



Queensland

Building and Other Legislation Amendment Bill 2013



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2013

A Bill

for

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

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3
This Act may be cited as the *Building and Other Legislation* 4
Amendment Act 2013. 5

Clause 2 Commencement 6
This Act commences on a day to be fixed by proclamation. 7

Part 2 Amendment of Building Act 1975 8
9

Clause 3 Act amended 10
This part amends the *Building Act 1975*. 11
Note— 12
See also the amendments in schedule 1. 13

Clause 4 Amendment of s 83 (General restrictions on granting building development approval) 14
15
(1) Section 83(1)(f) and (2)— 16
omit. 17
(2) Section 83(3) and (4)— 18
renumber as section 83(2) and (3). 19

Part 3	Amendment of South-East Queensland Water (Distribution and Retail Restructuring) Act 2009	1 2 3 4
Clause 5	Act amended	5
	This part amends the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i> .	6 7
Clause 6	Amendment of s 53 (Delegation)	8
	(1) Section 53(5)(a)(i), after ‘application’—	9
	<i>insert—</i>	10
	, other than an application mentioned in paragraph (b),	11
	(2) Section 53(5)—	12
	<i>insert—</i>	13
	(aa) a distributor-retailer may delegate its functions as a concurrence agency for a particular development application to its relevant participating local government; and	14 15 16 17
	(3) Section 53(5)(aa) to (c)—	18
	<i>renumber</i> as section 53(5)(b) to (d).	19
	(4) Section 53(11)—	20
	<i>insert—</i>	21
	building work see the <i>Building Act 1975</i> , section 5.	22 23
	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.	24 25 26 27 28 29

[s 7]

Part 4 **Amendment of Water Supply (Safety and Reliability) Act 2008** 1
2

Clause 7 **Act amended** 3

This part amends the *Water Supply (Safety and Reliability) Act 2008*. 4
5

Clause 8 **Amendment of s 192 (Interfering with service provider's infrastructure)** 6
7

Section 192— 8
insert— 9

(3) However, despite subsections (1) and (2), a 10
person does not require the written consent of the 11
service provider if the person carries out building 12
work for a building or structure on a lot that 13
contains, or is adjacent to a lot that contains, a 14
sewer or water main of the service provider. 15

(4) In this section— 16

building see the *Building Act 1975*, schedule 2. 17

building work see the *Building Act 1975*, section 18
5. 19

structure see the *Building Act 1975*, schedule 2. 20

Part 5 **Minor amendments of Acts** 21

Clause 9 **Acts amended** 22

Schedule 1 amends the Acts it mentions. 23

Schedule 1	Acts amended	1
	section 9	2
Building Act 1975		3
1	Section 86(1)(c), after ‘under the’—	4
	<i>insert—</i>	5
	<i>City of Brisbane Act 2010</i> or the	6
2	Section 229(4), definition <i>local government Act</i>—	7
	<i>omit, insert—</i>	8
	<i>local government Act</i> means the <i>City of Brisbane Act 2010</i> or a Local Government Act within the	9
	meaning of the <i>Local Government Act 2009</i> ,	10
	schedule 4.	11
		12
3	Section 246A1, examples—	13
	<i>insert—</i>	14
	• <i>City of Brisbane Act 2010</i> , section 122 (Entering property	15
	under an approved inspection program)	16
	• <i>City of Brisbane Act 2010</i> , chapter 5, part 2, division 2	17
	(Powers of other persons)	18
4	Section 256(2)(c)(ii), after ‘under the’—	19
	<i>insert—</i>	20
	<i>City of Brisbane Act 2010</i> or the	21
5	Schedule 2, definition <i>authorised officer</i>, paragraph (b),	22
	after ‘under the’—	23
	<i>insert—</i>	24

Schedule 1

	<i>City of Brisbane Act 2010</i> or the	1
6	Schedule 2, definition <i>owner</i>, second mention, paragraph (f), after ‘under the’—	2
	<i>insert—</i>	3
	<i>City of Brisbane Act 2010</i> or the	4
		5
	 Plumbing and Drainage Act 2002	 6
1	Sections 83(3)(b), 86A(9)(b) and 143(2)(a), after ‘2009’—	7
	<i>insert—</i>	8
	or, if the local government is the Brisbane City	9
	Council, its public office under the <i>City of Brisbane</i>	10
	<i>Act 2010</i>	11