

# Impact Analysis Statement

## Summary IAS

### Details

<b>Lead department</b>	Department of Energy and Public Works (DEPW)
<b>Name of the proposal</b>	<i>Building (Queensland Development Code) Amendment Regulation 2023 (Amendment Regulation)</i>
<b>Submission type</b>	Summary Impact Analysis Statement
<b>Title of related legislative or regulatory instrument</b>	<i>Building Act 1975 (BA)</i> <i>Building Regulation 2021 (BR)</i> Queensland Development Code 4.1 – <i>Sustainable buildings</i> (QDC 4.1) Queensland Development Code 4.5 – <i>Livable dwellings and grading to floor wastes</i> (QDC 4.5)
<b>Date of issue</b>	14 September 2023

### For proposals noted in table below

<b>Proposal type</b>	<b>Details</b>
	The Queensland Development Code (the Code) is the parts, or aspects of the parts, of the document called 'Queensland Development Code' that are prescribed by regulation under section 13 of the BA.
<b>Regulatory proposals where no RIA is required*</b>	<p>The Amendment Regulation will prescribe a new mandatory part into the Code – QDC 4.5.</p> <p>QDC 4.5 provides exemptions and additional compliance pathways which reduce the regulatory and financial burden on industry to comply with the accessibility (Livable Housing Design Standard) and grading to floor waste requirements in the National Construction Code (NCC) 2022. In Queensland, the grading to floor waste requirements took effect on 1 May 2023 and the accessibility requirements will take effect on 1 October 2023.</p> <p>QDC 4.5 provides:</p> <ul style="list-style-type: none"><li>• time limited exemptions for narrow lots (12.5 metres and less frontage) and small pre-built houses (class 1a buildings 55m<sup>2</sup> or less in floor area), to exempt them from the Livable Housing Design Standard for 18 months (ending 31 March 2025)</li><li>• exemptions from the Livable Housing Design Standard which apply on a permanent basis for:<ul style="list-style-type: none"><li>- repairs and maintenance of existing dwellings, and renovations to bathrooms and toilets</li><li>- accessible toilets on the ground floor if no habitable rooms are located on that ground level. Instead, an accessible toilet will be</li></ul></li></ul>

	<p>required on the first level with habitable rooms or where a toilet is installed on the ground floor with no habitable room, and</p> <ul style="list-style-type: none"> <li>• additional compliance pathways for the Livable Housing Design Standard requirements for step free showers and the grading of floors to voluntary floor wastes.</li> </ul>
<b>Cabinet exemptions</b>	<p>The Amendment Regulation will also prescribe QDC 4.1 into the Code. Executive Government has exempted the adoption of QDC 4.1 from further impact analysis, noting the extensive impact analysis undertaken by the Australian Building Codes Board (ABCB)<sup>1</sup> and further analysis undertaken for DEPW.<sup>2</sup></p>

**Signed**

Paul Martyn  
 Director-General  
 Department of Energy and Public Works  
 Date: 15/09/2023

Mick de Brenni MP  
 Minister for Energy, Renewables and Hydrogen and  
 Minister for Public Works and Procurement  
 Date: 18/09/2023

<sup>1</sup> ACIL Allen, *National Construction Code 2022: Decision Regulation Impact Statement for a proposal to increase residential building energy efficiency requirements* (25 August 2022) at <https://abcb.gov.au/have-your-say/regulatory-impact-assessment/decision-regulation-impact-statements> (accessed 6 September 2023); ACIL Allen, *National Construction Code 2022: Decision Regulation Impact Statement for a proposal to increase residential building energy efficiency requirements – Appendices* (25 August 2022) at [https://abcb.gov.au/sites/default/files/resources/2022/Energy%20Efficiency%202022%20Decision%20RIS\\_appendices\\_Publication%20version%20%28359158.2%29.pdf](https://abcb.gov.au/sites/default/files/resources/2022/Energy%20Efficiency%202022%20Decision%20RIS_appendices_Publication%20version%20%28359158.2%29.pdf) (accessed 6 September 2023).

<sup>2</sup> See Strategy Policy Research, *Aligning Queensland’s Energy Efficiency Requirements for Residential Dwellings with National Standards, and Associated Measure – Cost-Benefit Analysis Final Report* (March 2023) at [https://www.epw.qld.gov.au/data/assets/pdf\\_file/0024/36375/SPR2129-Final-Report.pdf](https://www.epw.qld.gov.au/data/assets/pdf_file/0024/36375/SPR2129-Final-Report.pdf) (accessed 6 September 2023).