**Queensland Water Directorate (*qldwater*)** ***e-*flash**

**Information for Water Industry Managers and Practitioners in the Queensland Water Industry**

**(Issue #178 – 18 September 2012)**

**1.   Positive State Government Response to Industry Requests about New Code for Building Over Public Water Infrastructure**

**2.   Annual Water and Sewerage Data Due from ALL Queensland Water Service Providers in early October**

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**1. Positive State Government Response to Industry Requests about New Code for Building Over Public Water Infrastructure**

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As reported in [e Flash # 175](http://www.qldwater.com.au/e-flashes), the Department of Local Government via Building Codes Queensland is seeking to make a mandatory Part of the Queensland Development Code dealing with building over or near Service Providers’ infrastructure.  The document, now called ‘MP1.4 - Building Over or Near Relevant Infrastructure (Sewer, Water Main and Stormwater Drain)’ has been released for industry comment in October 2011 (see [e Flash #135 – September 2011](http://www.qldwater.com.au/LiteratureRetrieve.aspx?ID=63279)) and early July (see [e Flash #172 - 11 July 2012](http://www.qldwater.com.au/LiteratureRetrieve.aspx?ID=99760)), but repeatedly raised strong concerns for councils because of the impact on cost and safety in managing public infrastructure. The latest version of the document was released yesterday and now takes account of the majority of the industry’s primary concerns.

**Summary of the New Requirements**

* applies to work on all classes of buildings over or adjacent to water, sewage or stormwater infrastructure,
* applies only to class 1 and 10 buildings, non-pressure mains, water and sewerage pipes with diameters less than 225 mm at a depth of less than 1.5 m,
* suggests acceptable solutions for the above situations which when met require approval only by a Building Certifier,
* for all other applications (including any that are directly over infrastructure) the document provides that councils are a concurrence agency with powers to condition or refuse an application,
* appeals on decisions by Certifiers or concurrence agencies would be made directly to the BDDRC,
* when adopted the mandatory requirements will come into force in mid 2013 and make any related provisions under existing local planning instruments redundant.

The principal industry concern with the originally proposed Code was that it decreased the ability of WSPs to manage their own infrastructure and increased costs and risks to Queensland communities. A number of key concerns were raised by the industry and by individual councils and have been specifically addressed in favour of service providers in most cases (see below).

***qldwater*** has formed an industry expert panel for this issue which is currently reviewing the updated document to provide final comments, but input from the broader industry is welcomed and valued. The final consultation period is open until Friday 5th October and any input to a collated industry response being developed by ***qldwater*** is welcomed up to Wednesday 3rd October (to [hgold@qldwater.com.au](mailto:hgold@qldwater.com.au) ). Feedback directly to Building Codes Queensland (BCQ) via email to should be sent to [shane.o’brien@dlgp.qld.gov.au](mailto:shane.o’brien@dlgp.qld.gov.au) or by telephone at (07) 3235 4568.

**The relevant documents below are available on our website:** [**http://www.qldwater.com.au/ReviewDocuments**](http://www.qldwater.com.au/ReviewDocuments)

* MP 1.4 – most recent draft (Attachment 1)
* BCQ Explanatory Notes (Attachment 2)
* BCQ response to industry comments (Attachment 3) – see also below.
* Summary of changes to previous document (Attachment 4)
* ***qldwater*** expert panel original discussion paper.

**Summary of Response to key industry concerns.**

1. **The Code must specifically exclude pressure mains.**

No acceptable solutions now apply to pressure pipelines.

**2.   Clarification is required on the scope of service providers as concurrence agency.**

“Relevant service providers” are defined in the draft document and prescribed as a concurrence agency. Note: Concurrence agency jurisdiction will be limited to compliance with the performance requirements of the draft QDC.  This means a relevant service provider can consider the merits of the building application against P1 and P2 of the draft QDC.

**3.   The concurrence agency jurisdiction must enable service providers to appropriately manage assets consistent with national and state guidelines.**

Concurrence agencies have the power to approve, not approve or condition an approval under the *Sustainable Planning Act 2009*. The concurrence agency will determine compliance with the performance requirements.

**4.   Service providers must be notified of all structures built adjacent to water assets (if they are approved under the acceptable solutions).**

Partially fixed: Distribution and retail entities (SEQ) will be will receive notification by the building certifier but it is not proposed that a fee be charged for archiving this information. However, BCQ maintain all councils already receive notification of all development approvals and have not supported a process whereby this information will be mandatorily transferred also to Service Providers within councils.

**5.   Accurate location of public water assets should be overtly required under MP 1.4.**

While this is not stated overtly, the document provides that building certifiers must first establish if there are pipes on the lot. BCQ have noted in the accompanying material that “If pipes are present then the QDC applies and the building certifier is required to establish the location, depth, integrity and whether or not the pipe is a pressure pipe”.

**6.   The proposed vertical clearance of 2.4m is insufficient for deep infrastructure.**

The document has been revised so the acceptable solutions apply only to pipes no deeper than 1.5m.  Applications with infrastructure deeper than 1.5m must be referred for concurrence agency response.

**7.   Appropriate access must be provided to enable equipment to reach infrastructure for inspection, maintenance or replacement.** The draft QDC under P2 provides for adequate access and can be read to include both clearance over and around infrastructure and also access to such areas (i.e. between buildings).

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**2.   Annual Water and Sewerage Data Due from ALL Queensland WSPs in early October**

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All Water Service Providers (WSP) in Queensland have been asked to submit their annual 2011-12 water data report to SWIM in early October.

* NPR reporting WSPs need to submit their data by the 1st of October so it can be sent to DEWS by 5th October.
* All other WSPs need to submit their data by the 15th of October so it can be sent to DEWS and ABS by 31st October.

SWIM is now the main method for Queensland WSPs to submit their annual water data to the Queensland Government, ABS, BoM and NPR. Last year more than 88% of councils reported data through SWIM, which is not only providing valuable information to the State and Federal Governments, but also back to you in the form of your confidential comparative reports and the new (optional) public State benchmarking report.

Every WSP in Queensland should have received information from ***qldwater*** in the past month regarding accessing and using the SWIM system to submit their data. Please contact ***qldwater*** at [swim@qldwater.com.au](mailto:swim@qldwater.com.au), or 3632 6852 (Sally) if you have any queries regarding your SWIM reporting – we appreciate reporting can be a complicated task and are happy to assist you in any way we can.

Important: If you need an extension please contact us immediately.

**\***Note if you are required to complete BoM reporting or MDB ‘surface water sourced’ reporting, your data is now overdue – please contact us urgently if you need assistance with these reporting requirements. (You will be familiar with BoM reporting if you are required to do it.)

SWIM was developed by ***qldwater***, on behalf of WSPs, to simplify the task of water data reporting. With your support and use of SWIM, we can continue to encourage government water data reporting to be rationalised and streamlined through systems such as SWIM. We urge you to submit your annual water data through SWIM on time so that its future as a water-industry-driven system is assured.

We welcome your feedback on SWIM. For more information please contact Sally Walding [swalding@qldwater.com.au](mailto:swalding@qldwater.com.au) or Ph: 07 3632 6852; or visit [www.swim.qldwater.com.au](http://www.swim.qldwater.com.au).

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