



Queensland

Rural and Regional Adjustment (Variation of Resilient Homes Assistance Scheme) Amendment Regulation 2022

Subordinate Legislation 2022 No. 176

made under the

Rural and Regional Adjustment Act 1994

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1 Short title

This regulation may be cited as the *Rural and Regional Adjustment (Variation of Resilient Homes Assistance Scheme) Amendment Regulation 2022*.

2 Regulation amended

This regulation amends the *Rural and Regional Adjustment Regulation 2011*.

3 Insertion of new pt 4, div 18

Part 4—

insert—

**Division 18 Transitional provisions for
Rural and Regional
Adjustment (Variation of
Resilient Homes
Assistance Scheme)
Amendment Regulation
2022**

27 Existing applications for assistance—sch 44

- (1) This section applies if an application for assistance under the scheme set out in schedule 44 was made but not decided before the commencement.
- (2) Schedule 44, as amended by the *Rural and Regional Adjustment (Variation of Resilient Homes Assistance Scheme) Amendment Regulation 2022*, applies to the application.

28 Grants of assistance made before commencement

- (1) This section applies if a grant of financial assistance to an applicant for the cost of carrying out eligible works was made under the scheme set out in schedule 44 before the commencement.
- (2) The authority must, as soon as practicable after the commencement, pay the amount of the GST that was excluded from the grant of financial assistance—
 - (a) if the assistance was paid to the applicant—to the applicant; or
 - (b) otherwise—to the licensed contractor who carried out the eligible works or is contracted to carry out the eligible works.

4 Amendment of sch 44, s 2 (Purpose of assistance)

Schedule 44, section 2—

insert—

- (c) to relocate an eligible home to an area on the same land on which the home is located; or
- (d) to demolish an eligible home and replace the eligible home with a new home.

5 Amendment of sch 44, s 3 (Definitions for schedule)

- (1) Schedule 44, section 3—

insert—

home raising works means works to raise all or part of an eligible home so that the habitable floor level of the home is at or above the flood hazard level that applies to the home.

removable home means a home that may be—

[s 6]

- (a) relocated from a location other than the land on which an eligible home is located; and
- (b) established on the land on which an eligible home was located before it was demolished.

Example—

relocating a house that was removed from the land on which the house was originally built

- (2) Schedule 44, section 3, definition *eligible works*—

insert—

- (c) relocate an eligible home to another location on the land on which the home is located so that the habitable floor level of the home is at or above the flood hazard level that applies to the home; or
- (d) demolish an eligible home and build a new home, or install a removable home on the land on which the eligible home is located, so that the habitable floor level of the home is at or above the flood hazard level that applies to the home.

6 Amendment of sch 44, s 4 (What is an *eligible home*)

Schedule 44, section 4(1)(c), ‘it’s’—

omit, insert—

its

7 Amendment of sch 44, s 5 (Nature and amount of assistance)

- (1) Schedule 44, section 5(2)—

insert—

- (c) relocation works;
- (d) demolition and replacement works.

- (2) Schedule 44, section 5(3)—

omit, insert—

- (3) The amount of financial assistance available under the scheme is—
- (a) for eligible works that are home raising works or repair or retrofit works—the total of the amounts equivalent to—
 - (i) 100% of the cost of carrying out the eligible works, up to the contribution threshold; and
 - (ii) 50% of the cost of carrying out the eligible works, to the extent the cost is more than the contribution threshold; or
 - (b) for eligible works that are relocation works or demolition and replacement works—100% of the cost of carrying out the eligible works, up to the contribution threshold.

- (3) Schedule 44, section 5(5)(b), after ‘works’—

insert—

, relocation works or demolition and replacement works

- (4) Schedule 44, section 5(9)—

omit.

- (5) Schedule 44, section 5(10), definition *home raising works*—

omit.

- (6) Schedule 44, section 5(10)—

insert—

demolition and replacement works means works to—

- (a) demolish an eligible home; and
- (b) build a new home or install a removable home—

- (i) on the land on which an eligible home is located; and
- (ii) so that the habitable floor level of the new home, or removable home, is at or above the flood hazard level that applies to the home.

relocation works means works to relocate an eligible home—

- (a) to a new location on the land on which the eligible home is located; and
- (b) so that the habitable floor level of the eligible home is at or above the flood hazard level that applies to the home.

(7) Schedule 44, section 5(10)—

renumber as schedule 44, section 5(9).

8 Amendment of sch 44, s 7 (Effect of insurance)

Schedule 44, section 7(8), definition *home raising works*—
omit.

9 Amendment of sch 44, s 14 (Changes affecting eligible works)

(1) Schedule 44, section 14(2)—

omit, insert—

- (2) The applicant must give the authority written notice of the change.
- (2A) The authority must, as soon as practicable after receiving the written notice—
 - (a) notify the department of energy and public works of the applicant's written notice of the change; and
 - (b) request the department of energy and public works to—

- (i) issue a new value for money certificate for the eligible works; and
 - (ii) give the authority the new certificate.
- (2B) The authority must, as soon as practicable after receiving the new value for money certificate issued under subsection (3)(b)(i), give the certificate to the applicant.
- (2) Schedule 44, section 14(5), '(3)'—
omit, insert—
 - (5)
- (3) Schedule 44, section 14(2A) to (6)—
renumber as schedule 44, section 14(3) to (8).

ENDNOTES

- 1 Made by the Governor in Council on 1 December 2022.
- 2 Notified on the Queensland legislation website on 2 December 2022.
- 3 The administering agency is the Department of Agriculture and Fisheries.

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