

Building and Plumbing Newsflash 621

National Construction Code 2022 – implementation of the Modern Homes Standards in Queensland

Purpose

To inform industry and the community about the new Modern Homes Standards included in the [National Construction Code \(NCC\) 2022](#) and the implementation of the standards in Queensland.

Background

On 26 August 2022, [Building Ministers](#) agreed to introduce Modern Homes Standards which cover both residential energy efficiency and accessibility standards in the NCC 2022. These standards reflect community expectations for modern homes.

The residential energy efficiency standards represent the first significant change to national energy efficiency requirements for new dwellings in more than a decade. They will make new homes more comfortable to live in, minimise energy bills, and contribute to Queensland's emissions reduction targets.

The accessibility standards are based on the Silver Level specification in the Livable Housing Australia's Design Guidelines. These guidelines were developed as a result of the 2009 National Dialogue on Universal Housing Design between industry, community and government organisations. The accessibility standards will promote more inclusive communities by ensuring new homes are designed to meet the changing needs of occupants throughout their lifetime, as well as supporting people with mobility challenges.

Guidance resources to support industry to transition to the NCC 2022 requirements have been published by the [Australian Building Codes Board](#).

Commencement

In Queensland, implementation of the Modern Homes standards will occur in a phased approach.

The accessibility standards will be phased in from **1 October 2023** through a new Queensland Development Code Mandatory Part 4.5 – *Livable dwellings and grading to floor wastes* (QDC 4.5).

The Residential energy efficiency standards will commence on **1 May 2024** through the updated Queensland Development Code Mandatory Part 4.1 – *Sustainable buildings* (QDC 4.1).

Application

The Modern Homes standards apply to new houses (class 1 buildings) and units in apartment buildings (class 2).

Accessible housing requirements include:

- a step-free access path to the entrance
- at least one step-free entry into the home
- slightly wider internal doorways and corridors
- an accessible toilet
- a step-free (hobless) shower
- provision for future inclusion of grabrails in an accessible bathroom and toilet.

There are exemptions for the requirement for a step-free access path to the entrance of a home for new homes on steep slopes and for designs like the Queenslander-style home.

Residential energy efficiency requirements include a:

- [7-star rating \(out of 10\)](#) for the building shell of the dwelling
- [new whole-of-home energy budget](#) that will assess the energy usage of certain major appliances and offsets generated through renewable energy to generate a score out of 100 (100 is a net zero energy value home).

New accessibility variations

QDC 4.5 will assist industry and new homeowners by providing:

- a time-limited exemption of 18-months to 31 March 2025 from the accessibility standards for:
 - new houses on narrow lots that have a frontage of 12.5 metres wide or less created prior to 1 October 2023, or created after that date and on or before 31 March 2025 in limited circumstances
 - small pre-built houses 55 metres² or less in floor area wholly or predominantly manufactured off-site completed prior to 1 October 2023 and constructed on or prior to 31 March 2025
- exemptions from the accessibility standards for a compliant toilet on the ground or entry level of a house in limited circumstances, and for repairs and maintenance generally
- exemptions for renovations of toilets and bathrooms in existing homes including from the requirements to provide:
 - wider doorways unless the renovation involves demolition of the existing doorway
 - a larger toilet area unless the renovation increases the size of the toilet area
 - reinforcement for grabrails unless the wall framing is exposed
- additional solutions that do not require the grading of a floor where a floor waste is voluntarily included in a bathroom, and for showers and sanitary compartments (if there is no habitable room on the ground or entry level) to achieve compliance with the accessibility standards.

New and existing residential energy efficiency variations

Queensland's residential energy efficiency requirements will be more aligned with the national building standards by:

- replacing the 6-star rating for the thermal performance of a building shell for new houses (class 1), and the 5-star rating average for sole-occupancy units in apartment buildings (class 2)
- removing the optional credit for a solar photovoltaic (PV) energy system to accommodate the new whole-of-home energy budget (to avoid the potential for double-counting)
- adopting the NCC 2022's glazing calculator to reflect contemporary window designs.

Queensland will extend the [optional one-star credit](#) available in the NCC 2022 for the building shell rating (7-stars) for inclusion of an outdoor living area statewide to all new houses and units to take advantage of our favourable outdoor living lifestyle and climate.

There will also be an additional compliance pathway to achieve the 7-star rating by adopting the 2019 standards with a one-star credit for an outdoor living area. This provides industry flexibility with the compliance approach.

Transitional arrangements and new building guideline

[Section 37](#) of the *Building Act 1975* provides transitional arrangements when building assessment provisions change, such as the introduction of the Modern Homes standards.

In the following circumstances, section 37 allows a building development approval to be given under the provisions that were in place prior to the new building assessment provisions applying when:

- the approved building work starts before the commencement date of the new building assessment provision
- the building development approval was given before the commencement date of the new building assessment provision, but the building work has not yet started
- a building development application is made before the commencement date of the new building assessment provision, but the application has not yet been decided
- planning for carrying out the building work started before the commencement date of the new building assessment provision and the building certifier can certify the following in writing:
 - that substantial progress was made on the design of the building, or the design was completed before the commencement date e.g. this might be evidenced by a signed building contract referring to the design or plans
 - the design would need to be changed to comply with the amended provision
 - the changes needed are not minor changes.

The Department of Energy and Public Works has published a new building [guideline](#) which provides details about section 37 of the *Building Act 1975* and how building certifiers can meet their responsibilities in applying transitional arrangements to building development applications (including scenarios where the previous provisions can be applied).

The guideline includes examples for when substantial progress is made on the design of a building and when a design is considered to be complete.

More information

- [Modern Homes Standards](#)
- [Guideline for applying transitional arrangements when building requirements change](#)
- Australian Building Codes Board – [NCC Resource Library](#)

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