



Queensland

Building and Other Legislation Amendment Act 2013

Act No. 30 of 2013



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An Act to amend the Building Act 1975, the South-East Queensland Water (Distribution and Retail Restructuring) Act 2009 and the Water Supply (Safety and Reliability) Act 2008 and to make minor amendments of the Acts mentioned in the schedule

[Assented to 13 August 2013]

[s 1]

The Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Act may be cited as the *Building and Other Legislation Amendment Act 2013*.

2 Commencement

This Act commences on a day to be fixed by proclamation.

Part 2 Amendment of Building Act 1975

3 Act amended

This part amends the *Building Act 1975*.

Note—

See also the amendments in schedule 1.

4 Amendment of s 83 (General restrictions on granting building development approval)

(1) Section 83(1)(f) and (2)—

omit.

(2) Section 83(3) and (4)—

renumber as section 83(2) and (3).

Part 3 **Amendment of South-East Queensland Water (Distribution and Retail Restructuring) Act 2009**

5 **Act amended**

This part amends the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*.

6 **Amendment of s 53 (Delegation)**

(1) Section 53(5)(a)(i), after ‘application’—

insert—

, other than an application mentioned in paragraph (b),

(2) Section 53(5)—

insert—

(aa) a distributor-retailer may delegate its functions as a concurrence agency for a particular development application to its relevant participating local government; and

(3) Section 53(5)(aa) to (c)—

renumber as section 53(5)(b) to (d).

(4) Section 53(11)—

insert—

building work see the *Building Act 1975*, section 5.

particular development application, for a distributor-retailer, means a development application for carrying out building work for a building or structure on a lot that contains, or is adjacent to a lot that contains, the distributor-retailer’s infrastructure.

[s 7]

Part 4 **Amendment of Water Supply (Safety and Reliability) Act 2008**

7 **Act amended**

This part amends the *Water Supply (Safety and Reliability) Act 2008*.

8 **Amendment of s 192 (Interfering with service provider's infrastructure)**

Section 192—

insert—

(3) However, despite subsections (1) and (2), a person does not require the written consent of the service provider if the person carries out building work for a building or structure on a lot that contains, or is adjacent to a lot that contains, a sewer or water main of the service provider.

(4) In this section—

building see the *Building Act 1975*, schedule 2.

building work see the *Building Act 1975*, section 5.

structure see the *Building Act 1975*, schedule 2.

Part 5 **Minor amendments of Acts**

9 **Acts amended**

Schedule 1 amends the Acts it mentions.

Schedule 1 Acts amended

section 9

Building Act 1975

1 Section 86(1)(c), after ‘under the’—

insert—

City of Brisbane Act 2010 or the

2 Section 229(4), definition *local government Act*—

omit, insert—

local government Act means the *City of Brisbane Act 2010* or a Local Government Act within the meaning of the *Local Government Act 2009*, schedule 4.

3 Section 246A1, examples—

insert—

- *City of Brisbane Act 2010*, section 122 (Entering property under an approved inspection program)
- *City of Brisbane Act 2010*, chapter 5, part 2, division 2 (Powers of other persons)

4 Section 256(2)(c)(ii), after ‘under the’—

insert—

City of Brisbane Act 2010 or the

5 Schedule 2, definition *authorised officer*, paragraph (b), after ‘under the’—

insert—

City of Brisbane Act 2010 or the

6 Schedule 2, definition *owner*, second mention, paragraph (f), after ‘under the’—

insert—

City of Brisbane Act 2010 or the

Plumbing and Drainage Act 2002

1 Sections 83(3)(b), 86A(9)(b) and 143(2)(a), after ‘2009’—

insert—

or, if the local government is the Brisbane City Council, its public office under the *City of Brisbane Act 2010*

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Authorised by the Parliamentary Counsel