

25 July 2023

Ainslie Barron
Assistant Director-General
Building Policy | Public Works
Department of Energy and Public Works

VIA EMAIL: OADG.BP@epw.qld.gov.au

Dear Ainslie

RE: NCC 2022 draft QDCs 4.1 and 4.5

Thank you for the opportunity to provide further feedback on the two draft documents. Our comments are as follows:

QDC 4.1 – Sustainable Buildings

1. Industry needs to be able to refer to a building that complies with NCC 2022 requirements as '7 star'. The term "nominal credit" should therefore be used in the drafting for the outdoor area 'credit' for all zones in Queensland.

The following should be added to A1.

3) For applying S42C2 (1)(b) and S42C2 (1) (c) of the BCA the following nominal credits apply towards calculating the 7 star software rating for a class 1 building, including an enclosed class 10a building attached to a class 1 building in BCA climate zones 1, 2, 3 and 5:

(a) 0.5 star where the building includes an outdoor living area as per S42C2 (3) and S42C2 (4) which is fully covered with an impervious roof having a total R-Value greater than or equal to 1.5 (for downward heat flow); or

(b) 1 star where the building includes an outdoor living as per S42C2 (3) and S42C2 (4) which is fully covered with an impervious roof having a total R-Value greater than or equal to 1.5 (for downward heat flow); and has at least one permanently installed ceiling fan as per S42C2 (5).

2. A1 and A2 should provide an equivalent credit when using the deemed-to-satisfy elemental table pathway. This can be achieved by referencing the NCC 2019 elemental tables which are the equivalent of 6 stars and applying the 1 star credit (covered outdoor living space with a ceiling fan).

QDC 4.5 – Livable dwellings and grading to floor wastes

13 Definitions

3. For clarity and certainty, the 'affected lot' definition should reference the commencement of the part (1 October 2023) and not the "date of publication of QDC 4.5".

P2 Performance criteria / A2 Acceptable solution (renovations)

4. There is a concern that the approach to bathroom renovations is excessively complex to engage with and assess. It requires all renovations to comply with the Livable Housing provisions when undertaking any renovation to a bathroom and then seeks to exempt most of the parts applicable to the bathroom. There is a concern it will lead to a significant increase in illegal renovations.

It would be more appropriate to tie the provisions to the accepted understanding of "major renovation" as being at least 50 per cent of the building.

Under section 81 of the Building Act 1975 the building certifier may determine the extent to which the existing structure is required to comply with the building assessment provisions being applied to the alteration or extension. For example, if the building work represents more than 50 per cent of the existing building's floor area, building certifier can impose conditions in the approval that require the existing part of the building to comply with all or a stated part of the current building assessment provisions.

5. In many renovations making a sanitary compartment larger will not necessarily be sufficient to enable the circulation space to be achieved.

A2(4) should therefore be extended to "*....by greater than an amount that would facilitate the satisfaction of part 4.2*".

6. Similarly, exposing part of the wall frame will not necessarily enable full compliance with the wall reinforcing provisions. A2(5) should be extended to "*....if the renovation exposes the entire wall frame*".

A3 Acceptable solution (enclosed shower)

7. The requirements at A3(2) should reference both deemed-to-satisfy pathways (Housing Provisions and Standard) and not just AS 3740. The clause should extend to NCC Part 10 requirements as an alternative for an enclosed shower with level threshold and reference 10.2.17.
8. It must be clear as to what A3(3) overrides in the NCC, noting that Figure A3(3) does seem to override the 5m waterstop rise. This must also be explicit in the text that the water bar is in lieu of the 5mm raised stop in AS 3740. It should also be explicit that it is to be sealed directly to the waterstop to achieve continuity.

9. The NCC prescribes the application of AS 3740 and the NCC differently between Class 1 and Class 2 buildings. The “Note” (second bullet) should be changed to read *“Waterproofing outside of an enclosed shower area must comply with the NCC”*.
10. Clarify that A3 can be used for all hobless and step free showers not just the one shower seeking compliance with livable housing (Part H8P1 and Part G7P1).

A4 Acceptable Solution (floor waste)

11. A4(c) - weir at the entrance - Concern has been raised as to a potential tripping hazard and suggest there is a provision for the first tile across the doorway to fall (e.g. first tile falls 1:80 in and the rest are flat). This will serve the same purpose without creating a trip hazard.

Matters previously raised

Master Builders maintains the position that now is not the time to add to the cost and complexity of new housing, particularly in the face of the current housing crisis. We continue our calls for sensible solutions to issues already raised and provided to the Department.

We look forward to the finalisation and publication of these documents. We’re happy to provide any additional information required.

Regards,

Paul Bidwell

CEO