

# Plumbing Compliance Certificates and Issue of Occupancy Permits

This updates the previous Practice Note 2006-41 issued June 2006.

## 1. SUMMARY

A compliance certificate is certification by a licensed plumbing practitioner that the plumbing work carried out meets the requirements of the plumbing laws.

Under the Plumbing Regulations 2006, all work having a value of \$750 or more and other specific plumbing work as required by clause 221ZH Division 4 of the Building Act 1993 (the Act), requires a compliance certificate. This applies whether the plumbing work is associated with the construction of a new building or is alterations to an existing building.

Security of expensive plumbing fixtures is a concern on domestic building sites. The compliance certificate can be issued before the appliances are connected to the fixed plumbing points, therefore enabling an occupancy permit to be issued. The appliances can be installed and commissioned at a later date.

Building surveyors must sight the certificate(s) before they issue an occupancy permit.

## 2. LEGISLATIVE REQUIREMENTS

There is a statutory requirement for building surveyors to sight compliance certificates. This requirement is contained in the Act. Section 44 of the Act states:

The relevant building surveyor must not issue an occupancy permit under this Division

- a. unless the building, or the part of the building, to which the permit applies is suitable for occupation; and
- b. if plumbing work for which section 221ZH required the issue of a compliance certificate was carried out in conjunction with the building work on the building or part of the building in respect of which the permit is sought, unless the building surveyor has seen a copy of the compliance certificate.

## 3. WHEN IS A COMPLIANCE CERTIFICATE REQUIRED?

A building surveyor can only ask for a compliance certificate for work carried out after 24 March 1997.

A compliance certificate is required if the plumbing and gas fitting work:

- has a total value (including labour and materials - even if the materials were not purchased by the plumber) of \$750 or more, for example;

- roof plumbing such as gutters, downpipes, metal roof sheeting etc.
- hot or cold water plumbing
- mechanical services (including duct fixing, heating and cooling)
- stormwater drainage residential and domestic fire sprinkler systems grey or recycled water; or
- includes most gas fitting work irrespective of value, the relocation or replacement of any gas using appliance, or
- is a conversion of a gas using appliance for use with a different gaseous fuel, or
- is an installation, modification or relocation of consumer gas piping (other than work by a gas company incidental to modification of the gas company's assets, or
- is construction, installation or alteration of any below ground sanitary drain or associated gullies.
- is the construction, installation, alteration, relocation or replacement of a cooling tower or part of a cooling tower.
- includes items such as fire sprinkler systems, mechanical ventilation systems and gas-fired boilers.
- includes items such as residential and domestic fire sprinkler systems.

For example, construction of a new house might include the installation of:

- hot and cold water plumbing; 300PO Box
- roof plumbing;
- sanitary plumbing;
- gas fitting; and
- a stormwater drainage system.

Each type of work requires a compliance certificate. If the same plumber undertakes all the work it can be included on a single certificate. The relevant building surveyor (RBS) must sight the compliance certificates for all plumbing work before issuing an occupancy permit.

## 4. WHAT IF I CANNOT CONTACT THE PLUMBING PRACTITIONER?

The Act also requires that a licensed plumbing practitioner must give the person for whom the work was carried out a signed compliance certificate. This certificate must be issued within 5 days of the completion of plumbing work. If the work was carried out for a building practitioner, the building practitioner must pass the compliance certificate to the owner within 5 days after the occupancy permit is issued.

In some instances an RBS may be satisfied that a building is suitable for occupancy but unable to contact the plumbing practitioner to sight the compliance certificate. In these cases the RBS should contact the owner or builder to sight a copy of the compliance certificate.

### 5. What if the appliances are not yet installed?

The requirement for the RBS to sight the compliance certificate before the occupancy permit is issued may cause problems with completion of domestic building work. It is common practice for domestic builders not to install the appliances until the day of handover.

This practice has evolved to prevent theft and vandalism. To overcome the potential problem of the occupancy permit not being issued because the plumbing work has not been completed, the VBA allows:

- A compliance certificate to be issued by the plumbing practitioner even though appliances such as the external hot water unit and gas hot plates have not been installed. The plumbing practitioner should write on the certificate that the appliances will be installed and commissioned prior to occupation (a further certificate will be required when the appliances are installed if the plumbing work exceeds \$750 or meets one of the criteria under section 221ZH (1) of the Act).

- The building surveyor to accept sighting the first certificate and issue an occupancy permit, if the building is otherwise suitable to occupy.

## 6. WHAT ABOUT WORK THAT DOES NOT REQUIRE AN OCCUPANCY PERMIT?

Building surveyors are encouraged to sight a copy of the compliance certificate even for building work that does not require an occupancy permit. The compliance certificate enables a consistent approach to be developed for all building work involving plumbing.

Note: A compliance certificate is given for work that has been undertaken by a licensed or registered plumbing practitioner. The compliance certificate insures the plumbing work for a period of 6 years. This provides further protection for the building surveyor and the consumer.

### Further information

A licensed or registered plumbing practitioner can advise on the plumbing work for a site and whether a certificate covers all the plumbing work specified in the building permit.

For further information about plumbing compliance certificates, contact the VBA on 1800 815 127 or Energy Safe Victoria (in relation to installation of gas appliances, flues etc.) on 1800 652 563.

If you have a technical enquiry please email: [technicalenquiry@vba.vic.gov.au](mailto:technicalenquiry@vba.vic.gov.au) or phone 1300 815 127

Victorian Building Authority 733 Bourke Street  
Docklands VIC 3008