



# Brisbane Markets Act 2002

Reprinted as in force on 1 September 2006

Reprint No. 1A\*

This reprint is prepared by  
the Office of the Queensland Parliamentary Counsel  
Warning—This reprint is not an authorised copy

\* Minor differences in presentation between this reprint and another reprint with the same number are due to the conversion to new styles. The content has not changed.

# Information about this reprint

This Act is reprinted as at 1 September 2006. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprint for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprint.**

## Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’). Variations of spelling will be updated in the next authorised reprint.

## Dates shown on reprints

**Reprints dated at last amendment** All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

**Replacement reprint date** If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

# Brisbane Markets Act 2002

## Contents

---

		Page
1	Short title .....	3
2	Definitions .....	3
3	Building work carried out without approval .....	3
4	Use or occupation of premises without approval .....	3
<b>Schedule</b>	<b>Dictionary</b> .....	<b>5</b>
 <b>Endnotes</b>		
1	Index to endnotes .....	7
2	Date to which amendments incorporated .....	7
3	Key .....	7
4	Table of reprints .....	8
5	List of legislation .....	8
6	List of annotations .....	8



---

# **Brisbane Markets Act 2002**

[as amended by all amendments that commenced on or before 1 September 2006]

## **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**

### **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 regulated under the building assessment provisions under the *Building Act 1975*, other than IDAS; 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).

**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.

# Endnotes

## 1 Index to endnotes

	Page
2 Date to which amendments incorporated . . . . .	7
3 Key . . . . .	7
4 Table of reprints . . . . .	8
5 List of legislation . . . . .	8
6 List of annotations . . . . .	8

## 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 September 2006. Future amendments of the Brisbane Markets Act 2002 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

## 3 Key

### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

## 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	17 May 2002	7 June 2002

Reprint No.	Amendments included	Effective	Notes
1A	2006 Act No. 36	1 September 2006	

## 5 List of legislation

### **Brisbane Markets Act 2002 No. 16**

date of assent 17 May 2002  
commenced on date of assent  
amending legislation—

### **Building and Other Legislation Amendment Act 2006 No. 36 pt 1, s 101 sch**

date of assent 10 August 2006  
ss 1–2 commenced on date of assent  
remaining provisions commenced 1 September 2006 (2006 SL No. 226)

## 6 List of annotations

### **SCHEDULE—DICTIONARY**

def “**building work**” amd 2006 No. 36 s 101 sch