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10 May 2013

The Committee
 Transport, Housing and Local Government Committee
 Parliament House
 BRISBANE QLD 4000

By email: thlgc@parliament.qld.gov.au

Dear Committee

Re: Building and Other Legislation Amendment Bill 2013

Following our review of the proposed *Building and Other Legislation Amendment Bill 2013* (**Bill**), Seqwater is pleased to be able to provide this response. Thank you for the opportunity to comment on the Bill.

Seqwater is a Queensland Government statutory authority and a registered service provider under the *Water Supply (Safety and Reliability) Act 2008* (**Water Supply Act**). Seqwater manages natural and built assets in order to supply potable water to distributor-retailers, councils, industry and irrigation customers in South East Queensland. Seqwater's primary focus is to deliver safe, secure, resilient and reliable bulk water supplies to almost 3 million people across South East Queensland, and to provide essential flood mitigation services.

Seqwater welcomes the Government's objective of reducing red-tape through the assessment of impacts on water infrastructure utilising the building application assessment process, rather than by way of a separate consent process under the Water Supply Act.

The current requirement for consent under the existing section 192 of the Water Supply Act for interference with a service provider's infrastructure is an essential safety mechanism for protecting:

1. Seqwater's water infrastructure; and
2. people and property from harm that could be caused if water infrastructure is damaged.

Seqwater's pipeline network is over 600 kilometres in length and consists of large diameter, high pressure bulk water pipelines. If damaged, those pipelines have the potential to cause serious damage to property, as well as personal injury.

Clause 8 of the Bill proposes a limitation of section 192 of the Water Supply Act so that if a lot contains, or is adjacent to a lot that contains, a service provider's sewer or water main, written consent from the service provider is not required for building work as defined in the *Building Act 1975*.



Seqwater believes this amendment is achievable if considered with the proposed supporting regulatory amendments. The proposed supporting regulatory amendments are as follows:

- The introduction of a new mandatory part to the Queensland Development Code (QDC MP 1.4), which will provide performance requirements and acceptable solutions for all building work over or near relevant infrastructure. QDC MP 1.4 will allow this type of building work to be assessed against consistent, State-wide standards, rather than individual local government planning schemes or service providers' technical documents;
- QDC MP 1.4 will provide acceptable solutions for class 1 and 10 buildings and structures. A building development application that does not comply with the acceptable solutions for these classes of buildings or which relates to class 2 to 9 buildings will be referred to a concurrence agency for response. The relevant local government, SEQ distributor retailer or other service provider will be stated as a concurrence agency under the *Sustainable Planning Regulation 2009 (SPR)* for these building applications.

On the basis that the proposed amendments to section 192 of the Water Supply Act will not take effect until the new mandatory part of the QDC has commenced and appropriate triggers for all registered service providers are included in Table 1, Schedule 7 of the SPR, Seqwater is supportive of the proposed amended approval process. Without these complementary proposed regulatory amendments, Seqwater would have serious concerns because of the risk of damage to the bulk water infrastructure and the potential serious harm to persons and property.

Seqwater is supportive of the intent of the proposed changes and requests:

- the opportunity to participate in the development of the performance requirements and acceptable solutions of the new mandatory part to the QDC, to ensure that the requirements and solutions are appropriate for the full range of water infrastructure (including both bulk and distribution water infrastructure); and
- that it be consulted on the form of concurrence agency triggers to be inserted in Table 1, Schedule 7 of the SPR, to ensure inclusion of triggers for all service providers, not only distributor-retailers.

Please do not hesitate to contact Darren Hayman on [REDACTED] if you would like any further details in relation to this submission.

Yours sincerely

Terri Benson
Chief Executive Officer