



# Building newsflash number 480

## Proposal to mandate a new QDC Part for excavation and piling near sewers, stormwater drains and water mains

### Purpose

To seek public comment on a proposal to mandate the current Non-Mandatory Part 1.4 of the Queensland Development Code (QDC 1.4)— Excavation and Piling near Sewers, Stormwater Drains and Water Mains and have the Building and Development Dispute Resolution Committees (BDDRC) hear appeals on these matters.

### Background

QDC NMP1.4 sets out criteria and performance measures for excavation and piling near sewers, stormwater drains and water mains. This standard can be applied to all classes of buildings and structures on sites containing sewer and stormwater drainage lines and water mains (other than the associated house drainage and water supply lines).

### Public comment sought

Mandating QDC NMP1.4 would provide certainty and consistency in the statewide application of the standard by all service providers and participating local governments. In addition, the current arrangements for regulating building over or near infrastructure services are complex and approval mechanisms are not uniform across Queensland. Appeal and dispute may also be minimised where there are standardised compliance rules.

The proposal would also recognise siting issues associated with buildings and underground services, such as building close to a sewer main, as being a building related matter. This would then remove the need for local governments to place provisions governing these matters in their planning schemes thereby helping to reduce the complexity of planning schemes.

The proposal would also simplify the current appeal process. It is proposed to include a referral jurisdiction in the Sustainable Planning Regulation 2009 for applications where a proposed building did not comply with the acceptable solutions of QDC 1.4 as called up by the *Building Act 1975* (BA). Appeals could then be made directly to the BDDRC as a BA matter. The BDDRC can deal with these technical matters in a timely and cost effective manner. The committee's appeal process does not involve legal representation and it is not a court process. There are 103 general referees appointed with expertise in the areas of building, plumbing, planning, architecture, engineering and law.



## Have your say

The Department of Local Government and Planning is seeking feedback on this proposal. Please provide your comments by close of business on **Friday 4 November 2011**. Email your comments to [buildingcodes@dlgp.qld.gov.au](mailto:buildingcodes@dlgp.qld.gov.au) 'Attention: Mandating QDC NMP 1.4'.

## Contact for further information

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