY PERSONAL INFORMATION	
Please tick this box if your submission contains personal information of third party individuals.	
EVIDENCE OF CONSENT	
You should not include personal information about a third party unless you are able to provide evidence of written consent. Please tick this box if you have attached written evidence of written consent.	