

Queensland



BRISBANE MARKETS ACT 2002

Act No. 16 of 2002

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Queensland



Brisbane Markets Act 2002

Act No. 16 of 2002

An Act relating to building work carried out on the Brisbane Markets site and the use or occupation of the site or a building or other structure on the site

[Assented to 17 May 2002]

The Parliament of Queensland enacts—**1 Short title**

This Act may be cited as the *Brisbane Markets Act 2002*.

2 Definitions

The dictionary in the schedule defines particular words used in this Act.

3 Building work carried out without approval

(1) This section applies if—

- (a) at any time before the commencement, building work was carried out on the Brisbane markets site; and
- (b) under the law in force at the relevant time, an approval was required to be issued for the carrying out of the building work; and
- (c) the approval was not issued.

(2) The approval is taken to have been issued.

4 Use or occupation of premises without approval

(1) Subsection (2) applies if—

- (a) at any time before the commencement, the premises were used or occupied; and
- (b) under the law in force at the relevant time, an approval was required to be issued for the use or occupation of the premises; and
- (c) the approval was not issued.

(2) The approval is taken to have been issued.

(3) Also, if the use or occupation of the premises continues after the commencement, the continued use or occupation of the premises is taken to be with the approval.

SCHEDULE

DICTIONARY

section 2

“approval” includes a certificate of classification or other certificate, or a consent, notice, permission, permit or other authorisation.

“Brisbane markets site” means land consisting of all of the following—

- (a) land described as lot 703 on registered plan 198160;
- (b) land described as lot 1 on Crown plan 900650;
- (c) land described as lots 1 and 2 on registered plan 76070;
- (d) land described as lot 1 on registered plan 100245.

“building” means a fixed structure that is entirely or partly enclosed by walls and is roofed, and includes any part of a building.

“building work” means—

- (a) building, repairing, altering, underpinning (whether by vertical or lateral support), moving or demolishing a building or other structure; or
- (b) work of a type now regulated under the *Standard Building Regulation 1993*; or
- (c) excavating or filling—
 - (i) for, or incidental to, the activities mentioned in paragraph (a); or
 - (ii) that may adversely affect the stability of a building or other structure, whether on the land on which the building or other structure is situated or on adjoining land; or
- (d) supporting (whether vertically or laterally) land for activities mentioned in paragraph (a); or
- (e) drainage work; or
- (f) plumbing work; or
- (g) work relating to the activities mentioned in paragraphs (a) to (f).

SCHEDULE (continued)

“commencement” means the commencement of this Act.

“drainage” means apparatus, fittings, fixtures and pipes, below ground level, that carry sewage on premises.

“drainage work” includes installing, changing, extending, disconnecting, taking away and maintaining drainage.

“issued” includes given.

“plumbing” means—

- (a) for water—apparatus, fittings, and pipes for carrying water within premises; or
- (b) for sewage—apparatus, fittings, fixtures and pipes, above ground level, that carry sewage on premises.

“plumbing work” includes installing, changing, extending, disconnecting, taking away and maintaining plumbing.

“premises” means—

- (a) a building, or other structure, situated on the Brisbane markets site, or part of the building or other structure; or
- (b) the Brisbane markets site or part of the site.

“use”, of premises, includes any ancillary use of the premises.