

# Building and Plumbing Newsflash 537

## A revised version of Queensland Development Code (QDC) Mandatory Part 1.4—Building over or near relevant infrastructure (MP 1.4) will commence on 15 December 2014

### Background

MP 1.4 commenced on 1 November 2013 and applies to all building work for a building or structure to be carried out on, or adjacent to, a lot that contains relevant infrastructure (sewers, water mains, stormwater drains and combined sanitary drains).

It was introduced as part of a new approval process for this type of building work, with the aim of reducing red tape and costs for building applicants. Previously, applicants had to obtain consent from the relevant service provider and there was no consistent process or criteria for obtaining that consent.

Building Codes Queensland (BCQ) has worked closely with stakeholders to refine MP 1.4 and further streamline the system to achieve even greater benefits for building applicants, local government, service providers and building certifiers.

### Key changes

The key changes to MP 1.4 cover:

- a proximity exemption for all classes of building and structure
- streamlined solutions for light-weight buildings and structures
- clarifying what happens when an easement is registered in favour of the relevant service provider.

### Proximity exemption

Presently, some applications trigger referral agency responses despite the work being a significant distance from relevant infrastructure. MP 1.4 has been amended to reduce the number of applications requiring a referral agency response, while still ensuring appropriate protection for infrastructure.

The changes mean that building development applications will not have to meet MP 1.4 where certain clearances between work and infrastructure are met.

The following minimum distances from the infrastructure are required:

- the zone of influence is sufficiently clear
- three metres for a class 1 or 10 building or structure
- five metres for a class 2-9 building (reduced from the present 10 metres)
- five metres for driven piles or piers
- 10 metres for ground anchors or rock bolts.

Private building certifiers must give a '[Form 32—Relevant information for service providers](#)' to service providers when they would not know about the building work, for example, where no referral occurred.

As a result of the proximity exemption, the circumstances in which a Form 32 is required are being reduced. Private building certifiers now only need to provide a Form 32 where:

- the building development application is for a class 1 or 10 building or structure; and
- the application involves a sewer on the subject lot or an adjacent lot; and
- the sewerage service provider is not a local government or a concurrence agency; and
- MP 1.4 applies to the work due to the distance between the work and the sewer.

## Light-weight buildings and structures

Some concessions will now be included under MP 1.4 to provide more cost-effective compliance solutions for simple light-weight building and structures. The solutions allow building work, such as sheds, carports, garages, patios, decks, gazebos and rainwater tanks, to be constructed over infrastructure. However MP 1.4 will still exclude building over certain higher risk infrastructure such as water mains, connections and maintenance covers.

This provides a balance between maximising development potential while still protecting high risk infrastructure. The concessions in MP 1.4 effectively remove the access requirements for infrastructure (except for water mains, connections and maintenance covers) and also provide additional acceptable solutions for light-weight building footings.

## Easements exemption

MP 1.4 does not currently apply where an easement is registered in favour of a relevant service provider. This exemption is being removed because easements do not always afford the same protection as MP 1.4.

During the review, stakeholders raised concerns about easements providing infrastructure with sufficient protection from building work as infrastructure may not be located in the middle of the easement.

Building certifiers are obliged to apply the broad National Construction Code (NCC) provisions to ensure that sufficient protection for buildings is maintained. In this context, it is highly desirable that the more tailored provisions of MP 1.4 continue to apply rather than the broader NCC requirements. This means the applicant will need to satisfy the more stringent of the two standards.

## More information

A range of [fact sheets](#) have been updated to reflect the revised version of MP 1.4.

More information can be found on the [Building over infrastructure](#) webpage at [www.hpw.qld.gov.au](http://www.hpw.qld.gov.au)

## Contact for more information

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