

# Notifiable work

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A guide for plumbers and drainers

October 2012

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## Purpose

The purpose of this guideline is to assist members of the plumbing and drainage industry in understanding their roles and responsibilities under the *Plumbing and Drainage Act 2002* (PDA) in relation to the Queensland Government's notifiable work reforms.

## Introduction

### Background

To cut red tape in the plumbing and drainage industry, a new category of plumbing and drainage work called 'notifiable work' has been created.

This expands the amount of plumbing and drainage work that does not require a permit or mandatory inspections. When a licensee performs notifiable work, they must simply lodge a Form 4 to the Plumbing Industry Council (PIC) within 10 days of completion. These changes commence on 1 November 2012 and will save industry and consumers time and money.

It is intended that plumbers and drainers will benefit from these reforms with an average saving of up to six weeks on approval and inspection timeframes for work that previously required local government approval. For industry and consumers, it is estimated that there will be an annual saving of more than \$25 million on plumbing application fees for kitchen and bathroom renovations alone.

The category of minor work has also been expanded. This will further cut red tape by increasing the amount of work a licensee can undertake without any approvals, forms or fees. An important inclusion in minor work is the ability to install an apparatus (with some exceptions).

The vast majority of work undertaken in existing buildings will be notifiable work, including:

- kitchen and bathroom additions and renovations
- installing or replacing hot water heaters
- installing fixtures in an existing home (for example, toilets, showers and sinks)
- extending or altering pipe work.

Some work that was previously regulated work (now called compliance assessable work) will become notifiable work under the reforms. However, all approvals issued by a local government before 1 November 2012 will remain subject to the requirements under which they were issued.

## Terms and abbreviations used in this guide

|                                  |   |
|----------------------------------|---|
| <b>Apparatus</b>                 | (a) for sanitary plumbing, sanitary drainage and on-site sewerage facilities – <ul style="list-style-type: none"> <li>(i) includes an arrestor, cistern, pump, siphon or valve</li> <li>(ii) does not include an appliance, fitting, fixture or straight pipe</li> </ul> (b) for water plumbing – <ul style="list-style-type: none"> <li>(i) includes a backflow prevention device, cistern, pump, domestic water filter, water meter, siphon, tap, valve, water heater or water softener</li> <li>(ii) does not include an appliance, fitting or straight pipe.</li> </ul> |
| <b>BCA</b>                       | The Building Code of Australia – now the National Construction Code (NCC)   |
| <b>Completed</b>                 | Plumbing and drainage work is considered completed when it is operational or where an invoice has been issued for the work.   |
| <b>Existing building</b>         | A building that has drainage and an existing water supply.  |
| <b>Fixture</b>                   | A receptacle with necessary accessories designed for a specific purpose and, when used, discharges to a sanitary plumbing or sanitary drainage installation.  |
| <b>Installation</b>              | Where a plumbing or drainage item is connected permanently in position for service or use in a plumbing system.   |
| <b>Maintenance</b>               | Cleaning or lubricating a plumbing or drainage item to ensure it works as intended.   |
| <b>PAS</b>                       | Plumbing Application Service  |
| <b>PCA</b>                       | Plumbing Code of Australia  |
| <b>PDA</b>                       | <i>Plumbing and Drainage Act 2002</i>   |
| <b>PDR</b>                       | <i>Plumbing and Drainage Regulation 2003</i>  |
| <b>PIC</b>                       | Plumbing Industry Council   |
| <b>PIN</b>                       | Penalty Infringement Notice   |
| <b>Plumbing or drainage item</b> | Any apparatus, fitting, fixture or pipe used for plumbing or drainage.  |
| <b>QDC</b>                       | Queensland Development Code   |
| <b>QPW Code</b>                  | Queensland Plumbing and Wastewater Code   |
| <b>Removal</b>                   | The complete removal of a plumbing or drainage item and closing the connection.   |
| <b>Repair</b>                    | Making repairs to an existing plumbing or drainage item to restore it to good or sound condition.   |
| <b>Replacement</b>               | Removing a plumbing and drainage item and replacing with a similar plumbing and drainage item.  |
| <b>SPDR</b>                      | <i>Standard Plumbing and Drainage Regulation 2003</i>   |

## Legislation

The principal legislation regulating the performance of plumbing and drainage work in Queensland is the PDA. The PDA establishes the PIC, contains provisions relating to the licensing of plumbers and drainers and provides for the assessment of plumbing and drainage work. The schedules that define the categories of plumbing and drainage work, including notifiable work, are contained in the SPDR.

This guideline should be read in conjunction with the PDA, PDR, SPDR, the QPW Code, BCA, the PCA and any applied provisions (for example, Australian Standards).

## Plumbing Industry Council

The PIC is an independent statutory body established under the PDA to help protect public health and safety by administering Queensland's plumbing and drainage licensing system.

From 1 November 2012 the PIC will be responsible for administering the notifiable work reforms which includes accepting and processing notifications and maintaining the electronic lodgment system. The PIC will also manage an audit program to help ensure that licensees are lodging the appropriate forms and continuing to comply with legislative requirements.

### PIC contact details:

Post: PO Box 15027, City East QLD 4002  
Phone: 1800 264 585  
Fax: (07) 3012 9826  
Email: [plumbers@qld.gov.au](mailto:plumbers@qld.gov.au)

## Types of plumbing and drainage work

### Notifiable work

The notifiable work reforms will include some work that previously required local government approval. This includes for example:

- installing or relocating any number of fixtures in an existing class 1 building
- installing or relocating any number of fixtures (provided the work does not involve sanitary drainage) in an existing class 2 to 9 building up to two storeys
- installing an apparatus in an existing plumbing or drainage system

A detailed list of work that is considered to be notifiable work is outlined in schedule 2, part 1 of the SPDR (refer **Appendix 1** for schedule 2 of the SPDR).

### Application of notifiable work

It is important to note that section 6C of the SPDR clarifies that notifiable work is only applicable to:

- existing buildings (of all building classes where applicable)
- an extension to an existing class 1 building (house/townhouse)
- a structure (for example, a pool) that is for an existing class 1 building.

An exception to this is emergency work which is listed in schedule 2, part 1, item 1 of the SPDR. Emergency work is always classified as notifiable work, even if the type of work performed would fall outside the scope of notifiable work. Further clarification of what is classified as emergency work is provided under part 1, item 1 below.

Notifiable work is only applicable to plumbing and drainage work on existing buildings as they will have already been subject to compliance assessment by the relevant local government. Extensions to buildings other than class 1 buildings have also been excluded from notifiable work. This is because the scale and more complex hydraulic designs of these buildings means that extensions to the building could have an impact on the hydraulic loading of the existing drainage and water supply infrastructure.

The schedule of notifiable work is also subject to a number of exclusions. The following types of work are not categorised as notifiable work:

- work listed in schedule 2, part 2 of the SPDR
- minor work (as defined in schedule 3 of the SPDR)
- unregulated work (as defined in schedule 4 of the SPDR)
- work that requires compliance assessment by a local government
- work carried out with work that requires compliance assessment.

The items listed in schedule 2, part 2 pose an additional risk to the operation of drainage infrastructure (such as work which is connected to trade waste) or raise particular health and safety concerns (such as a dual reticulated water supply). For these reasons this work will continue to be assessed by a local government as compliance assessable.

Although not specified as an exclusion in the regulation, all drainage work in class 2 to 9 buildings (for example commercial buildings) is excluded from notifiable work. This is also due to the more complex hydraulic infrastructure required in larger buildings and the potential impact on existing drainage and water supply infrastructure.

To help interpret what is notifiable work, the following is a detailed outline of schedule 2, parts 1 and 2 of the SPDR.

## **Part 1 Notifiable work**

### **Item 1 – Emergency work**

Emergency work is defined in the SPDR as plumbing or drainage work that must, because of a failure in plumbing or drainage, be performed to stop a continuing risk to health and safety or damage to property. For example, it could involve work for a combined sanitary drain which would otherwise not be notifiable work.

### **Item 2 – Work necessary for extending, altering, replacing or removing existing water supply piping, other than extending or removing a fire service**

It is intended that there be no limit on the amount of new piping that can be installed and overseen by a licensee for an existing building. For example, this item would allow an alteration to the water supply around a new door opening or replacement of old and corroded water supply pipes.

**Item 3 – Work necessary for extending or removing a fire service if the work is associated with a building development approval as defined under the *Building Act 1975*, schedule 2**

This item refers to plumbing work relating to extending or removing a fire service if it is associated with a building development approval. For example, if a building approval to alter an existing building requires the extension of the fire service water supply piping, the plumbing work associated with that building development approval is notifiable work. If an existing building is being extended, a compliance permit will always be required for plumbing work to extend or remove a fire service.

**Item 4 – Work necessary for extending, altering, replacing or removing existing sanitary drainage, other than a combined sanitary drain, for a building classified under BCA as a class 1 or 10 building**

This item provides that work for extending, altering, replacing or removing existing sanitary drainage for a class 1 or 10 building, other than a combined sanitary drain, is notifiable work. For example, this item would allow the removal, relocation and replacement of sanitary drainage for fixtures installed in renovations to kitchens, bathrooms and laundries.

Work for combined sanitary drains is excluded from this item as it can affect multiple properties and any changes to an individual property may impact on the performance of drainage for other properties.

**Item 5 – Work necessary for extending, altering, replacing or removing existing sanitary plumbing for a building classified under BCA as a class 2 to 9 building**

This item provides that work for extending, altering, replacing or removing existing sanitary plumbing for a class 2 to 9 building, is notifiable work. This item would, for example, enable an alteration to sanitary plumbing pipes where the internal area of the building is being remodelled. Sanitary plumbing does not include underground drainage. Underground drainage work for class 2 to 9 buildings is compliance assessable work.

**Item 6 – Work necessary for installing, replacing or removing a temperature control device**

This item is considered self-explanatory.

**Item 7 – Work necessary for installing, replacing or removing a water heater**

This item is considered self-explanatory. Note that an installation of a solar or heat pump hot water system can only be performed by a person with a solar and heat pump endorsement on their licence.

**Item 8 – Work necessary for installing, replacing or removing a testable backflow prevention device**

This item is considered self-explanatory.

**Item 9 – Work necessary for installing, replacing or removing a dual check valve with an atmospheric port**

This item is considered self-explanatory.

**Item 10 – Work necessary for replacing a greywater treatment plant for a building classified under BCA as a class 1 building**

This item provides that work for replacing a greywater treatment plant is notifiable work. A replacement plant should be of a similar type and capacity to the plant it is replacing.

**Item 11 – Work necessary for installing a fixture in a building classified under BCA as a class 1 building**

This item provides that work for installing a fixture such as a sink or a basin in a class 1 building for example, a house or townhouse, is notifiable work. There is no limit on the number of fixtures that may be installed.

**Item 12 – Work necessary for relocating a fixture in a building classified under BCA as a class 1 building**

This item provides that work for relocating a fixture such as a sink or a basin in a class 1 building for example, a house or townhouse, is notifiable work. There is no limit on the number of fixtures that may be relocated.

**Item 13 – Work, other than work for sanitary drainage, necessary for installing or relocating a fixture in a building classified under BCA as a class 2 to 9 building, of 1 or 2 storeys**

This item provides that plumbing work for installing or relocating a fixture (for example, a sink or basin) in a class 2 to 9 building of up to two storeys (for example, a residential or commercial building) is notifiable work. There is no limit on the number of fixtures that may be installed or relocated. Although this work does not require local government approval, licensees should consider whether some level of hydraulic assessment is needed to ensure that the work complies with the relevant design standards.

Plumbing work relating to an extension to a class 2 to 9 building is compliance assessable work due to the more complex hydraulic infrastructure involved in larger buildings and greater chance of potential impacts on existing drainage and water supply infrastructure. Underground drainage for a class 2 to 9 building is also compliance assessable work.

Work for a class 2 to 9 building of three or more storeys is compliance assessable. For example work on the second level of a five-storey class 2 to 9 building will be compliance assessable. As with extensions to a class 2 to 9 building, this work is excluded from notifiable work as it is considered that there is more complex hydraulic infrastructure involved in larger buildings and a greater chance of impacting existing drainage and water supply infrastructure.

**Item 14 – Work necessary for installing or relocating a fixture in a building classified under BCA as a class 10 building**

This item provides that work for installing or relocating a fixture in a class 10 building such as a garage, shed or carport, is notifiable work. For example, a licensee installing a toilet in a shed with existing plumbing and drainage will be able to take advantage of the new notifiable work provisions.

**Item 15 – Work necessary for sealing a sanitary drain upstream from the connection point for a service provider’s sewerage system**

This item provides that work for sealing a sanitary drain to allow, for example, the removal of a building, is notifiable work. The item is restricted to work upstream from the service provider’s connection point to ensure that the work is confined to private drainage.

**Item 16 – Work necessary for sealing an existing water service downstream from a water meter for a building classified under BCA as a class 2 to 9 building**

This item provides that work for sealing an existing water service for a class 2 to 9 building is notifiable work. This item is restricted to work downstream from the water meter to ensure that the relevant water service provider’s infrastructure is not affected. Notification ensures that the relevant local government is made aware that the fire services for the building may have been affected.

**Part 2 Plumbing and drainage work that is not notifiable work**

The items listed under schedule 2, part 2 currently require local government approval and this will remain under the notifiable work reforms. This work is compliance assessable as it is considered to pose additional risk to the operation of drainage infrastructure or raise particular health and safety concerns.

**Item 1 – Plumbing and drainage work for installing a new fixture for a building with dual reticulated water supply provided by a water service provider**

This item provides that plumbing and drainage work for installing a new fixture in a building with a dual reticulated water supply provided by a water service provider is not notifiable work. These installations remain compliance assessable as they are considered to pose a significant risk to health and safety. The exclusion does not apply to buildings that are supplied by a rainwater tank in addition to a standard reticulated water supply from a water service provider.

**Item 2 – Plumbing and drainage work for, or connected to, trade waste**

This item provides that plumbing and drainage work for, or connected to, trade waste is not notifiable work. Trade waste systems are specialised and may involve scientific and technical justification when originally approved. Any work on trade waste could adversely affect its performance and may not be consistent with the original approval. Noncompliant trade waste systems are considered to pose significant health and safety risks. The work remains compliance assessable.

**Item 3 – Plumbing and drainage work necessary for installing a fixture for a building connected to a combined sanitary drain**

This item provides that plumbing and drainage work for installing a fixture (for example, a sink or a basin) in a building connected to a combined sanitary drain is not notifiable work. Combined sanitary drainage can affect multiple properties and any changes to an individual property may impact on adjoining properties.

#### Item 4 – Plumbing and drainage work that complies with:

- (a) the performance requirements of the PCA by formulating an alternative solution that is a means of compliance with the PCA, or
- (b) the performance criteria of the QPW code by formulating an alternative solution within the meaning of the QPW code, or
- (c) the performance requirements of the QDC by formulating an alternative solution within the meaning of the *Building Act 1975* that is a means of compliance with the QDC.

This item provides that plumbing and drainage work that relies on an alternative solution, or is an extension to work that was subject to an alternative solution, is not notifiable work. Alternative solutions vary from standard plumbing practice and, if they are not appropriate, may pose significant risks to health and safety. This is therefore categorised as compliance assessable work.

### Minor work

The minor work category of work has also been expanded as part of the notifiable work reforms. The following are new or amended items in the schedule that were previously notifiable minor work or required approval by local government:

- sealing an existing water service downstream from the water meter in a class 1 or 10 building
- repairing or maintaining an on-site sewerage facility or greywater use facility
- installing or replacing an automatic switching device for a rainwater tank
- installing or removing an apparatus, for example a pump or water saving device (please note that this does not include water heaters, temperature control devices, testable backflow prevention devices and dual check valves with an atmospheric port as these are included in notifiable work)
- removing a fixture or fitting.

Minor work is any work included in schedule 3 of the SPDR. This work must be performed by an appropriately licensed person but does not need to be notified to the PIC or local government.

The schedule of minor work is provided in **Appendix 1** of this guideline.

### Unregulated work

Unregulated work is any work included in schedule 4 of the SPDR. This work may be performed without a licence and does not require notification to the PIC or local government.

However, the work must comply with any relevant technical standards or codes.

There has been one minor amendment to the schedule of unregulated work. The schedule now includes the replacement of a domestic water filter cartridge which was previously minor work. This change was made as it is considered that the skills required to undertake this work are similar to those required to replace a tap washer and this was already unregulated work.

The schedule of unregulated work is provided in **Appendix 1** of this guideline.

## Compliance assessable work

The category of compliance assessable work replaces regulated work and still requires a Form 1. The most common example of this work is plumbing and drainage work associated with the construction of a new building.

Compliance assessable work is any plumbing and drainage work that is not included in the schedules of notifiable work (schedule 2, part 1), minor work (schedule 3) or unregulated work (schedule 4) in the SPDR. This work is subject to compliance assessment as specified in the PDA and can only be performed by an appropriately licensed person.

With the introduction of notifiable work, the scope of compliance assessable work requiring local government inspections and approvals has been significantly reduced.

## Licensee obligations

From 1 November 2012, licensees are required to notify the PIC within 10 business days of completing notifiable work instead of notifying the relevant local government.

The PDA also requires that a copy of the Form 4 be provided to the owner or occupier of the premises where the work was performed. This requirement has been included to help educate the public about the importance of appropriately licensed people undertaking work and help demonstrate a high level of industry professionalism.

An owner or occupier of a premises will be able to search the Department of Housing and Public Works website for their Form 4 information using the unique identification number on the top right hand side of their copy of the form. The Form 4 can be provided to the owner or occupier either:

- electronically via email
- by post
- in person.

### **When do I need to lodge the Form 4?**

A Form 4 must be lodged with the PIC within 10 business days of completing notifiable work. The PIC will be able to audit lodgment of forms to ensure that licensees are complying with this requirement.

### **Who is the 'responsible person'?**

It is acceptable for an appropriately licensed supervising person, who is responsible for overseeing the work, to lodge the form for all of the work performed. For example, in a transaction to add a suite of toilets to a one-level commercial building, the supervising person may lodge the form even though the person may not have installed any of the toilets. This means that each licensee will not have to lodge a separate notification with the PIC.

## How can I lodge the Form 4?

Licensees will have two options for lodging Form 4s to the PIC – electronically through the PAS or by completing a hard copy of the form and providing it to the PIC.

### 1. Electronic lodgment

Licensees will be able to lodge forms through PAS. This system is approved under the PDA for receiving electronic notifications, including payment, of notifiable work forms.

The PAS is web based and like any website can be accessed using any device that can access the internet. This includes computers and portable devices such as laptops, tablets and smart phones.

The PAS can be accessed at [www.hpw.qld.gov.au/notifiablework](http://www.hpw.qld.gov.au/notifiablework)

### 2. Other means of lodgment

Licensees will also be able to lodge the Form 4 by completing a hard copy and submitting it to the PIC by mail, fax or in person at the PIC counter.

A Form 4 book will initially be provided to all licensees. More books can be ordered free of charge by contacting the PIC or electronically through PAS. Each leaf of the Form 4 book has a stub which may be retained by the licensee and a duplicate Form 4 for the PIC and the owner or occupier.

For times when a licensee does not have access to their Form 4 book, a version of the Form 4 is available to download at [www.hpw.qld.gov.au/notifiablework](http://www.hpw.qld.gov.au/notifiablework). To use this form, the licensee must first contact the PIC to obtain a unique identification number to be inserted into the top right hand side of the form.

The Form 4 must be submitted to the PIC along with the lodgment fee and any required attachments within 10 business days. This information will then be entered into PAS for the PIC, local governments and homeowners to view.

## How much will it cost to lodge a Form 4?

The fee for lodging a Form 4 depends on the method of lodgment used:

- electronic lodgment through PAS is \$25
- any other method of lodgment is \$35.

This fee must be paid when the form is lodged. Licensees who are not lodging forms electronically can provide a cheque or money order or contact the PIC licensing counter to make their payment.

## How do I supply a copy of the Form 4 to the owner or occupier?

It is a requirement for all licensees that perform notifiable work to provide a copy of the Form 4 to the owner or occupier of the property.

When the form is lodged electronically through PAS, a PDF of the completed form will be produced. This PDF can be downloaded and emailed, or printed and mailed, faxed or otherwise delivered to the owner or occupier. The method of delivery is a matter for the licensee.

If a licensee chooses to submit the hard copy of the form, either from the Form 4 book or the downloaded version, they must complete the relevant section for the owner or occupier and provide it upon completion of the work.

Where the work has been contracted by the agent of a property or a body corporate, the copy of the form can be provided to this third party to satisfy this requirement.

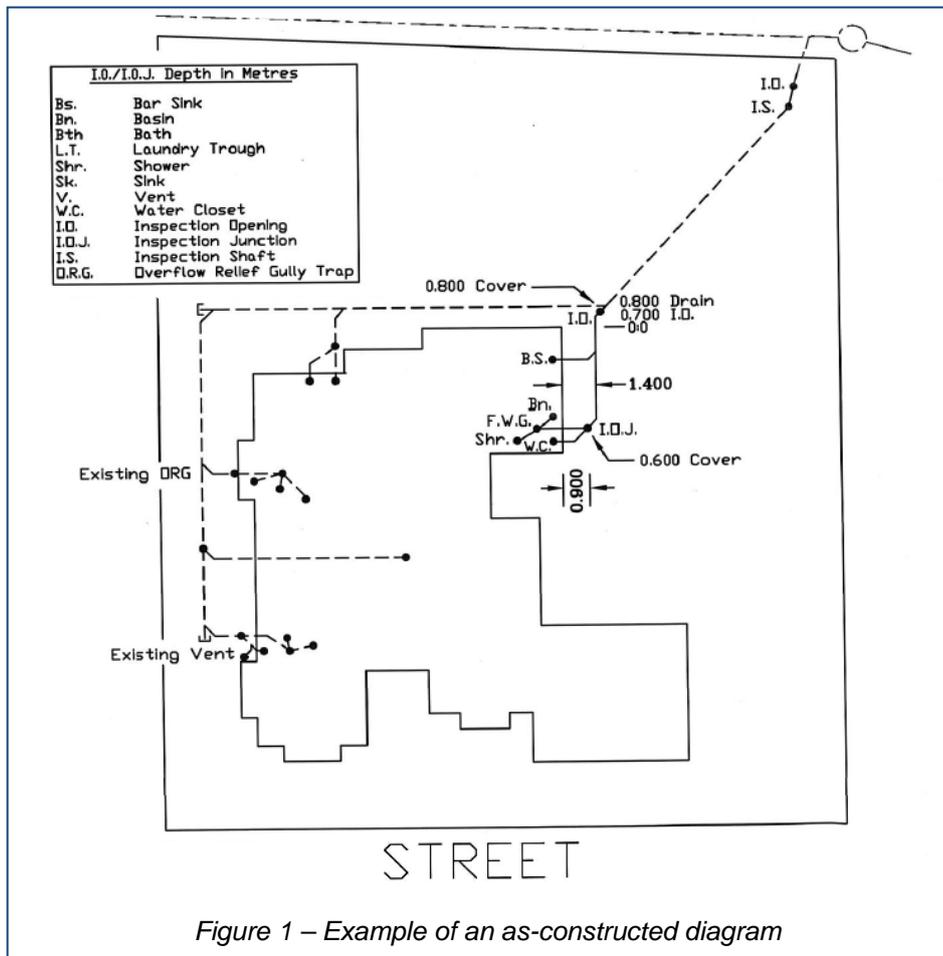
**What other documents do I need to submit to the PIC?**

Licensees must also ensure that any relevant documentation is submitted with the Form 4. This could include, for example, any relevant site plans or photos. Where the notifiable work involves underground drainage, an as-constructed diagram must be submitted with the form.

An as-constructed diagram should include:

- where relevant, the location of the following on the premises:
  - any fixtures and sanitary drains affected by the work
  - each access point for cleaning and maintaining the work
  - any reflux valve installed as part of the work
- dimensions of any sanitary drains affected by the work
- dimensions of depths and setbacks of any pipes, fixtures or apparatus installed.

An example of a valid as-constructed diagram is provided in **Figure 1** below.



### **How do I set up an account?**

A user guide to help licensees set up accounts and use other PAS functions is available at [www.hpw.qld.gov.au/notifiablework](http://www.hpw.qld.gov.au/notifiablework)

Licensees who wish to lodge Form 4s electronically must set up an individual PAS account with a personalised login. To create an account visit [www.hpw.qld.gov.au/notifiablework](http://www.hpw.qld.gov.au/notifiablework) and follow the prompts to enter the PAS system. There are no charges for creating or using a PAS account.

Through a PAS account, licensees will be able to lodge forms and use the built-in top-up facility as an easy way to pay lodgment fees and as an alternative to paying by credit card for each lodgment.

### **How do I pay?**

Licensees using the PAS system will have two options for paying the lodgment fee – using a credit card or debit card to make an individual payment or using funds from a top-up account.

### **What is a top-up account?**

A top-up account is one of the key functions of the PAS and allows licensees to store funds for payment of lodgment fees. There is no charge for using the top-up facility.

A transaction history for a licensee's top-up account and a history of payments made will be available from the licensee's account home page so licensees can keep track of their transactions.

Licensees will be able to deposit up to \$25 000 into a top-up account by credit card or debit card. When a payment is made from the account, the amount will be deducted.

PIC staff can accept payments to a top-up facility via telephone or at the PIC licensing counter located at 63 George Street, Brisbane. Payment methods include cheque, money order, credit card or debit card.

### **What if I do more than one category of work in one job?**

Where more than one category of notifiable work is performed on the same premises under one business transaction, only one Form 4 needs to be lodged. For example, if a licensee undertakes a bathroom renovation and also installs a new hot water heater on the same premises as part of the same transaction, only one Form 4 is required. A single transaction is taken to be, for example, a single work order, quotation or invoice.

### **What if more than one licensee works on a job?**

Where notifiable work for a single building is performed by more than one licensee employed by a plumbing contractor, the notification requirement can be satisfied by one licensee lodging a form on behalf of other licensees. In these cases it is expected that forms will be lodged by the responsible person who supervises the work undertaken by other licensees.

## What if I have questions?

A dedicated hotline and email address for notifiable work enquiries have been established:

Phone: 1800 264 585

Email: [notifiablework@qld.gov.au](mailto:notifiablework@qld.gov.au)

A range of fact sheets, guidelines and user guides will also be available at the website [www.hpw.qld.gov.au/notifiablework](http://www.hpw.qld.gov.au/notifiablework)

For after hours enquiries or problems with PAS you can also send an email to [pas@qld.gov.au](mailto:pas@qld.gov.au)

## Compliance program

### Plumbing Industry Council audits

Licensees must undertake work in accordance with relevant legislation, codes and standards. To ensure work is compliant and to protect public health and safety, the PIC will monitor the lodgment of forms and undertake audits of plumbing and drainage licensees.

The PIC will also have powers to:

- require licensees and employers involved in an audit to provide copies of, access to, or information about certain documents
- take disciplinary action against a licensee who fails to lodge a notification with the PIC within 10 business days of completing notifiable work.

The PIC will help ensure compliance through an audit program, which must be published on the department's website before the audit commences. The notice of the audit must state the purpose of the audit program, the commencement date and duration of the program, as well as the criteria for selecting licensees for auditing.

### Local government audits

To protect public health and safety, local governments and the PIC will work together to promote compliance.

Local governments will be empowered to conduct audits of notifiable work within their local government area to ensure that the work complies with all relevant requirements.

Licensees can request a local government assess their work at any stage, even prior to lodging a Form 4. This is completely voluntary, but may assist licensees in complying with relevant requirements. This will be particularly useful for more complex work where a licensee may wish to clarify the local government's expectations regarding the application of laws and codes. The local government may charge a cost-recovery fee for these services.

## Local government compliance activities

If a local government is requested, or decides, to assess plumbing and drainage work and finds it to be noncompliant, the local government can issue a rectification notice to the licensee. This notice must be accompanied by an information notice outlining the consequences of the rectification notice as well as the licensee's rights and responsibilities. A rectification notice must state the following:

- the work necessary to achieve compliance
- when the rectification work must be completed
- if and when a re-inspection is required and whether a fee is payable
- any conditions the local government deems reasonable
- that the licensee is required to comply with the notice
- that failure to comply without reasonable excuse is an offence.

Licensees must be given at least five business days to rectify the work although the timeframe may be negotiated by agreement between the local government and the licensee.

If a licensee does not comply with this timeframe and does not have a reasonable excuse, they may be issued with a PIN. The reasonable excuse provision of the legislation protects licensees who genuinely cannot comply within the prescribed timeframe. An example of a reasonable excuse is being hospitalised due to illness.

If the owner or occupier considers the work is noncompliant, they can contact the PIC or their local government to report the issue and lodge a complaint.

### Can I appeal a rectification notice?

When a local government issues a rectification notice it must be accompanied by an information notice detailing the reason for the decision and the licensee's rights of appeal.

This information notice can be appealed to the Building and Development Dispute Resolution Committees.

### Building and Development Dispute Resolution Committees contact details:

Post: PO Box 15009, City East QLD 4002

Phone: (07) 3237 0403

Email: [registrar@dlqp.qld.gov.au](mailto:registrar@dlqp.qld.gov.au)

## Offences and penalties

### Fines

Licensees who do not comply with their obligations and persons who perform plumbing and drainage work without an appropriate licence are liable to various penalties.

PINs (also known as on-the-spot fines) of up to \$1100 can be issued to licensees or unlicensed persons who commit offences under the PDA. More serious offences may be prosecuted through the courts and may result in a fine of up to the maximum penalty allowable for each offence committed.

## Disciplinary action

The PIC may also take disciplinary action against licensees who breach legislative requirements or perform work that fails to comply with technical standards. Disciplinary action that may be taken by the PIC includes imposing a maximum penalty of \$6600 per plumbing offence.

## Local government action

Local governments can also take any necessary enforcement action to ensure plumbing and drainage work complies with the relevant laws and standards. This may include giving an enforcement notice or PIN, prosecution, other legal proceedings or carrying out remedial work in accordance with the *Local Government Act 2009* or *City of Brisbane Act 2010*.

Local governments will be able to issue rectification notices for notifiable work that is found to be defective or noncompliant. It is an offence not to comply with this notice without a reasonable excuse. The penalty for not complying with the notice is \$2200 per offence.

To view all code offences for which a PIN can be issued, visit the department's website at [www.hpw.qld.gov.au](http://www.hpw.qld.gov.au) and type 'penalty infringement notice powers' into the search field.

## Links and further information

Department of Housing and Public Works notifiable work web pages

[www.hpw.qld.gov.au/notifiablework](http://www.hpw.qld.gov.au/notifiablework)

Queensland Legislation – Office of the Queensland Parliamentary Counsel

[www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)

Queensland Development Code

[www.hpw.qld.gov.au/construction/BuildingPlumbing/Building/BuildingLawsCodes/QueenslandDevelopmentCode/Pages/default.aspx](http://www.hpw.qld.gov.au/construction/BuildingPlumbing/Building/BuildingLawsCodes/QueenslandDevelopmentCode/Pages/default.aspx)

Queensland Plumbing and Wastewater Code

[www.hpw.qld.gov.au/SiteCollectionDocuments/queensland-plumbing-and-wastewater-code.pdf](http://www.hpw.qld.gov.au/SiteCollectionDocuments/queensland-plumbing-and-wastewater-code.pdf)

Plumbing Industry Council

[www.hpw.qld.gov.au/construction/BuildingPlumbing/Plumbing/PlumbingIndustryCouncil/Pages/default.aspx](http://www.hpw.qld.gov.au/construction/BuildingPlumbing/Plumbing/PlumbingIndustryCouncil/Pages/default.aspx)

*Plumbing Industry Council Connect* newsletter

[www.hpw.qld.gov.au/aboutus/ReportsPublications/Newsletters/Pages/PlumbingIndustryCouncilConnectNewsletter.aspx](http://www.hpw.qld.gov.au/aboutus/ReportsPublications/Newsletters/Pages/PlumbingIndustryCouncilConnectNewsletter.aspx)

Australian Building Codes Board

[www.abcb.qld.gov.au](http://www.abcb.qld.gov.au)

Standards Australia

[www.standards.org.au](http://www.standards.org.au)

## Appendices

### Appendix 1 – Schedules of work in the *Standard Plumbing and Drainage Regulation 2003*

| Schedule 2, part 1 – Notifiable work |  |
|--------------------------------------|--|
| 1                                    | emergency work   |
| 2                                    | work necessary for extending, altering, replacing or removing existing water supply piping, other than extending or removing a fire service  |
| 3                                    | work necessary for extending or removing a fire service if the work is associated with a building development approval as defined under the <i>Building Act 1975</i> , schedule 2  |
| 4                                    | work necessary for extending, altering, replacing or removing existing sanitary drainage, other than a combined sanitary drain, for a building classified under the Building Code of Australia (BCA) as a class 1 or 10 building |
| 5                                    | work necessary for extending, altering, replacing or removing existing sanitary plumbing for a building classified under BCA as a class 2 to 9 building  |
| 6                                    | work necessary for installing, replacing or removing a temperature control device  |
| 7                                    | work necessary for installing, replacing or removing a water heater  |
| 8                                    | work necessary for installing, replacing or removing a testable backflow prevention device   |
| 9                                    | work necessary for installing, replacing or removing a dual check valve with an atmospheric port   |
| 10                                   | work necessary for replacing a greywater treatment plant for a building classified under BCA as a class 1 building   |
| 11                                   | work necessary for installing a fixture in a building classified under BCA as a class 1 building   |
| 12                                   | work necessary for relocating a fixture in a building classified under BCA as a class 1 building   |
| 13                                   | work, other than work for sanitary drainage, necessary for installing or relocating a fixture in a building, classified under BCA as a class 2 to 9 building, of 1 or 2 storeys  |
| 14                                   | work necessary for installing or relocating a fixture in a building, classified under BCA as a class 10 building   |
| 15                                   | work necessary for sealing a sanitary drain upstream from the connection point for a service provider's sewerage system  |
| 16                                   | work necessary for sealing an existing water service downstream from a water meter for a building classified under BCA as a class 2 to 9 building  |

### Schedule 2, part 2 – What is not notifiable work

plumbing and drainage work for installing a new fixture for a building with dual reticulated water supply provided by a water service provider

plumbing and drainage work for, or connected to, trade waste

plumbing and drainage work necessary for installing a fixture for a building connected to a combined sanitary drain

plumbing and drainage work that complies with:

- (a) the performance requirements of the PCA by formulating an alternative solution that is a means of compliance with the PCA or
- (b) the performance criteria of the QPW Code by formulating an alternative solution within the meaning of the QPW Code or
- (c) the performance requirements of the QDC by formulating an alternative solution within the meaning of the *Building Act 1975* that is a means of compliance with the QDC.

### Schedule 3 – Minor work

work necessary for replacing, maintaining, repairing or removing a fitting or fixture

work necessary for repairing a broken or damaged pipe

work necessary for installing, replacing, maintaining, repairing or removing an apparatus, but not if the work involves the following:

- (a) work necessary for installing, replacing or removing any of the following apparatus:
  - (i) a temperature control device
  - (ii) a water heater
  - (iii) a testable backflow prevention device
  - (iv) a dual check valve with an atmospheric port
- (b) replacing a domestic water filter cartridge.

work necessary for sealing an existing water service downstream from the water meter for a building classified under BCA as a class 1 or 10 building

work necessary for maintaining, repairing or replacing fire hydrants or fire hose reels

work necessary for unblocking a pipe that is sanitary plumbing or sanitary drainage

work necessary for repairing or maintaining an on-site sewerage facility

work necessary for maintaining or repairing a greywater use facility

work necessary for installing or replacing an automatic switching device, within the meaning of the QPW code, for a rainwater tank installation

**Schedule 4 – Unregulated work**

cleaning or maintaining ground level grates to traps on sanitary drains

replacing caps to ground level inspection openings on sanitary drains

maintaining an above or below ground irrigation system related to the disposal of effluent as part of an on-site sewerage facility or a greywater use facility

installing or maintaining an irrigation or lawn watering system downstream from an isolating valve, tap or backflow prevention device on the supply pipe for the irrigation or lawn watering system

replacing a jumper valve or washer in a tap

changing a shower head

replacing, in a water closet (WC) cistern, a drop valve washer, float valve washer or suction cup rubber

replacing a domestic water filter cartridge

## Appendix 2 – Classes of buildings prescribed in the National Construction Code

### Class 1

One or more buildings which in association constitute:

- (a) **Class 1a** a single dwelling being –
  - (i) a detached house or
  - (ii) one of a group of two or more attached dwellings, each being a building, separated by a fire-resisting wall, including a row house, terrace house, town house or villa unit or
- (b) **Class 1b** a boarding house, guest house, hostel or the like –
  - (i) with a total area of all floors not exceeding 300 m<sup>2</sup> measured over the enclosing walls of the Class 1b and
  - (ii) in which not more than 12 persons would ordinarily be resident, which is not located above or below another dwelling or another Class of building other than a private garage.

### Class 2

A building containing 2 or more sole-occupancy units each being a separate dwelling.

### Class 3

A residential building, other than a building of Class 1 or 2, which is a common place of long term or transient living for a number of unrelated persons, including:

- (a) a boarding house, guest house, hostel, lodging house or backpackers accommodation
- (b) a residential part of a hotel or motel
- (c) a residential part of a school
- (d) accommodation for the aged, children or people with disabilities
- (e) a residential part of a health-care building which accommodates members of staff
- (f) a residential part of a detention centre.

### Class 4

A dwelling in a building that is Class 5, 6, 7, 8 or 9 if it is the only dwelling in the building.

### Class 5

An office building used for professional or commercial purposes, excluding buildings of Class 6, 7, 8 or 9.

### Class 6

A shop or other building for the sale of goods by retail or the supply of services direct to the public, including:

- (a) an eating room, cafe, restaurant, milk or soft-drink bar
- (b) a dining room, bar area that is not an assembly building, shop or kiosk part of a hotel or motel
- (c) a hairdresser's or barber's shop, public laundry, or undertaker's establishment
- (d) market or sale room, showroom, or service station.

### Class 7

A building which is:

- (a) **Class 7a** – a carpark
- (b) **Class 7b** – for storage or display of goods or produce for sale by wholesale.

### Class 8

A laboratory or a building in which a handicraft or process for the production, assembling, altering, repairing, packing, finishing, or cleaning of goods or produce is carried on for trade, sale, or gain.

**Class 9**

A building of a public nature:

- (a) **Class 9a** – a health-care building including those parts of the building set aside as a laboratory
- (b) **Class 9b** – an assembly building including a trade workshop, laboratory or the like in a primary or secondary school, but excluding any other parts of the building that are of another Class
- (c) **Class 9c** – an aged care building.

**Class 10**

A non-habitable building or structure:

- (a) **Class 10a** – a non-habitable building being a private garage, carport, shed, or the like
- (b) **Class 10b** – a structure being a fence, mast, antenna, retaining or free-standing wall, swimming pool, or the like.